



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

31st January 2000

No. 1

Appointments

William John Sutherland, Fuel Driver/Handyman, Public Works Department, 11.11.99.

Robert John Crowie, Night Security Officer, Medical Department, 1.1.00.

Mark David Bridges, Travelling Teacher, Education Department, 4.1.00.

Mrs. Christine Cauwood, Travelling Teacher, Education Department, 4.1.00.

Michael Anthony Floyd, Apprentice Computer Technician, Secretariat, 4.1.00.

Miss Helen Louise Geale, Home Economics Teacher, Education Department, 4.1.00.

Kevin Derek Charles McKay, Plant Operator/Handyman, Public Works Department, 4.1.00.

Miss Rosemary Anne Pugh, Travelling Teacher, Education Department, 4.1.00.

Miss Nicola Jane Taylor, Travelling Teacher, Education Department, 4.1.00.

John Farrow, Head Teacher, Infant/Junior School, Education Department, 7.1.00.

Nigel Lionel Wright, Teacher, Education Department, 8.1.00.

Mrs. Phillipa Elizabeth McHaffie, Part-time Speech and Language Therapist, Health Services Department, 10.1.00.

Miss Heather Thelma Norman, Travelling Teacher, Education Department, 10.1.00.

Anthony Ross Chaloner, Surveyor, Public Works Department, 11.1.00.

Dr. Michael Dennis Blanch, Chief Executive, Falkland Islands Government, 15.1.00.

Promotions

Mrs. Ann Susan Murphy, from Senior Clerk, Post & Telecommunications Department, to Deputy Postmaster, Post & Telecommunications Department, 1.1.00.

Ms. Sharon Lewis, from Assistant Taxation Officer, Treasury Department, to Senior Assistant Taxation Officer, (Trainee), Treasury Department, 4.1.00.

Transfers

Mrs. Veronica Summers, from Chief Clerk, Post & Telecommunications Department, to Administrative Officer, Post & Telecommunications Department, 1.1.00.

Completion of Contracts

Stephen John Dent, Travelling Teacher, Education Department, 2.12.99.

Anthony Ross Chaloner, Surveyor, Public Works Department, 10.1.00.

Renewal of Contracts

James Gregory Woodward, Settlement Teacher, Education Department, 8.1.00.

Stephen John Dent, Teacher, Education Department, 10.1.00.

Mrs. Alison Catherine Liddle, Teacher, Education Department, 10.1.00.

Mrs. Dorinda Roberta Rowlands, Teacher, Education Department, 10.1.00.

Clare Marie Slater, Settlement Teacher, Education Department, 10.1.00.

Resignations

Mrs. Suzanna Margaret Howatt, Senior Clerk, Falkland Islands Government Air Service, 7.1.00.

Diana Marion Coutts, Clerk, Public Service, 11.1.00.

John David Blackley, Plant Operator/Handyman, Highways Section, Public Works Department, 18.1.00.

Mrs. Tracey Clare Clarke, Fisheries Observer, Falkland Islands Government Air Service, 20.1.00.

NOTICES

No. 1 5th January 2000

NATIONAL PARKS ORDINANCE 1998

SECTION 1

COMMENCEMENT NOTICE

IN EXERCISE of my powers under section 1 of the National Parks Ordinance 1998, I hereby notify that the Ordinance shall come into force on 1st February 2000.

Dated this 5th day of January 2000.

D.A. LAMONT,
Governor.

No. 2 12th January 2000

FALKLAND FASHIONS LIMITED

Company Number: 8739

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register

of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 12th day of January 2000.

J.C. ROWLAND,
Register of Companies.

No. 3 24th January 2000

PARAGON LIMITED Company Number: 9044

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 12th day of January 2000.

Dated this 24th day of January 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 4 24th January 2000

WESTTRACK LIMITED Company Number: 10806

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 5th day of January 2000.

Dated this 24th day of January 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 5 27th January 2000

FALKLAND ISLANDS

APPOINTMENT OF ACTING ADMIRALTY MARSHAL

I, DONALD ALEXANDER LAMONT Governor of the Falkland Islands

HEREBY APPOINT

JONATHAN ANDREW CLARK Acting Admiralty Marshal for the period 28 January to 28 February 2000.

Given under my hand at Stanley this 27th day of January 2000.

D.A. LAMONT,
Governor.

No. 6

27th January 2000

FALKLAND ISLANDS**APPOINTMENT OF ACTING REGISTRAR**

I, DONALD ALEXANDER LAMONT Governor of the
Falkland Islands

HEREBY APPOINT

DINAH MAY KILMARTIN Acting Registrar General
for the period 28 January to 28 February 2000.

Given under my hand at Stanley this 27th day of
January 2000.

D.A. LAMONT,
Governor.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

In exercise of the powers conferred by Section 4 of the

Customs Ordinance 1943,

I hereby appoint:**CPL. K.M. GIBSON A8283783**

to be a temporary Customs Officer from 16th November
1999 to 20th March 2000.

R.J. King,
Collector of Customs.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

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

I hereby appoint:**CPL. M. GARCIA H8289965**

to be a temporary Customs Officer from 17th December
1999 to 17th April 2000.

R.J. King,
Collector of Customs.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

29th February 2000

No.2

Appointments

Karl Adrian McKay, Fireman, Fire & Rescue Service, 17.1.00.

Simon Mawdsley, Police Constable, Royal Falkland Islands Police, 21.1.00.

Miss Rosalind Catriona Cheek, Crown Counsel, Justice Department, 31.1.00.

Mrs. Janna Chtcherbich, Fisheries Scientist, Fisheries Department, 31.1.00.

Mrs. Marilyn Joyce Hall, Staff Nurse, Health Services Department, 1.2.00.

Mrs. Elisabeth Mary Luxton, Senior Staff Nurse, Health Services Department, 1.2.00.

Miss Alison Taylor, Fisheries Observer, Fisheries Department, 4.2.00.

Daniel Biggs, Sports Attendant, Education Department, 7.2.00.

Mrs. Jenna Louise De La Rosa, Sports Attendant, Education Department, 7.2.00.

Mrs. Nikki Therese Murphy, Social Worker, Health Services Department, 8.2.00.

Miss Kirsty Parry, Senior Staff Nurse, Health Services Department, 8.2.00.

Anthony George Thomas, Police Constable, Royal Falkland Islands Police, 14.2.00.

Miss Kim Robertson, Houseparent, Education Department, 23.2.00.

Confirmation of Appointments

Michael Charles Bingham, Power Station Operator, Public Works Department, 5.11.99.

Mrs. Cherry Rose Ford, Clerk, Post & Telecommunications Department, 2.1.00.

Miss Hilary Keith-Miller, Clerk, Post & Telecommunications Department, 2.1.00.

Donald William Betts, Mechanic, Public Works Department, 5.1.00.

Mrs. Dinah May Kilmartin, Clerk, Public Service, 5.1.00.

John Currie Thom, Foreman, Public Works Department, 21.1.00.

Miss Lindsay Jane Bonner, Clerk, Post & Telecommunications Department, 9.2.00.

Miss Corina Rose Goss, Assistant Producer, Falkland Islands Broadcasting Station, 16.2.00.

Promotion

Mrs. Elisabeth Mary Luxton, from Senior Staff Nurse, Health Services Department, to Ward Manager, Health Services Department, 8.2.00.

Mrs. Wendy Jennifer Wylie, from Dental Assistant,

Health Services Department, to Senior Clerk, Health Services Department, 23.2.00.

Transfers

Joseph Gwyn Clarke, from Sports Attendant, Education Department, to Plant Operator/Handyman, Public Works Department, 31.1.00.

Mrs. Moira Cameron Eccles, from Taxation Officer, Treasury, to Postmaster, Post & Telecommunications Department, 1.2.00.

Janice Vanessa Dent, Sister, Health Services Department, 10.2.00.

Pauline Bernadette Kerr, from Nursing Sister, Health Services Department, to Clinical Development Officer, Health Services Department, 10.2.00.

Completion of Contracts

Geoffrey Eric Benjamin, Medical Laboratory Technician, Medical Department, 23.1.00.

Miss Nola Robyn Henry, Staff Nurse, Health Services Department, 31.1.00.

Christopher Burt, Senior Staff Nurse, Health Services Department, 11.2.00.

Mrs. Carol Wendy Teggart, General Manager, Falkland Islands Government Office, London, 17.2.00.

Renewal of Contracts

Geoffrey Eric Benjamin, Medical Laboratory Technician, Health Services Department, 24.1.00.

Christopher Burt, Senior Staff Nurse, Health Services Department, 12.2.00.

Retirement

James Stephenson, Postmaster, Posts & Telecommunications Department, 31.1.00.

Resignations

Brian John Williams, Constable, Royal Falkland Islands Police, 7.1.00.

Stewart Troy Stroud, Handyman, Public Works Department, 17.2.00.

Peter Coutts, Senior Carpenter, Public Works Department, 25.2.00.

Errol Barry Gordon Goss, Licensing Clerk, Royal Falkland Islands Police, 29.2.00.

Miss Anna Jenine Robson, Sports Attendant, Education Department, 29.2.00.

Kevin Jon Symonds, Plant Operator/Handyman, Public Works Department, 29.2.00.

NOTICES

No. 9

9th February 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 10

16th February 2000

FALKLAND ISLANDS COMMUNITY SCHOOL MANAGERS' COMMITTEE

Notice is hereby given that His Excellency the Governor has approved the appointment of the following person to the Falkland Islands Community School Managers' Committee with effect from 8 February 2000:

Ms. Nikki Buxton
Chamber of Commerce Representative

Dated this 16th day of February 2000.

Appointment of Temporary Customs Officer Customs Ordinance 1943

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

I hereby appoint:

SGT. KEVIN JOHN HICKS - B8128227

to be a temporary Customs Officer from 1st February 2000 to 1st June 2000.

R.J. King,
Collector of Customs.

Appointment of Temporary Customs Officer Customs Ordinance 1943

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

I hereby appoint:

CPL. BARRY JACKSON R8186986

to be a temporary Customs Officer from 19th February 2000 to 20th June 2000.

R.J. King,
Collector of Customs.

**AFGHANISTAN (UNITED NATIONS SANCTIONS)
(OVERSEAS TERRITORIES) ORDER 1999**

(SI 1999/3136)

On 22 December 1999 the Committee established by the Security Council of the United Nations in paragraph 6 of its resolution 1267 (1999) of 15 October 1999, designated, for the purposes of paragraph 4(a) of that resolution, the following aircraft owned, leased, or operated by or on behalf of the Taliban:

Operator:	Owner:	Registration:	Make:	Model:	Serial:
Afghan Air Force	Afghan Air Force	229	Antonov	AN26	SFG1008
Afghan Air Force	Afghan Air Force	230	Antonov	AN26	SFG1009
Afghan Air Force	Afghan Air Force	231	Antonov	AN26	SFG1010
Afghan Air Force	Afghan Air Force	232	Antonov	AN26	SFG1011
Afghan Air Force	Afghan Air Force	233	Antonov	AN26	SFG1012
Afghan Air Force	Afghan Air Force	234	Antonov	AN26	SFG1013
Afghan Air Force	Afghan Air Force	235	Antonov	AN26	SFG1014
Afghan Air Force	Afghan Air Force	236	Antonov	AN26	SFG1015
Afghan Air Force	Afghan Air Force	237	Antonov	AN26	SFG1016
Afghan Air Force	Afghan Air Force	238	Antonov	AN26	SFG1017
Afghan Air Force	Afghan Air Force	239	Antonov	AN26	SFG1018
Afghan Air Force	Afghan Air Force	240	Antonov	AN26	SFG1019
Afghan Air Force	Afghan Air Force	241	Antonov	AN26	SFG1020
Afghan Air Force	Afghan Air Force	242	Antonov	AN26	SFG1021
Afghan Air Force	Afghan Air Force	243	Antonov	AN26	SFG1022
Afghan Air Force	Afghan Air Force	244	Antonov	AN26	SFG1023
Afghan Air Force	Afghan Air Force	245	Antonov	AN26	SFG1024
Afghan Air Force	Afghan Air Force	246	Antonov	AN26	SFG1025
Afghan Air Force	Afghan Air Force	247	Antonov	AN26	SFG1026
Afghan Air Force	Afghan Air Force	252	Antonov	AN26	SFG1027
Afghan Air Force	Afghan Air Force	268	Antonov	AN26	SFG1028
Afghan Air Force	Afghan Air Force	284	Antonov	AN32	AN32021
Afghan Air Force	Afghan Air Force	301	Antonov	AN32	AN32053
Afghan Air Force	Afghan Air Force	302	Antonov	AN32	AN32054
Afghan Air Force	Afghan Air Force	303	Antonov	AN32	AN32055
Afghan Air Force	Afghan Air Force	304	Antonov	AN32	AN32056
Afghan Air Force	Afghan Air Force	305	Antonov	AN32	AN32057
Afghan Air Force	Afghan Air Force	306	Antonov	AN32	AN32058
Afghan Air Force	Afghan Air Force	307	Antonov	AN32	AN32022
Afghan Air Force	Afghan Air Force	308	Antonov	AN32	AN32023
Afghan Air Force	Afghan Air Force	346	Antonov	AN32	AN32059
Afghan Air Force	Afghan Air Force	353	Antonov	AN32	AN32024
Afghan Air Force	Afghan Air Force	363	Antonov	AN32	AN32060
Afghan Air Force	Afghan Air Force	381	Antonov	AN12	AN12235
Afghan Air Force	Afghan Air Force	382	Antonov	AN12	AN12236
Afghan Air Force	Afghan Air Force	384	Antonov	AN12	AN12237
Afghan Air Force	Afghan Air Force	387	Antonov	AN12	4342205
Afghan Air Force	Afghan Air Force	388	Antonov	AN12	AN12238
Afghan Air Force	Afghan Air Force	390	Antonov	AN12	AN12239
Afghan Air Force	Afghan Air Force	T-001	Ilyushin	IL18	87010105
Afghan Air Force	Afghan Air Force	T-004	Antonov	AN26	SFG1007

Operator:	Owner:	Registration:	Make:	Model:	Serial:
Afghan Air Force	Afghan Air Force	T-005	Antonov	AN24	SFG1006
Ariana Afghan Airlines	Ariana Afghan Airlines	CCCP-87255	Yakoviev	YK40	AFG01
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-BAG	Antonov	AN24	7306602
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-BAH	Antonov	AN24	17306709
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-BAL	Antonov	AN26	14105
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-BAN	Antonov	AN26	14304
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-BAO	Antonov	AN26	14305
Ariana Afghan Airlines	Unconfirmed CIS operator	YA-DAA	Antonov	AN12	AN12353
Ariana Afghan Airlines	Polet Russian Air Company	YA-DAB	Antonov	AN12	5342801
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-DAG	Antonov	AN24	87304504
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-FAU	Boeing	B727	20343
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-FAW	Boeing	B727	19619
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-GAX	De Haviland	DHC6	331
Caspian Airlines	Ariana Afghan Airlines	EP-CPG	Tupolev	T154	748
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-DAF	Antonov	AN24	
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-DAJ	Antonov	AN24	47309603
Ariana Afghan Airlines	Ariana Afghan Airlines	YA-FAY	Boeing	B727	22289
Ariana Afghan Airlines	Tyumenaviatrans	YA-87486	Yakoviev	YK40	9441438

These particulars are published in accordance with article 3(2) of the above-mentioned Order.

NOTICE

**CONSERVATION OF WILDLIFE AND NATURE ORDINANCE 1999
LICENCES TO CARRY OUT SCIENTIFIC RESEARCH**

The following licences have been issued under the above legislation to enable individuals and organisations to carry out scientific research in the Falkland Islands:

Individual / Organisation	Scope of Licence	Period of Licence
Mr M C Bingham 30 Ross Road East Stanley	To undertake the ring marking of Black-browed Albatrosses in the Falkland Islands to determine adult mortality, age of first breeding and migratory range.	5.11.1999 – 30.9.2000
SW Atlantic Seabirds at Sea Team C/o Mr A Black (JNCC) Falklands Conservation Union Building Ross Road Stanley	To evaluate the effectiveness of a 'burrowscope' for the study of burrow-nesting seabirds and to estimate the populations of Sooty Shearwaters, Great Shearwaters and White-chinned Petrels on Kidney Island.	8.11.1999 – 30.9.2000
Dr R M McDonald (and two field assistants) National Institute of Water and Atmospheric Research Christchurch New Zealand	To collect for further research and expert determination indigenous freshwater fishes and freshwater benthic invertebrates in the Falkland Islands using electric fishing equipment, nets and traps.	9.11.1999 – 31.12.1999
New Island South Conservation Trust C/o Mr I J Strange The Dolphins Snake Hill Stanley	To undertake research into all aspects of the flora and fauna on New Island, including the establishment of an island herbarium and the satellite tagging of three species of penguin.	10.11.1999 – 30.9.2000
Mr F Clark Hawkbit Falkland Islands	To undertake research into the populations and breeding success of Redbacked Hawks and other birds of prey in the Falkland Islands.	1.11.1999 – 30.9.2000
Falklands Conservation (staff and field assistants) C/o Miss R J Ingham Union Building Ross Road Stanley	To undertake research into the flora and fauna of the Falkland Islands, including a seabird monitoring and diet sampling programme and the satellite tracking of four species of penguin.	1.11.1999 – 30.9.2000
Elephant Seals Research Group C/o Dr F Galimberti Milan Italy and Sea Lion Island, Falkland Islands	To undertake research into the demography, breeding biology and behaviour of the Southern Elephant Seal population on Sea Lion Island, including the marking of animals, the handling of pups and the collection of skin samples for DNA extraction and analysis.	1.11.1999 – 30.11.1999

T W Eggeling
Environmental Planning Officer

31 December 1999



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

31st March 2000

No. 3

Appointments

Mrs. Anneilese Adeoye, Cleaner, Leisure Centre, Education Department, 25.2.00.

Miss Emma Margaret Reid, Sports Attendant, Leisure Centre, Education Department, 28.2.00.

Mrs. Michelle Paula Evans, Cleaner, Leisure Centre, Education Department, 4.3.00.

Ms. Kim Robertson, Houseparent, Education Department, 6.3.00.

Tyssen John Richard Smith, Plant Operator/Handyman, Highways Section, Public Works Department, 6.3.00.

Philip John Boswell, Quantity Surveyor, Public Works Department, 10.3.00.

Miss Julie Catherine Stevenson, Senior Staff Nurse, Health Services, 10.3.00.

Mrs. Amelia Clarke, Record Librarian/Receptionist, Broadcasting Station, 13.3.00.

Mrs. Michelle Jane Morris, Temporary Licensing Clerk, Royal Falkland Islands Police, 13.3.00.

Acting Appointment

Derek Simon Clarke, Acting Chief Pilot, Falkland Islands Government Air Service, 29.3.00. - 12.5.00.

Confirmation of Appointments

Zachary Stephenson, Firefighter, Fire & Rescue Department, 16.3.00.

Ms. Sally Anne Allen, Assistant Taxation Officer, Taxation Officer, 20.3.00.

Miss Barbara Cheek, Customs & Immigration Officer, Customs & Immigration Department, 23.3.00.

Promotions

Tony Eugene Terence McLaren, from Tradesman Carpenter, Public Works Department, to Senior Tradesman Carpenter, Public Works Department, 1.3.00.

Mrs. Alison Dodd, from Record Librarian/Receptionist, to Assistant Taxation Officer, Taxation Office, 20.3.00.

Completion of Contracts

Miss Wendy Mackney-Mills, Teacher, Education Department, 2.12.99.

Keith Mason Watson, Senior Magistrate, Justice Department, 21.3.00.

Mark Andrew Waite, Resident Engineer, Public Works Department, 22.3.00.

Steven Waugh, Fisheries Protection Officer, Fisheries Department, 23.3.00.

Derek Clelland, Laboratory Technician, Agriculture Department, 24.3.00.

Renewal of Contracts

Mrs. Wendy Mackney-Mills, Teacher, Education Department, 10.1.00.

Keith Mason Watson, Senior Magistrate, Justice Department, 22.3.00.

Mark Andrew Waite, Resident Engineer, Public Works Department, 23.3.00.

Steven Waugh, Fisheries Protection Officer, Fisheries Department, 24.3.00.

Derek Clelland, Laboratory Technician, Agriculture Department, 25.3.00.

Resignations

Paul Anthony Howe, Handyman/Craftsman, Public Works Department, 3.3.00.

Miss Tanya Fiona Jaffray, Sports Attendant, Education Department, 17.3.00.

Melvyn George Johnson, Plant Operator/Handyman, Public Works Department, 29.3.00.

Miss Lucille Anne McMullen, Clerk/Secretary, Education Department, 31.3.00.

Termination of Engagement

Miss Helen Louise Geale, Home Economics Teacher, Education Department, 7.4.00.

NOTICES

No. 11 3rd March 2000

The new Index of Retail Prices has now been introduced, with the Index being reset to 100 on 30 June 1999.

The calculation of the Index for the quarter ended 31 December 1999 has now been finalised. The calculations show an increase during the quarter, from 99.15 to 103.08, an increase of 3.964%.

C.S. DAVIES,
for Government Secretary.

No. 12

7th March 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 13

7th March 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 14

14th March 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 15

16th March 2000

SUPREME COURT OF THE FALKLAND ISLANDS

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

TAKE NOTICE THAT Kevin Clifton deceased of Derby, England died at Derby, England, on the 22nd day of December 1999 intestate.

WHEREAS Thora Janeene Clifton has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

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

L.A. TITTERINGTON,
Registrar, Supreme Court.

No. 17 27th March 2000

**ISLANDS CONSTRUCTION LIMITED
NOTICE OF CREDITORS MEETING**

NOTICE is hereby given that a meeting of the creditors of the above company will be held at Crozier Place, Stanley, Falkland Islands on Tuesday, 2nd May 2000 at 2.00pm for the purposes of considering, and if thought fit, passing the following Resolution:

"THAT the Company be wound up voluntarily and that Colin George Wiseman of Stonecutters Court, 1 Stonecutters Street, London EC4A 3TR be appointed Liquidator for the purposes of such winding up."

A creditor entitled to attend and vote at the meeting is entitled to appoint another person as his proxy to attend and vote instead of him or her.

Dated: 27th March 2000

By order of the Board

T.G. SPRUCE,
Company Secretary.

No. 18 31st March 2000

CURRENCY ORDINANCE 1987

His Excellency the Governor has been pleased to appoint Mrs. Moira Cameron Eccles as Commissioner

of Currency in accordance with Section 5 of the Currency Ordinance, 1987.

No. 19 31st March 2000

PENSIONS ORDINANCE 1997

His Excellency the Governor has been pleased to appoint Mr. Richard Carl Wagner as Chairman of the Pensions Board in accordance with Section 5 (2) (a) of the Pensions Ordinance, 1997.

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

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

I hereby appoint:

CPL NIGEL PHILLIP CASTELOW Q8203685

to be a temporary Customs Officer from 24th February 2000 to 24th June 2000.

R.J. King,
Collector of Customs.

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

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

I hereby appoint:

WO2 ANTHONY CHARLES BALLARD 24538376

to be a temporary Customs Officer from 19th February 2000 to 20th August 2000.

R.J. King,
Collector of Customs.

**CONSERVATION OF WILDLIFE AND NATURE ORDINANCE 1999
LICENCES TO CARRY OUT SCIENTIFIC RESEARCH**

The following licences have been issued under the above legislation to enable individuals and organisations to carry out scientific research in the Falkland Islands:

Individual/ Organisation	Scope of Licence	Period of Licence
Dr Paul Kores Oklahoma Biological Survey 111 E. Chesapeake Street Norman Oklahoma 73019-0575 USA	To collect, preserve and export for DNA extraction and analysis flowers and leaf material from four species of orchid.	01.01.2000-31.01.2000
Seal Mammal Research Unit C/o Dr. David Thompson University of St. Andrews Gatty Marine Laboratory St. Andrews Fife KY 16 8LB UK	To carry out research into the foraging range, diet and behaviour of Falkland Islands Fur Seals and Rockhopper Penguins on Bird Island.	20.01.2000-31.05.2000
The Royal Botanic Gardens Kew C/o Clare Hankamer Richmond Surrey TW9 3AB UK	To carry out research on plant material and seeds collected under licence from the Falkland Islands.	01.02.2000-31.01.2001
Elephant Seals Research Group C/o Dr. Filippo Galimberti Via Buonarroti, 35 20145 Milano Italy	To undertake research into the demography, breeding biology and behaviour of the Southern Elephant Seal population on Sea Lion Island, including the marking of animals, the handling of pups and weanlings, and the extraction of skin samples for DNA extraction and analysis.	15.08.2000-15.12.2000

T.W. EGGELING,
Environmental Planning Officer.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

28th April 2000

No. 4

Appointments

Mrs. Elisa Phillips, Cleaner, Education Department, 31.1.00.

Mrs. Jane Mackintosh Mackenzie, Staff Nurse, Health Services Department, 28.3.00.

Stevie Coppell Bonner, Apprentice Painter/Decorator, Public Works Department, 3.4.00.

Steven Leslie Burston, Labourer, Public Works Department, 3.4.00.

Jeremy Ian Thomas Clarke, Handyman, Public Works Department, 3.4.00.

Marc Ian Finlayson, Apprentice Electrician, Public Works Department, 3.4.00.

James Greenland, Apprentice Electrician, Public Works Department, 3.4.00.

Steven Geoffrey Miller, Apprentice Plumber, Public Works Department, 3.4.00.

Ms. Catriona Mhairi Mitchell, Legal Secretary, Attorney General's Chambers, 3.4.00.

Ms. Catherine Dawn Williams, Part-time Housekeeper, Government House, 6.4.00.

Martin Rex Carey, Tradesman Carpenter, Public Works Department, 17.4.00.

Miss Felicity Marie Clarke, Clerk, Education Department, 25.4.00.

Confirmation of Appointment

Roger May, Plant Operator/Handyman, Public Works Department, 23.3.00.

Promotions

Miss Sarah Forster, from Junior Agricultural Assistant, Agricultural Department, to Agricultural Assistant, Agricultural Department, 6.12.99.

Ms. Janice McGinness, from Assistant Special Needs Teacher, Education Department, to Social Work Assistant, Health Services Department, 25.4.00.

Transfer

Trevor Morrison, from Foreman, Quarry, Public Works Department, to Power Station Operator, Public Works Department, 27.4.00.

Resignations

Zane Eric Hirtle, Assistant Computer Co-ordinator,
Computer Section, Secretariat, 30.4.00.

John Alexander Horne-MacDonald, Aerodrome Fire
Officer, Civil Aviation Department, 30.4.00.

NOTICES

No. 20 30th March 2000

MARRIAGE ORDINANCE 1996**CERTIFICATION OF REGISTRATION AS A
MINISTER FOR THE SOLEMNISATION OF
MARRIAGES**

IN EXERCISE of my powers under section 26(2) of the
Marriage Ordinance 1996 and all other powers enabling
me I **DONALD ALEXANDER LAMONT** Governor of
the Falkland Islands **HEREBY REGISTER**

JAMES JOSEPH DALEY

as a Minister for the solemnisation of marriages

Given under my hand and the Public Seal at Stanley this
30th day of March 2000.

D.A. LAMONT,
Governor.

No. 21 7th April 2000

FALKLAND ISLANDS STATUS APPLICATION

Notice is hereby given that Mr. John Andrew
Thomas Fowler has applied to the Principal Immigration
Officer for Falkland Islands status. Any person
who desires to object to the granting of such status
may do so in writing to the Immigration Officer,
Stanley within 21 days of the date of publication of this
notice.

J.E. SMITH,
Immigration Officer.

No. 22

12th April 2000

**FALKLAND FASHIONS LIMITED
Company Number 8739**

NOTICE IS HEREBY GIVEN that the above named
company was dissolved pursuant to section 353 of the
Companies Act 1948 in its application to the Falkland
Islands on the 12th day of April 2000.

Dated this 12th day of April 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 23

20th April 2000

INFANT/JUNIOR SCHOOL MANAGER

Notice is hereby given that His Excellency the Governor
has approved the appointment of the following person
to be an Infant/Junior School Manager with effect from
7th April 2000:

Mrs. Diane McGill

Dated this 20th day of April 2000.

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

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

I hereby appoint:

CPL STUART PAUL RICHARDS S8252781

to be a temporary Customs Officer from 14th April 2000
to 14th August 2000.

R.J. King,
Collector of Customs.

CORRIGENDUM

In Gazette Supplement No. 5 of 3rd April 2000, the title
of S.R. & O. No. 10 should read "Fishing Licences
(Applications and Fees) Regulations Order 2000".



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

31st May 2000

No. 5

Appointments

Keith James Bonner, Power Station Operator, Public Works Department, 1.5.00.

Malcolm Keith Heathman, Night Security Officer, Health Services Department, 1.5.00.

James Fred Parke, Storeman/Clerk, Falkland Islands Government Air Service, 3.5.00.

Miss Jacqueline Diane Dominguez, Theatre Sister, Health and Social Services Department, 10.5.00.

Dr. Louise Irene Miranda Berends-Buckley, Medical Officer, Health and Social Services Department, 12.5.00.

Dr. Maximiliaan L. Berends, Medical Officer, Health and Social Services Department, 12.5.00.

Mrs. Helen Therese Forbes, Home Economics Teacher, Education Department, 13.5.00.

Confirmation of Appointment

Peter James Crowie, Labourer, Public Works Department, 4.5.00.

Promotion

Miss Karen Rose Constantine, from Housekeeper, Government House, to Senior Housekeeper, Government House, 3.5.00.

Completion of Contract

Ms. Debra Taplin, Highways Technician/Engineer, Public Works Department, 19.5.00.

Resignation

Leslie Walter Beckett, Plant Operator/Handyman, Public Works Department, 19.5.00.

Retirement

Christopher Richard Spall, Handyman, Education Department, 12.5.00.

NOTICES

No. 24

6th March 2000

APPOINTMENT OF JUSTICE OF THE COURT OF APPEAL

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

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

DO HEREBY APPOINT**RICHARD STUART ALISTAIR BENSON Esquire**

to be a Justice of the Court of Appeal of the Falkland Islands

AS WITNESS my hand and the Public Seal of the Falkland Islands the day and year first above written.D.A. LAMONT,
Governor.

No. 25

6th March 2000

**APPOINTMENT OF JUSTICE OF THE
COURT OF APPEAL****BY THESE LETTERS PATENT** made this sixth day of March in the year of Our Lord Two thousand and the forty ninth year of the Reign of her Majesty **ELIZABETH THE SECOND** by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith**I DONALD ALEXANDER LAMONT** Governor of the Falkland Islands, in pursuance of instructions given by Her said Majesty through Her Secretary of State for Foreign and Commonwealth affairs,**DO HEREBY APPOINT****REGINALD JOHN RUBERY Esquire**

to be a Justice of the Court of Appeal of the Falkland Islands

AS WITNESS my hand and the Public Seal of the Falkland Islands the day and year first above written.D.A. LAMONT,
Governor.

No. 26

1st May 2000

**THE BANKING ORDINANCE (TITLE 10.1)
THE BANKING (AMENDMENT) ORDINANCE 1996****NOTICE IS HEREBY GIVEN** pursuant to Section 19(1) of the Banking Ordinance (Title 10.1), as amended, that the audited accounts of Standard Chartered Bank for the year ended 31st December 1999 are available for inspection at the bank branch office, Ross Road, Stanley, or a copy will be supplied on application to the Manager.K.R. BILES, BSc. ACIB.
Manager,
Standard Chartered Bank,
P.O. Box 166,
Stanley, Falkland Islands.

No. 27

2nd May 2000

**THE ELECTRICITY SUPPLY REGULATIONS
(Regulation 10)**

Notice is hereby given in accordance with regulation 10 of the Electricity Supply Regulations 1969 that the price of electricity will be increased as follows with effect from the first meter reading/pre-payment meter calibration on or after 1 July 2000:

non-domestic price from 12p to 13p per unit;
domestic price from 11p to 13p per unit.

No. 28

2nd May 2000

SUPREME COURT OF THE FALKLAND ISLANDS**Notice under the Administration of Estates Ordinance
(Cap. 1)****TAKE NOTICE THAT** Olga Bragger deceased of Stanley Falkland Islands died on the 2nd day of May 1999 intestate.**WHEREAS** Edward Laurence Bragger has applied for Letters of Administration to administer the estate of the said deceased in the Colony.**NOTICE IS HEREBY GIVEN** pursuant to Section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within 21 days of the publication hereof.L.A. TITTERINGTON,
*Registrar, Supreme Court.*Stanley,
Falkland Islands
2 May 2000
Ref: PRO/9/2000.

No. 29

8th May 2000

**THE COMPANIES AND PARTNERSHIPS
ORDINANCE (CAP. 13)****THE COMPANIES ACT 1948****EXTRAORDINARY RESOLUTION
OF ISLANDS CONSTRUCTION LIMITED
(Company No. 8940)**

At an Extraordinary General Meeting of the members of Islands Construction Limited duly convened on Tuesday 2nd May 2000 the following resolution was duly passed as an extraordinary resolution of the company

"That the company be wound up voluntarily and that Colin George Wiseman of Stonecutters Court, 1

Stonecutters Street, London EC4A 3TR be appointed liquidator for the purposes of such winding up"

T.G. SPRUCE,
Company Secretary.

No. 30

15th May 2000

INDEX OF RETAIL PRICES

The Index of Retail Prices for the quarter ended 31 March 2000 has now been finalised.

The calculations show an increase during the quarter, from 103.08 to 104.27, an increase of 1.154%

C.S. DAVIES,
for Government Secretary.

No. 31

15th May 2000

AFGHANISTAN (UNITED NATIONS SANCTIONS) (OVERSEAS TERRITORIES) ORDER 1999 (SI 1999/3136)

On 12 April 2000, the Committee established by the United Nations Security Council in paragraph 6 of its resolution 1267 (1999) of 15 October 1999 designated the funds and financial resources to be frozen by Member States for the purposes of paragraph 4(b) of that resolution as:

"Any financial assets and economic benefits of any kind, including funds derived or generated from property owned or controlled directly or indirectly by the Taliban, or by any undertaking owned or controlled by the Taliban. They include, but are not limited to: cash; cheques, drafts, money orders and other payment instruments; deposits with financial institutions or other entities, balances on accounts, debts and debt obligations; publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, derivatives contracts; interest, dividends or other income on or value accruing from or generated by assets; credit rights of set-off, guarantees, performance bonds or other financial commitments; letters of credit, bills of lading, bills of sale; documents evidencing an interest in funds or financial resources."

The Committee also issued the following list of entities and/or persons that have so far been identified by the Committee as falling under one of the above-mentioned categories:

- Ariana Afghan Airlines (formerly known as Bakhtar Afghan Airlines), Afghan Authority Building, PO Box 76, Ansari Watt, Kabul, Afghanistan, and any other offices of Ariana Afghan Airlines.

- Banke Millie Afghan (a.k.a. Afghan National Bank; a.k.a. Bank E. Millie Afghan), Jada Ibn Sina, Kabul, Afghanistan, and any other offices of Banke Millie Afghan.

- Da Afghanistan Bank (a.k.a. Bank of Afghanistan; a.k.a. Central Bank of Afghanistan; a.k.a. The Afghan State Bank), Ibni Sina Wat, Kabul, Afghanistan, and any other offices of Da Afghanistan Bank.

- Account of Ariana Afghan Airlines in Citibank, New Delhi, India.

- Account of Ariana Afghan Airlines in Punjab National Bank, New Delhi, India.

- Omar, Mohammed (individual); Leader of the Faithful ('Amir ul-Mumineen'), Afghanistan (DOB 1950; POB Hotak, Kandahar Province, Afghanistan).

These particulars are published in accordance with article 4(2) of the above mentioned Order.

On 10 February 2000 the Committee designated the following aircraft, for the purposes of paragraph 4(a) of UNSCR 1267 (1999), in addition to the aircraft previously designated by the Committee on 22 December 1999:

Operator and Owner: Ariana Afghan Airlines

Registration: YA-DAM

Make: Antonov

Model: AN24

Serial: 104-04

These particulars are published in accordance with article 3(2) of the above mentioned Order.

No. 32

18th May 2000

DELEGATION OF POWERS

Conservation of Wildlife and Nature Ordinance 1999

IN EXERCISE of my powers under section 9(3) of the Conservation of Wildlife and Nature Ordinance 1999 and all other powers enabling me I **DONALD ALEXANDER LAMONT** Governor of the Falkland Islands **HEREBY** delegate my power to grant licences under section 9 of the Conservation of Wildlife and Nature Ordinance 1999 to the officer for the time being exercising the duties of the post of Environmental Planning Officer for the following purposes and subject to the following conditions -

1. For scientific or educational purposes provided that the licence specifies the purpose for which it is granted and includes a condition that a detailed report on any relevant research work will be made available to the

Environmental Planning Officer within a specified period of time.

2. For the purposes of authorising a person resident in the Falkland Islands to collect the eggs of any birds specified in the licence for human consumption in the Falkland Islands provided that the licence includes a condition that a written return is made to the Environmental Planning Officer within a specified period of time indicating the number and species of eggs collected, the location from which they are collected and the dates on which they are collected, and

3. For the purpose of preventing serious damage to livestock by any wild bird provided that any licence is issued after consultation with the Director of Agriculture for the time being, that the authorised method of killing is by way of shooting and that a written return is made to the Environmental Planning Officer within a specified period of time indicating the species, date, location and the reason for the killing of the wild bird and, where reasonable, the age of the bird involved.

Given under my hand this eighteenth day of May 2000.

D.A. LAMONT,
Governor.

No. 33 18th May 2000

MERMAID FISHERIES LIMITED
Company Number 9562

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

J.C. ROWLAND,
Registrar of Companies.

No. 34 19th May 2000

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

TAKE NOTICE THAT Ernest Falkland Luxton deceased of Stanley Falkland Islands died on the 19th day of April 1999.

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

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

L.A. TITTERINGTON,
Registrar, Supreme Court.

Stanley,
Falkland Islands
19 May 2000
Ref: PRO/7/2000.

No. 35 23rd May 2000

LAND ACQUISITION BILL 1999

The Land Acquisition Bill 1999 has been referred to a Select Committee of the Legislative Council. Members of the public who wish to comment upon the Bill are requested to forward their written views to the Clerk of Councils at the Secretariat in Stanley before the end of July 2000. Copies of the Bill are available upon request from the Secretariat General Office (telephone: 27242).

S. HALFORD,
Chairman, Select Committee
on the Land Acquisition Bill 1999.

No. 36 24th May 2000

SUPREME COURT OF THE FALKLAND ISLANDS

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

TAKE NOTICE THAT Robin Myles Lee deceased of Stanley Falkland Islands died on the 9th day of May 2000 intestate.

WHEREAS Nicola 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 21 days of the publication hereof.

L.A. TITTERINGTON,
Registrar, Supreme Court.

Stanley,
Falkland Islands
24 May 2000
Ref: PRO/7/2000.



THE
FALKLAND ISLANDS GAZETTE
Extraordinary

PUBLISHED BY AUTHORITY

Vol. CIX

7th June 2000

No. 6

The following is published in this Gazette:-

The Register of Electors 2000 - Preliminary List.

15 May 2000

REGISTER OF ELECTORS - PRELIMINARY LIST

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

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

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

Deceased Electors - Camp

Lee Robin Myles
McKay Richard

Deceased Electors - Stanley

Barnes Ernest
Bennett Harold
Blizard Lawrence Gordon
Blyth Alfred John
Clifton Kevin
Halliday Evelyne Edna
McKay Stephen John
McLeod Donald Henry
Newman Joyce Noreen
Pettersson Eileen Heather
Ross Colin
Rowlands John Richard
Sarney Harry

Electors who have changed Constituency - Camp to Stanley

Cockwell John Richard
Edwards Emma Jane
Ferguson John William
Ferguson Stephanie Janet
Gray David Edward
Gray Patricia May
May Christopher Raymond
May Lindsey Olga
McRae Mandy
Minnell Adrian James

Electors who have changed Constituency - Stanley to Camp

Chater Anthony Richard
 Clausen Sophie Marina
 Faria Basil Harry
 Faria Maria Anne
 McLeod Dawn
 McLeod Kenneth Benjamin John
 Strange Ian John

Electors who are no longer resident - Camp

Oxley Brian
 Young Julie

Electors who are no longer resident - Stanley

Aldridge Nina Ann
 Davies Stephen Andrew
 Halford Sandi Jayne
 Hall David Albert
 Irwin Rhoda de Felton
 Jaffray Ingrid Joyce
 Rogers Ralph
 Rogers Roger Neil
 Shorrock Joyce
 Shorrock Nigel
 Short Andrez Peter
 Smith Bruce Dennis
 Smith Tyssen John Richard
 Steen Allan Graham

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

Davis Dorcen Susan
 Miller Sheena Melanie

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

Cockwell Jennifer Marie
 Dent Janice Vanessa
 Ferguson Ellen Rose
 Goodwin Bonita Colleen
 Lazo Myriam Beatriz
 Lee Mandy John
 Molkenbuhr Jill Edith
 Morrison Priscilla Violet
 Phillips Shula Louise
 Villegas Caroline
 Watts Amara Theresa

Electors entitled to vote for the first time - Camp

Barnes Marlene Estela

Barrientos Jose Sixto Ruiz
 Ford Marvyn Neil
 Forster Sarah
 Marsh Karen Diana
 Short George Godfrey Ivan

Electors entitled to vote for the first time - Stanley

Allan Sarah Louise
 Betts Stephen
 Bonner Terence Leslie
 Budd Dennis Raymond
 Budd Pamela Joan
 Browning Nathan David
 Clarke Joan Patricia Marion
 Clarke Joseph Gwyn
 Davies Sian Karen
 Evans Susan Maureen
 Fowler Daniel Martin
 Fowler Rachael Jane
 Gilbert Mark Ian
 Halford Sara Jane
 Luxton Anna
 MacDonald Kathleen Rose
 Maciello Susan Ovedia Franz de
 McLeod Louise
 McMullen Mathew John
 McRae Elvis Richard
 Middleton Kerry Ann
 Morrison Basil
 Morrison Catherine Rose
 Munro Grant Mackintosh
 O'Shea Cynthia Kay
 Platt Claire
 Rendell Nicholas Simon Oliver
 Ross Cara Jane
 Short George Godfrey Ivan
 Smith Lisa Margaret
 White Judy Marie

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

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

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

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

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

(a) during such part or parts of the period of twelve months ending on the qualifying date as he was in the Falkland Islands; and

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

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

(a) the performance of duties as a public officer in the employment of the Falkland Islands Government;

(b) the performance of duties as a member of the Legislative Council or as a member or an employee of the Corporation;

(c) service in Her Majesty's regular armed forces; service as a member of the Falkland Islands Defence Force;

(d) undergoing a course of education or training overseas;

(e) undergoing a course of medical treatment overseas;

(f) accompanying a spouse absent overseas for a reason mentioned in paragraphs (a) to (e) of this subsection;

(g) any other absence for a period or periods not exceeding six months in the period of twelve months immediately preceding the qualifying date.

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

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

"Meaning of "resident for the qualifying period"

4 (1) Subject to the provisions of this subsection, for the purposes of the provisions of this Ordinance as to the qualification of a person to be registered as an elector, a person is to be regarded as being resident in the Falkland Islands for the qualifying period if under the provisions of section 3 he is to be treated as being resident in the Falkland Islands for the period of twelve months immediately preceding the qualifying date. Notwithstanding the foregoing, a person not born in the Falkland Islands shall not, in respect of any electoral register prepared in relation to the qualifying date in 1999 (that is to be say, 15 May 1999), be treated as resident in the Falkland Islands for the qualifying period unless on that date he had been ordinarily resident in the Falkland Islands for a period of not less than five years expiring on that date. For the purposes of this subsection, "ordinarily resident" has the same meaning as it has at common law."

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

56	Berntsen	Matthew John	39 Davis St.
57	Berntsen	Olaf Christian Alexander	Eliza Cres.
58	Berntsen	Patrick	10 James St.
59	Berntsen	Rachel Ena	32 Eliza Cres
60	Berntsen	Saphena Anya Jane	Plat 7, 6 Jersey Rd.
61	Berntsen	Valdamar Lars	14 St. Marys Walk
62	Berntsen	Valorie Marcela	14 St. Marys Walk
63	Bertrand	Catherine Gladys	11 Ross Rd. East
64	Besley-Clark	Barbara June	53 Callaghan Rd.
65	Besley-Clark	Craig Norman Leigh	53 Callaghan Rd.
66	Besley-Clark	Douglas James	53 Callaghan Rd.
67	Besley-Clark	Norman	53 Callaghan Rd.
68	Betts	Arlette	Lafone House, Ross Rd. East
69	Betts	Donald William	7 Jeremy Moore Ave.
70	Betts	Ellen Alma	21 Fitzroy Rd.
71	Betts	George Winston Charles	35 Ross Rd. West
72	Betts	Ian	1 Villiers St.
73	Betts	Lucia Elizabeth	35 Ross Rd. West
74	Betts	Owen	Flat 4, Church House
75	Betts	Severine	2B Jeremy Moore Ave. East
76	Betts	Shirley Rose	7 Jeremy Moore Ave.
77	Betts	Simon Keith	Reflections Flat Stanley
78	Betts	Terence Severine	Lafone House, Ross Rd. East
79	Biggs	Alastair Gordon	Trehayle, 50 John St.
80	Biggs	Althea Maria	3 Dairy Paddock Rd.
81	Biggs	Betty Josephine	9 Moody St.
82	Biggs	Edith Joan	Trehayle, 50 John St.
83	Biggs	Frances	16 Endurance Ave.
84	Biggs	Frederick James	KEMH
85	Biggs	Irene Mary	Harbour View, 4 Ross Rd. East
86	Biggs	Leslie Frederick	3 Dairy Paddock Rd.
87	Biggs	Michael Elfed	21 Fitzroy Rd.
88	Biggs	Peter Julian Basil	16 Endurance Ave.
89	Binnie	Juliet Ann	33 Eliza Cres.
90	Binnie	Susan	3 Brandon Rd.
91	Birmingham	John	4 Drury St.
92	Birmingham	Susan Jane	4 Drury St.
93	Blackley	Candy Joy	4 Barrack St.
94	Blackley	Hilda	11 Thatcher Drive
95	Blackley	John David	4 Barrack St.
96	Blackley	Maurice	The Lodge, Market Garden
97	Blackley	Shane David	4 Barrack St.
98	Blades	Helen Jean	10 John St.
99	Blake	Alexander Charles	1 Ross Rd
100	Blake	Lionel Geoffrey	1 Ross Rd
101	Blake	Sally Gwynfa	1 Ross Rd
102	Blake	Thomas Patrick	90 Davis St.
103	Blizard	Malvina Mary	51 Fitzroy Rd.
104	Blyth	Agnes Ruth	2 Brandon Rd.
105	Blyth	Paz Neri	5 St Marys Walk
106	Bonner	Alan Paul	5 John Street
107	Bonner	Angela Jane	5 John St.
108	Bonner	Cheryl Anne	4a Ross Road West
109	Bonner	Donald William	Chaffeurs Cottage
110	Bonner	Hayley Trina	41 Ross Rd. West

111	Bonner	Linda Jane	4A Ross Rd. West
112	Bonner	Lindsay Jane	21 Shackleton Drive
113	Bonner	Nicholas	4A Ross Rd. West
114	Bonner	Paul Roderick	5 John St.
115	Bonner	Terence Leslie	Flat 1 30 Jersey Rd
116	Bonner	Timothy	41 Ross Rd. West
117	Bonner	Vera Ann	5 John St.
118	Bonner	Vera Joan	Chaffeurs Cottage
119	Bonner	Violet	40 Ross Rd.
120	Booth	Jessie	Racecourse Cottage
121	Booth	Joseph Bories	7 Philomel St.
122	Booth	Myriam Margaret Lucia	7 Philomel St.
123	Booth	Stuart Alfred	Racecourse Cottage
124	Bound	Joan	Barrack St.
125	Bowles	Norma Evangeline	1A Villiers St.
126	Bowles	William Edward	1A Villiers St.
127	Bowles	William George Troyd	1A Villiers St.
128	Bragger	Edward Laurence	14 Jeremy Moore Ave.
129	Brock	Juanita Lois	Flat5, 1 Jeremy Moore Ave East
130	Brooks	Cheryl Rose	25 Callaghan Rd.
131	Brooks	Peter William	25 Callaghan Rd.
132	Browning	Amanda Marie	3 Dairy Paddock Rd
133	Browning	Colin George	1 Moody St.
134	Browning	Edwina	Davis St.
135	Browning	Joan Lucy Ann	Rose Hotel Drury St
136	Browning	Rex	35 Davis St.
137	Browning	Richard William	33 Davis St
138	Browning	Trevor Osneth	Rose Hotel Drury St
139	Brownlee	Andrew Samuel	19 Ross Rd East
140	Brownlee	Lynn Frances	19 Ross Rd East
141	Bucket	Ronald Peter	49 Fitzroy Rd.
142	Bucket	Roy Peter	2 Barrack St
143	Bucket	Susan Vera	49 Fitzroy Rd.
144	Buckland	Colin Michael	13 Murray Heights
145	Buckland	Darlene Joanna	11 James St.
146	Buckland	Peter John	9 Callaghan Rd.
147	Budd	Dennis Raymond	5 Ian Campbell Drive
148	Budd	Pamela Joan	5 Ian Campbell Drive
149	Bundes	Robert John Christian	17 Fitzroy Rd.
150	Burnett	Anthony	59 Fitzroy Rd.
151	Burnett	Elizabeth Ann	59 Fitzroy Rd.
152	Burns	Mary Anne	34 Davis St.
153	Burston	Catherine	91 Davis St
154	Burston	Stephen Leslie	91 Davis St
155	Bury	Ian Thomas	63 Davis St.
156	Butcher	Michael George	3A Dairy Paddock Rd.
157	Butcher	Trudi	3A Dairy Paddock Rd.
158	Butler	Elsie Maud	8 John St.
159	Butler	Frederick Lowther Edward Olai	8 John St.
160	Butler	George Joseph	1A Moody St.
161	Butler	Jonathan Jeffers	3 Jeremy Moore Ave
162	Butler	Laurence Jonathan	2 Davis St East
163	Butler	Margaret Orlanda	15A James St.
164	Eutler	Orlanda Betty	2 Davis St. East
165	Buxton	Nicole Gabrielle	19 Jeremy Moore Ave

166	Cameron	Jane Diana Mary Keith	Old Bakery, Fitzroy Rd.
167	Cant	Carol Rosine	37 Callaghan Rd
168	Cant	Martin Ronald	37 Callaghan Rd
169	Cantlie	Derek William	27 Callaghan Rd
170	Card	Patricia Collette	7 Ian Campbell Drive
171	Carey	Anthony Michael	19 Ross Rd. West
172	Carey	Gladys	19 Ross Rd. West
173	Carey	Martin Rex	21 Eliza Cove Cres.
174	Carey	Mary Ann Margaret	18 Ross Rd. West
175	Carey	Terence James	18 Ross Rd. West
176	Cartwright	Stephen	39 Ross Road West
177	Castle	David Peter	26 John St.
178	Castle	Isobel	26 John St.
179	Ceballos	Eulogio Gabriel	28 Endurance Ave.
180	Chaloner	Sheila Catherine	2 Racecourse Rd
181	Chapman	Helen	6 Fitzroy Rd. East
182	Chapman	Paul	6 Fitzroy Rd. East
183	Chater	Thomas Frederick	33 Fitzroy Rd.
184	Chater	William John	33 Fitzroy Rd.
185	Cheek	Barbara	8 Watson Way
186	Cheek	Gerald Winston	10 Ross Rd.
187	Cheek	Janet Linda	25 Ross Rd. West
188	Cheek	Marie	10 Ross Rd.
189	Cheek	Miranda	2 Fieldhouse Close
190	Cheek	Rosalind Catriona	25 Ross Rd. West
191	Cheeseman	Stanley John	Stanley
192	Clapp	Kevin Christopher	1 Murray Heights
193	Clark	Hector	27 Eliza Cres.
194	Clark	Jonathan Andrew	Flat 10, Jersey Rd
195	Clark	Joyce Kathleen	27 Eliza Cres.
196	Clarke	Amelia	1 Callaghan Rd.
197	Clarke	Angela Sindy	Stanley
198	Clarke	Camilla Marie	8 Drury St.
199	Clarke	Christopher	5 Discovery Close
200	Clarke	David James	17 Ross Rd. West
201	Clarke	Derek Simon	23 Jeremy Moore Ave.
202	Clarke	Doreen	17 Ross Rd. West
203	Clarke	Gwynne Edwina	17 Jeremy Moore Ave.
204	Clarke	Ian	17 Ross Rd. West
205	Clarke	Isabel Joan	12 Fieldhouse Close
206	Clarke	James Martin	4B Ross Rd. West
207	Clarke	Jan Michael	5 Allardyce Street
208	Clarke	Joan Patricia Marion	50 Davis St
209	Clarke	Jonathan Terence	17 Jeremy Moore Ave.
210	Clarke	Julie Ann	Globe Tavern
211	Clarke	Marvin Thomas	7 Fitzroy Rd.
212	Clarke	Paul Ian	Stanley
213	Clarke	Petula Jane	Stanley
214	Clarke	Ronald John	17 Ross Rd. West
215	Clarke	Rudy Thomas	8 Drury St.
216	Clarke	Sasha Michelle	Stanley
217	Clarke	Shane Adrian	1 Callaghan Rd.
218	Clarke	Suzanna	YMCA
219	Clarke	Terence John	17 Jeremy Moore Ave.
220	Clarke	Tracey Clare	23 Jeremy Moore Ave.

221	Clarke	Trudi Ann	7 Fitzroy Rd.
222	Clasen	Wayne Ian Summers James	9 Fitzroy Rd.
223	Clausen	Andrea Patricia	3 St. Marys Walk
224	Clausen	Denzil George Gustavius	3 St. Marys Walk
225	Clausen	Melanie	1 Hebe St.
226	Claxton	Frank Brian	28 Ross Rd. East
227	Claxton	Margaret	28 Ross Rd. East
228	Clayton	Brian	16 St. Marys Walk
229	Clayton	Susan	16 St. Marys Walk
230	Clement	Gary	9 Snake St.
231	Clement	Jane	9 Snake St.
232	Clement	Lee	9 Snake Hill
233	Clement	Wayne	9 Snake Hill
234	Cletheroe	Kenneth Stanley	45 Fitzroy Rd.
235	Clifton	Charles	3 Ross Rd. West
236	Clifton	Darwin Lewis	53 Davis St.
237	Clifton	Doreen	3 Ross Rd. West
238	Clifton	Marie	6 Discovery Close
239	Clifton	Melvyn	Lookout Lodge
240	Clifton	Neil	20 Davis St.
241	Clifton	Stephen Peter	61 Fitzroy Rd.
242	Clifton	Terence Charles	3 Ross Rd. West
243	Clifton	Teresa Ann	12 Callaghan Rd.
244	Clifton	Valerie Ann	61 Fitzroy Rd.
245	Clingham	Leslie George	2 Brisbane Rd.
246	Clingham	Yvonne Helen	2 Brisbane Rd.
247	Cockwell	Jennifer Marie	90 Davis St
248	Cockwell	John Richard	14 Ross Road West
249	Cockwell	Maurice Adam	90 Davis St.
250	Cofre	Anya Evelyn	1 Brandon Rd West
251	Cofre	Elvio Miguel	1 Brandon Rd West
252	Collier	Mark Walter	68 Davis St
253	Collins	Shiralee	Flat 9, 6 Jersey Rd.
254	Connolly	Kevin Barry	1 King St.
255	Coombe	Peter	12 Ross Rd. West
256	Coombe	Shirley Anne	12 Ross Rd. West
257	Cotter	Mary Jane	9 Jeremy Moore Ave.
258	Cotter	Timothy Stewart	9 Jeremy Moore Ave.
259	Coulter	Donald Mark	9 Fieldhouse Close
260	Coulter	Paula	9 Fieldhouse Close
261	Courtney	Anthony Clive	Lady Hunt House, John St.
262	Courtney	Julie Doris	Lady Hunt House, John St.
263	Coutts	Charles	12 Endurance Ave.
264	Coutts	Charles Lindsay	33 Ross Rd.
265	Coutts	Diana Marion	6B Ross Rd. West
266	Coutts	John	36 Ross Rd. West
267	Coutts	Olga	33 Ross Rd.
268	Coutts	Peter	13 Campbell Drive
269	Crabb	Elizabeth Ann	38 Eliza Cres.
270	Crowie	Alan John	3 Fitzroy Rd. East
271	Crowie	Ana Bonita	3 Fitzroy Rd. East
272	Crowie	Breda Marie	35 Callaghan Rd.
273	Crowie	Clare Frances	35 Callaghan Rd
274	Crowie	David Sean	51 Callaghan Rd
275	Crowie	Nicola Jane	35 Callaghan Rd.

276	Crowie	Robert John	35 Callaghan Rd.
277	Curtis	Alfred William Hamilton	6 Brandon Rd. West
278	Curtis	Barbara Joan	6 Brandon Rd. West
279	Curtis	James William Hamilton	6 Ross Rd.
280	Davies	Andrew Liam	Flat 7, 6 Jersey Rd.
281	Davies	Anthony Warren	7 Callaghan Rd.
282	Davies	Christine Susan	8 Fitzroy Rd. East
283	Davies	Colin George	15 Ross Rd. West
284	Davies	Eileen Wynne	15 Ross Rd. West
285	Davies	Jacqueline Nancy	7 Callaghan Rd.
286	Davies	William	8 Fitzroy Rd. East
287	Davis	Ellen Rose	39 Davis St.
288	Davis	Maurice	39 Davis St.
289	Davis	Nicholas	15 James St.
290	Davis	Roy George Victor	6 Narrows View
291	Davis	Sharon Sandra Evelyn	6 Narrows View
292	Davy	Patrick Alex Field	Flat3, 3 Jeremy Moore Ave East
293	Decroliere	Carrie Madeline Helen	5 Discovery Close
294	Dent	Janice Vanessa	3C Jersey Est.
295	Desborough	Gladys Malvina	14 Allardyce Street
296	Dickson	Caroline Christine Bird	108 Davis St.
297	Dickson	Michael Keith	C/o Tamar
298	Didlick	Christopher Graham	13 Jeremy Moore Ave
299	Didlick	Fiona Margaret	13 Jeremy Moore Ave
300	Didlick	Graham John	13 Jeremy Moore Ave
301	Didlick	Rhiannon Elinore	13 Jeremy Moore Ave
302	Diggle	Katherine Elizabeth	12 Jersey Rd.
303	Diggle	Roger John	12 Jersey Rd.
304	Dobbynys	Kathleen Gay	60 Davis St.
305	Dodd	Alison	1 Pioneer Row
306	Dodd	Nigel Keith	1 Pioneer Row
307	Donnelly	Derek	YMCA, Stanley
308	Drysdale	Karen Margaret	Stanley
309	Duncan	Delsha Vanessa Jane	18 Jeremy Moore Ave.
310	Duncan	Doreen	Tenacres
311	Duncan	William	Tenacres
312	Duvall	Kenneth William	51 Callaghan Rd
313	Earnshaw	Jacqueline Elizabeth	32 Ross Rd. West
314	East	Justin Clive Richard	1 Fieldhouse Close
315	Eccles	Bernard Leslie	18 Jeremy Moore Ave.
316	Eccles	Moira Cameron	18 Jeremy Moore Ave.
317	Edwards	Emma Jane	Murray Heights
318	Elliot	Elizabeth Rose	15 Callaghan Rd
319	Elliot	Henry James	15 Callaghan Rd.
320	Ellis	Cyril	24 Ross Rd. East
321	Ellis	Lucy	11 James St
322	Ellis	Valerie	24 Ross Rd. East
323	Elsby	Barry	Moody Brook House.
324	Ericksen	Michelle	1B Capricorn Rd.
325	Evans	Donna Newell	By-Pass Rd.
326	Evans	Gladys Alberta	6 Barrack St.
327	Evans	Michael David	By-Pass Rd.
328	Evans	Russell	45 Ross Rd East
329	Evans	Susan Maureen	45 Ross Rd East
330	Ewing	Gordon	4 Jeremy Moore Ave

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

386	Fowler	Rachael Jane	2 Glasgow Rd
387	France	Graham Brian	7 Snake St
388	France	Ian Peter	7 Snake St
389	France	Jane Aileen Marie	7 Snake St
390	Freeman	Carl Francis	10 James St.
391	Freeman	Dianne May	10 James St.
392	Freeman	Tracy	10 James St
393	Fullerton	Mary Ellen	Government House
394	Geach	Alan John	Sir Rex Hunt House.
395	George	Magnus John Alexander	14 Ross Rd. West
396	Gilbert	Christopher Paul	22 Jeremy Moore Ave.
397	Gilbert	Judith Elizabeth	22 Jeremy Moore Ave.
398	Gilbert	Neil Robert	22 Jeremy Moore Ave
399	Gilbert	Robert Ernest	22 Jeremy Moore Ave.
400	Gilding	Sara Jane	11 Pioneer Row.
401	Gilson Clarke	Dustin James	1 Discovery Close
402	Gisby	Annie	33 Fitzroy Rd.
403	Goodwin	Angela Jane	27 Callaghan Rd
404	Goodwin	Bonita Colleen	19 Ross Rd. West
405	Goodwin	Colin Valentine	86 Davis St.
406	Goodwin	Derek Samuel	3 Police Cottages, 7 Ross Rd.
407	Goodwin	Emily Rose	7 Brisbane Rd.
408	Goodwin	Gareth Kevin	86 Davis St.
409	Goodwin	Hazel Rose	3 Police Cottages, 7 Ross Rd.
410	Goodwin	June Elizabeth	86 Davis St.
411	Goodwin	Kathleen Edith Marguerite	6 Thatcher Drive
412	Goodwin	Margaret Ann	3 H Jones Rd.
413	Goodwin	Margo Jane	31 Ross Rd West
414	Goodwin	Neil Alexander William	31 Ross Rd West
415	Goodwin	Robin Christopher	27 Callaghan Rd.
416	Goodwin	Simon James	Flat 3, 2 Eliza Place
417	Goodwin	Una	27 Callaghan Rd.
418	Goodwin	William John Maurice	7 Brisbane Rd.
419	Goss	Annagret	16 Jeremy Moore Ave.
420	Goss	Corina Rose	20 Murray Heights
421	Goss	Dorothy Ellen	4 Discovery Close
422	Goss	Eric Miller	2 Fitzroy Rd East
423	Goss	Errol Barry Gordon	Flat3, 7 Jeremy Moore Ave East
424	Goss	Grace Elizabeth	5 Ross Rd. East
425	Goss	Ian Ernest Earle	Fieldhouse Close
426	Goss	Morgan Edmund	16 Jeremy Ave.
427	Goss	Odette Ellen May	Flat 1, 30 Jersey Rd.
428	Goss	Roderick Jacob	Fitzroy Rd.
429	Goss	Roger Simon	15 Callaghan Rd
430	Goss	Roy Shepherd	4 Discovery Close
431	Goss	Sandra Kathleen	11 Kent Rd.
432	Goss	Shirley Ann	2 Fitzroy Rd East
433	Goss	Simon Peter Miller	11 Kent Rd.
434	Goss	Susan Diann	Fieldhouse Close
435	Goss	William Henry (jnr)	7 Brandon Rd.
436	Goss	William Henry (snr)	5 Ross Rd. East
437	Gough	Phyllis Candy	11 Callaghan Rd.
438	Gould	Arthur William	Moody St.
439	Grant	Lennard John	3 Moody St.
440	Grant	Milly	3 Moody St.

441	Gray	David Edward	22 Ross Rd West
442	Gray	Johan	22 Ross Rd West
443	Gray	Patricia May	22 Ross Rd West
444	Green	David William	5 Police Cottages, Ross Rd.
445	Greenland	James Andrew William	9 Beaver Rd
446	Grimmer	Keith	15 Pioneer Row
447	Grimmer	Marilyn	15 Pioneer Row
448	Hadden	Alexander Burnett	27 Fitzroy Rd.
449	Hadden	Sheila Peggy	27 Fitzroy Rd.
450	Halford	Rodney John	Tenacres
451	Halford	Sara Jayne	Tenacres
452	Halford	Sharon	Tenacres
453	Hall	Marilyn Joyce	56 Davis St.
454	Halliday	Gerald	Flat 1, 6 Racecourse Rd.
455	Halliday	Jeffrey James	Fieldhouse Close
456	Halliday	John Arthur Leslie	108 Davis St.
457	Halliday	Leslie John	5 Villiers St.
458	Halliday	Raynor	9 Brisbane Rd.
459	Hancox	Rachel Mary	9 Ross Rd. West
460	Hancox	Robert James	9 Ross Rd. West
461	Hansen	Douglas John	6 Fitzroy Rd.
462	Hansen	Keva Elizabeth	1 Dairy Paddock Rd.
463	Hansen	Terence Joseph	1 Dairy Paddock Rd.
464	Hardcastle	Simon Brook	5 Pioneer Row
465	Harris	Christopher James	8 Pioneer Row
466	Harris	Heather	3 Ross Rd. East
467	Harris	Jill Yolanda Miller	19 Fitzroy Rd.
468	Harris	Karl Henry	19 Fitzroy Rd.
469	Harris	Leeann Watson	10 Dairy Paddock Rd.
470	Harris	Leslie Sidney	19 Fitzroy Rd.
471	Harris	Michael Ronald	3 Ross Rd. East
472	Harris	Nicola Jane	3 Ross Rd East
473	Harris	Ralph Aaron	10 Dairy Paddock Rd.
474	Harris	Roslyn	19 Fitzroy Rd.
475	Harvey	Muriel Elizabeth Elsie	2 King St.
476	Harvey	Sheila	Flat 3, 5 Jeremy Moore Ave.
477	Harvey	William	21 Fitzroy Rd.
478	Hawksworth	Christopher	29 Fitzroy Rd.
479	Hawksworth	David	29 Fitzroy Rd.
480	Hawksworth	Jeanette	24 Murray Heights
481	Hawksworth	Mary Catherine	5 A Brisbane Rd.
482	Hawksworth	Pauline May	29 Fitzroy Rd.
483	Hawksworth	Terence	5A Brisbane Rd.
484	Hayward	Marjorie	30 Eliza Rd.
485	Hayward	Neville	Flat 2, Church House
486	Hayward	Peter Dennis	30 Eliza Rd.
487	Heathman	Malcolm Keith	15 Eliza Cove Rd.
488	Heathman	Mandy Gail	15 Eliza Cove Rd.
489	Henry	Alan Richard	8 Beaver Rd.
490	Henry	Patricia Denise	8 Beaver Rd.
491	Hernandez Mantero	Miguel Angel	3 Murray Heights
492	Hernandez Trevell	Maria Elena	3 Murray Heights
493	Hewitt	Alison Denise	23 Shackleton Drive
494	Hewitt	Frances Agnes	Stanley
495	Hewitt	Gary George	3 Hebe Place

496	Hewitt	Kevin John	14 Jeremy Moore Ave
497	Hewitt	Margaret Ann	3 Hebe Place
498	Hewitt	Neil George	1C Capricorn Rd
499	Hewitt	Rachel Catherine Orissa	4 St. Marys Walk
500	Hewitt	Robert John David	3 Thatcher Drive
501	Higgins	Dawn	2 Dean Street
502	Hill	Brian Jarvis	1 Kent Rd.
503	Hill	Penelope Ann	1 Kent Rd.
504	Hills	Heather Margaret	5 Davis St.
505	Hills	Richard William	5 Davis St.
506	Hirtle	Christine	5 Capricorn Rd.
507	Hirtle	Debbie Ann	Flat 7 Jeremy Moore Ave
508	Hirtle	Leonard John	20 Jeremy Moore Ave
509	Hirtle	Leonard Lloyd	20 Jeremy Moore Ave.
510	Hirtle	Mary Ann	12 Drury St.
511	Hirtle	Michael Barry	20 Jeremy Moore Ave.
512	Hirtle	Rose Ann Shirley	4 Villiers St.
513	Hirtle	Shirley	20 Jeremy Moore Ave.
514	Hirtle	Zane Eric	Bliza Cove Rd.
515	Hobman	Anilda Marilu	34 Ross Rd. West Flat
516	Hobman	Carol Margaret	17 Scoresby Close
517	Hobman	David Gonsalo	34 Ross Rd. West Flat
518	Hobman	Luis Alfonzo	34 Ross Rd. West Flat
519	Hoggarth	Agnes Christina	2 James St.
520	Horne-MacDonald	John Alexander	2 Dairy Paddock Rd.
521	Howatt	Derek Frank	4 Racecourse Rd.
522	Howatt	Suzanna Margaret	4 Racecourse Rd.
523	Howe	Alison Delia	36 Davis St.
524	Howe	Paul Anthony	36 Davis St.
525	Howells	Anne Stephanie	112 Davis St.
526	Howells	Lorna Marie	112 Davis St.
527	Howells	Martin Edward Derek	112 Davis St
528	Howells	Melissa Louise	112 Davis St.
529	Howells	Roger	112 Davis St.
530	Hoy	Dawn	7 Murray Heights
531	Humphreys	Dennis James	7 Dean St.
532	Humphreys	Margaret Anne	7 Dean St.
533	Hutton	Elizabeth Isabella	3 John St.
534	Hutton	Philip	3 John St.
535	Igao	Noel Neri	15 Scoresby Close
536	Igao	Pauline Lynx	15 Scoresby Close
537	Jackson	Mark Malcolm	23 Fitzroy Road
538	Jacobsen	Alistair	1A Philomel St.
539	Jacobsen	Catherine Joan	1A Philomel St.
540	Jaffray	Donald	15 Brandon Rd.
541	Jaffray	Bileen	5 Hebe St.
542	Jaffray	Elaine Michele	8 Discovery Close
543	Jaffray	Estelle Anita	Snake Hill
544	Jaffray	Frank Alexander	8 Discovery Close
545	Jaffray	Gerard Alan	5 Hebe St.
546	Jaffray	Helen Rose	84 Davis St.
547	Jaffray	Ian	5 Hebe St.
548	Jaffray	Jacqueline Ann	17 Watson Way
549	Jaffray	Janet	40 Bliza Cres.
550	Jaffray	John	40 Bliza Cres.

551	Jaffray	John Summers	84A Davis St.
552	Jaffray	June Elizabeth	17 Ross Rd. East
553	Jaffray	Kenneth Ian	2 Dean St.
554	Jaffray	Lisa Jane	Flat 3, 1 Jeremy Moore Ave.
555	Jaffray	Marina Morrison	15 Brandon Rd.
556	Jaffray	Nichola Jane	84a Davis St.
557	Jaffray	Robin George	Rose Hotel
558	Jaffray	Stephen James	11 James St.
559	Jaffray	Tanya Fiona	5 Hebe Street
560	Jaffray	Terence Roy	Flat 3, 1 Jeremy Moore Ave
561	Jaffray	Terri-Ann	24 Endurance Ave.
562	Jaffray	Tony	84 Davis St.
563	Jaffray	Wayne Neil	5 Hebe St.
564	Jennings	Neil	Flat 4, 30 Jersey Rd.
565	Jennings	Stephen	5 Fitzroy Rd.
566	Johnson	Jacqueline	5 Kent Rd.
567	Johnson	Lily Ann	5 Hebe St
568	Johnson	Michael Neil	5 Kent Rd.
569	Jones	Alan Smith	26 Ross Rd. West
570	Jones	David Richard	6 Allardyce Street
571	Jones	Deena Marie	YMCA, Stanley
572	Jones	Doreen Evelyn Margaret	6 Allardyce Street
573	Jones	Jennifer	26 Ross Rd. West
574	Jones	John Hugh	28 John St
575	Jones	Kevin Richard	Callaghan Rd
576	Jones	Michelle	28 John St
577	Jones	Yvonne Malvina	3 Discovery Close
578	Jonson	Amy Elizabeth	The Rose Hotel Brisbane Rd
579	Keane	Alva Rose Marie	18 Davis St.
580	Keane	Olaf James	18 Davis St.
581	Keane	Thomas James	18 Davis St.
582	Keenleyside	Charles Desmond	3 Pioneer Row
583	Keenleyside	Dorothy Maud	3 Pioneer Row
584	Keenleyside	Manfred Michael Ian	2 Snake Hill
585	Keenleyside	Nanette Barbara	2 Snake Hill
586	Kenny	Erling	20 James St.
587	Kiddle	Robert Karl	Flat 3. 6 Racecourse Rd.
588	King	Anna Constance Eve	38 Davis St.
589	King	Desmond George Buckley	38 Davis St.
590	King	Glynis Margaret	2 B Jeremy Moore Ave. East
591	King	Michelle Beverley	4 Biggs Rd
592	King	Peter Thomas	10 Jeremy Moore Ave.
593	King	Robert John	1D Jersey Est.
594	King	Rosemarie	10 Jeremy Moore Ave
595	King	Vernon Thomas	39 Fitzroy Rd.
596	Kirkham	Campbell Joseph	5 Capricorn Rd.
597	Kluzniak	Boguslaw Sylvester	26 Ross Rd. East
598	Kultschar	John William	4 Davis St. East
599	Kultschar	Richard Paul	4 Davis St. East
600	Kultschar	Yvonne Rosina	4 Davis St. East
601	Laffi	Atilio Segundo	3 Brisbane Rd.
602	Laffi	Kathleen Mary	3 Brisbane Rd.
603	Lang	Alexander Peter	28 Goss Rd
604	Lang	David Geoffrey	28 Goss Rd
605	Lang	James Patrick	Flat2, 3 Jeremy Moore Ave East

606	Lang	Marie-Bernard Therese	28 Goss Rd
607	Lang	Sandra Shirleen	2 Allardyce St.
608	Lang	Theresa Margaret	28 Goss Rd
609	Lang	William Frank	3 James St.
610	Larsen	Ellen	74 Davis St.
611	Lazo	Joanna Rose	7 Eliza Cres.
612	Lazo	Myriam Beatriz	2 Dairy Paddock Rd.
613	Lee	Alfred Leslie	11 Drury St.
614	Lee	Angela Audrey	8 Jersey Rd.
615	Lee	Anthony John	8 Jersey Rd.
616	Lee	Beverley Christina	10 Allardyce St.
617	Lee	Derek William	2 Davis St.
618	Lee	Gladys	11 Drury St.
619	Lee	Leslie James	10 Allardyce St.
620	Lee	Mandy John	15 James St.
621	Lee	Mervyn Richard	10 Allardyce Street
622	Lee	Owen Henry	4 Pioneer Row
623	Lee	Tanya	15 Campbell Drive
624	Lee	Trudi Dale	10 Allardyce St.
625	Lennie	Gordon Carnie	9 Narrows View
626	Lewis	David James	3 Campbell Drive
627	Lewis	James	2 St. Marys Walk
628	Lewis	Jason	9 Short St
629	Lewis	Jean	2 St. Marys Walk
630	Lewis	Pamela Irene	3 Campbell Drive
631	Lewis	Sharon	11 Campbell Drive
632	Leyland	Frank	10 Brandon Rd.
633	Leyland	Vera	10 Brandon Rd.
634	Livermore	Anton	33 Callaghan Rd.
635	Livermore	Darren	5 Philomel Place
636	Lowe	Anthony Trevor	54 Davis St.
637	Lowe	Fiona Alison	54 Davis St.
638	Luxton	Elisabeth Mary	1 Kent Rd
639	Luxton	Jennifer Mary	4 Hebe Place
640	Luxton	Michael	1A Pioneer Row
641	Luxton	Nicola	1A Pioneer Row
642	Luxton	Robin	1 Jersey Rd
643	Luxton	Stephen Charles	7 Narrows View
644	Luxton	Sybil Grace	38 John St.
645	Luxton	Winifred Ellen	15 Fitzroy Rd.
646	Luxton	Zoe	1A Pioneer Row
647	Lyse	Ethel Malvina	65 Fitzroy Rd.
648	Lyse	George Walter	8 Moody St.
649	Lyse	Linda Margaret	65 Fitzroy Rd.
650	Macaskill	Angus Lindsay	8 Jeremy Moore Ave.
651	Macaskill	Jeanette May	8 Jeremy Moore Ave.
652	Macaskill	John	34 Ross Rd. West
653	MacBeth	Phyllis Elizabeth Grace	17 Brandon Rd.
654	MacDonald	Colin George	26 Endurance Ave.
655	MacDonald	Derek George	26 Endurance Ave.
656	MacDonald	Irene	26 Endurance Ave.
657	Maciello	Susan Ovedia Franz De	Flat 4 Church House
658	Malcolm	Velma	7 Allardyce St.
659	Marsh	Michelle Jane	1 Fieldhouse Close
660	May	Brian Roy	21 Jeremy Moore Ave.

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

716	McKenzie	Charles Alexander Albert John	Moody Brook Homestead
717	McKinley	Melissa Jane	Flat 3,2 Eliza Place
718	McLaren	Caroline Mary	12 Allardyce St.
719	McLaren	Tony Eugene Terrence	12 Allardyce St.
720	McLeod	David	49 Callaghan Rd.
721	McLeod	Henry Donald Alexander	36 Eliza Cres.
722	McLeod	Ian	9 Fitzroy Rd.
723	McLeod	Ian James	YMCA
724	McLeod	Jane Elizabeth Diana	36 Eliza Cres.
725	McLeod	Janet Wensley	75 Davis St.
726	McLeod	Janice	2 Ross Rd. West
727	McLeod	John (1)	1 Campbell Drive
728	McLeod	John (2)	23 Murray Heights
729	McLeod	Madeline Jean	1 Campbell Drive
730	McLeod	Mally	9 Fitzroy Rd.
731	McLeod	Margaret Ann	Fitzroy Rd. East
732	McLeod	Michael William	15A James St.
733	McLeod	Pearl Mary Ann	3 Brisbane Rd.
734	McLeod	Robert	75 Davis St.
735	McLeod	Robert John	2 Ross Rd. West
736	McMullen	Lucille Anne	8 Brandon Rd.
737	McMullen	Mathew John	8 Brandon Rd
738	McNally	Patricia Jayne	18 Ross Rd. East
739	McPhee	Denise	4 Brandon Rd. West
740	McPhee	Iris Blanche	14 Davis St.
741	McPhee	Justin Owen	4 Brandon Rd. West
742	McPhee	Marjorie May	14 John St.
743	McPhee	Owen Horace	14 John St.
744	McPhee	Patrick	14 Davis St.
745	McRae	Mandy	Flat 1, 6 Jersey Rd
746	McRae	Michael	C/o MV Tamar
747	McRae	Richard Winston	Flat 2, 6 Racecourse Rd.
748	Middleton	Brian	13 McKay Close
749	Middleton	Caroline Ann	7 James St.
750	Middleton	Dennis Michael	Dolphin Cottage
751	Middleton	Graham Cyril	50 Davis St.
752	Middleton	Joan Eliza	8 James St.
753	Middleton	Leonard	67 Fitzroy Rd.
754	Middleton	Phillip John	5 St. Marys Walk
755	Middleton	Sharon Elizabeth	Dolphin Cottage
756	Middleton	Stephanie Anne	13 McKay Close
757	Miller	Andrew Nigel	2 Fieldhouse Close
758	Miller	Betty Lois	6 St. Marys Walk
759	Miller	Bruce Graham	10 Pioneer Row
760	Miller	Carol	Kent Rd.
761	Miller	Florence Roberta	5 Moody St.
762	Miller	Gail Marie	2 Police Cottages, 8 Ross Rd.
763	Miller	Janet Mary	Market Gdn. Stly Airport Rd.
764	Miller	Jayne Elizabeth	2 Fieldhouse Close
765	Miller	Jeanette	10 Pioneer Row
766	Miller	Simon Roy	Kent Rd.
767	Miller	Timothy John Durose	Market Gdn. Stly Airport Rd.
768	Mills	Terence Kenneth	43 Callaghan Rd.
769	Minnell	Adrian James	24 Murray Heights
770	Minnell	Michelle Rose	41 Eliza Crescent

771	Minto	Alistair Daen	Flat 5, 6 Racecourse Rd.
772	Minto	Dilys Rose	18 Endurance Ave
773	Minto	Graham Stewart	12 Brisbane Rd.
774	Minto	May Doreen	Flat 5, 6 Racecourse Rd.
775	Minto	Timothy Ian	18 Enurance Ave
776	Miranda	Augusto	31 Davis St.
777	Miranda	Carmen	Globe Tavern
778	Miranda	Ramon	3 Drury St.
779	Miranda	Winifred Dorothy	3 Drury St.
780	Mitchell	Cherilyn Julie	32 Ross Rd East
781	Mitchell	Lee Robertson	32 Ross Rd East
782	Mitchell	Leon John	6 Discovery Close.
783	Moffatt	Angela	20 Ross Rd East
784	Moffatt	James	20 Ross Rd East
785	Moffatt	Kelly	20 Ross Rd East
786	Molkenbuhr	Jill Edith	Flat 3, 30 Jersey Rd
787	Molkenbuhr	Lee Charles	Flat 3 30 Jersey Rd
788	Monti	Elizabeth Ellen	4 Fitzroy Rd.
789	Morris	Alana Marie	4 Callaghan Rd.
790	Morris	David	4 Callaghan Rd.
791	Morris	Jason Paul	4 Callaghan Rd.
792	Morris	Michelle Jane	6 McKay Close
793	Morris	Trevor Alan	6 McKay Close
794	Morrison	Basil	4 Philomel St
795	Morrison	Catherine Rose	4 Philomel St
796	Morrison	Doreen	82 Davis St.
797	Morrison	Edgar Ewen	5 Racecourse Rd.
798	Morrison	Fayan	54 John St.
799	Morrison	Graham Stewart	46 Davis St.
800	Morrison	Joan Margaret	Flat 6, 1 Jeremy Moore Ave.
801	Morrison	Lewis Ronald	82 Davis St.
802	Morrison	Marcus Lewis	82 Davis Street, Stanley
803	Morrison	Michael John	10 Fitzroy Rd East
804	Morrison	Muriel Eliza Ivy	40 Eliza Cres.
805	Morrison	Nanette Rose	46 Davis St.
806	Morrison	Nigel Peter	7 James St.
807	Morrison	Patrick	1 Brandon Road West
808	Morrison	Paul Roderick	3 Racecourse Rd East
809	Morrison	Priscilla Violet	82 Davis St.
810	Morrison	Ronald Terence	5 Racecourse Rd.
811	Morrison	Russell John Allan	6A Jeremy Moore Ave
812	Morrison	Stewart	46 Davis St.
813	Morrison	Susan Margaret	10 Fitzroy Rd East
814	Morrison	Trevor	6A Jeremy Moore Ave.
815	Morrison	Valerie Anne	6A Jeremy Moore Ave.
816	Morrison	Violet Sarah	5 Racecourse Rd.
817	Morrison	William Roderick Halliday	54 John St.
818	Munro	Grant Mackintosh	69 Fitzroy Rd
819	Murphy	Ann Susan	2 King St.
820	Murphy	Bessie	68 Davis St.
821	Neal	Richard John	1 Dean St.
822	Neilson	Barry Marwood	23 Ross Rd.
823	Neilson	Harold Ian	23 Ross Road
824	Neilson	Margaret	23 Ross Rd.
825	Newell	Cara Jane	3 Villiers St.

826	Newell	Joseph Orr	3 Villiers St.
827	Newell	Paula Michelle	6 Pioneer Row
828	Newell	Trudi Malvina	3 Villiers St.
829	Newman	Andrew Raymond	17 Ross Rd. East
830	Newman	Clive Alexander	5 Brandon Rd.
831	Newman	Dwenda Rose	5 Brandon Rd.
832	Newman	Glynis Karen	4 James St.
833	Newman	Ingrid Helen	5 Brandon Road, Stanley
834	Newman	Lisa Jeraine	Flat 5, 6 Jersey Rd.
835	Newman	Marlene	11 Jeremy Moore Ave.
836	Newman	Raymond Winston	11 Jeremy Moore Ave.
837	Newman	Tansy Fiona	Jersey Rd.
838	Newman	Terence	24 Endurance Ave.
839	Nutter	Arthur Albert	9 Brandon Rd.
840	Nutter	Josephine Lesley	9 Brandon Rd.
841	O'Shea	Cynthia Kay	9 Campbell Drive
842	O'Shea	Desmond	9 Campbell Drive
843	Olmedo	Alex	76 Davis St
844	Ormond	Christina Helen	6 Goss Rd
845	Ormond	Kevin Micheal Patrick Joseph	6 Goss Rd
846	Parrin	Norman George	108 Davis St.
847	Patterson-Smith	Ian Colin	19 Davis St.
848	Pauloni	Hilary Maud	63 Fitzroy Rd.
849	Pauloni	Romolo Vittorio	63 Fitzroy Rd.
850	Paver	Bernadette Marguerite	Moody Brook House.
851	Payne	Dilys Agnes	2 Racecourse Road East
852	Payne	St. John Peter	2 Racecourse Road East
853	Peake	Arthur	19 James St.
854	Peck	Burned Brian	22 James St.
855	Peck	Carol Margaret	2 Discovery Close
856	Peck	Christine	2 Barrack St
857	Peck	David John	15 Villiers St
858	Peck	David Patrick	78 Davis St.
859	Peck	Eleanor Margaret	26 Shackleton Drive
860	Peck	Evelyn Elizabeth	22 James St.
861	Peck	Gordon Pedro James	17 Brandon Rd.
862	Peck	Harwood John Charles	C/o Tamar
863	Peck	James	2 Discovery Close
864	Peck	Maureen Heather	78 Davis St.
865	Peck	Patrick William	78 Davis St.
866	Peck	Shirley	2 Barrack St.
867	Peck	Terence John	26 Shackleton Drive
868	PBD		6 Beaver Rd.
869	Perkins	Vivienne Esther Mary	33 John St.
870	Perry	Beatrice Annie Jane	1 Thatcher Drive
871	Perry	Hilda Blanche	10 Campbell Drive
872	Perry	Robert Juan Carlos	5 Brisbane Rd
873	Perry	Thomas George	10 Campbell Drive
874	Perry	Thora Virginia	17 Fitzroy Rd.
875	Pettersson	Derek Richard	21 Eliza Cres.
876	Pettersson	Tony	30 Davis St.
877	Pettersson	Trudi Ann	21 Eliza Cres.
878	Phillips	Albert James	16 Brandon Rd.
879	Phillips	David Dawson	35 Fitzroy Rd.
880	Phillips	Gillian Carol	Flat 4,1 Jeremy Moore Ave

881	Phillips	Linda	16 Brandon Rd.
882	Phillips	Paul David	Drury St.
883	Phillips	Shula Louise	Flat 4, 5 Jeremy Moore Ave.
884	Platt	Claire	Rose Hotel Drury St
885	Pole-Evans	Amy Rose	4 Harbour View
886	Pole-Evans	John	4 Harbour View
887	Pole-Evans	Michael Anthony	4 Harbour View
888	Pollard	Andrew Keith	4 Hebe Place
889	Pollard	Elizabeth Eve	23 Ross Rd. East
890	Pollard	John	23 Ross Rd. East
891	Pollard	Mark John	23 Ross Road East
892	Pompert	Joost Herman Willem	11 Ross Rd. West
893	Poole	Andrea Joan	52 John St
894	Poole	Evelyn May	31 Fitzroy Rd.
895	Poole	Nancy Margaret	52 John St.
896	Poole	Raymond John	52 John St.
897	Poole	William John	31 Fitzroy Rd.
898	Porter	Charles	11 Fitzroy Rd.
899	Porter	Elizabeth	5 Thatcher Drive
900	Porter	Geoffrey Bell	5 Jeremy Moore Ave.
901	Porter	Jean Lavinia	11 Fitzroy Rd.
902	Porter	Tracy	5 Jeremy Moore Ave.
903	Prindle-Middleton	Stella Margaret	5 St Mary's Walk
904	Purvis	Alan	3 Narrows View
905	Purvis	Marion Louise	3 Narrows View
906	Reddick	Keith John	By-Pass Rd.
907	Reeves	Carolyn Wendy	2 Moody St
908	Reeves	Michael	2 Moody St.
909	Reid	Ann	5 Police Cottages, Ross Rd.
910	Reid	Colleen Rose	9 Fitzroy Rd. East
911	Reid	Emily Margaret	14 Endurance Ave
912	Reid	John Alexander	7 Ross Rd.
913	Reid	Reynold Gus	9 Fitzroy Rd. East
914	Reive	Roma Endora Mary	St Marys Walk
915	Rendell	Michael	8 Ross Rd. West
916	Rendell	Nicholas Simon Oliver	8 Ross Rd West
917	Rendell	Phyllis Mary	8 Ross Rd. West
918	Richards	Shirley	8 James St
919	Riddell	Lisa Marie	9 Discovery Close
920	Riddell	Paul Robert	9 Discovery Close
921	Roberts	Cheryl Ann Spencer	57 Fitzroy Rd.
922	Roberts	David Anthony	7 Jersey Rd
923	Roberts	Diana Christine	7 Kent Rd.
924	Roberts	Jill Christine	98 Davis St.
925	Roberts	Joselynn Lynette Margaret	Flat 3, 6 Jersey Rd
926	Roberts	Laura May	7 Kent Rd.
927	Roberts	Peter James	57 Fitzroy Rd.
928	Roberts	Simon Theodore Nathaniel	98 Davis St.
929	Robertson	Sally Jean	Flat 1, 2 Bliza Rd.
930	Robertson Pompert	Janet	11 Ross Rd. West
931	Robson	Alison Emily	15 Villiers St.
932	Robson	Anna Jenine	6 Brisbane Rd.
933	Robson	Gerard Michael	1 Philomel Place
934	Robson	Gladys Mary	5 Philomel St.
935	Robson	Miranda Gay	6 Brisbane Rd.

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

991	Simpson	James Garry	7 Racecourse Rd.
992	Simpson	John Frederick	6 Police Cottages, 4 Ross Rd.
993	Simpson	Mirabelle Hermoine	7 Racecourse Rd.
994	Sinclair	Serena Samantha	6 Biggs Rd
995	Sinclair	Veronica Joyce	21 Ross Rd. West
996	Skene	Greta Winnora Miller	22 Ross Rd. East
997	Smallwood	Margo Anee	105 Davis St.
998	Smallwood	Michael Anthony	105 Davis St.
999	Smith	Adeline Jane	2 Thatcher Drive
1000	Smith	Alexander Gordon	16 Jersey Rd.
1001	Smith	Anthony David	10 Fieldhouse Close.
1002	Smith	Colin David	6 James St.
1003	Smith	Derek	8 Bliza Cres.
1004	Smith	Elenore Olive	3 Brisbane Rd.
1005	Smith	Eric	3 Allardyce St.
1006	Smith	Gerard Alexander	8 Barrack St.
1007	Smith	Ian Lars	2 Ross Rd. West
1008	Smith	Ileen Rose	28 Ross Rd. West
1009	Smith	James Terence	3 Fitzroy Rd. West
1010	Smith	Jean Waddell	16 Jersey Rd.
1011	Smith	Jennifer Ethel	6 Watson Way
1012	Smith	John	28 Ross Rd. West
1013	Smith	Julia Trinidad	8 Bliza Cres.
1014	Smith	Lisa Margaret	Flat 8, 2 Bliza Place
1015	Smith	Martyn James	6A Ross Rd West
1016	Smith	Natalie Marianne	6 James St.
1017	Smith	Nora Kathleen	5 Fitzroy Rd. East
1018	Smith	Osmund Raymond	3 Brisbane Rd.
1019	Smith	Owen Archibald	3 Fitzroy Rd.
1020	Smith	Patricia Anne	6A Moody St.
1021	Smith	Paul	2 Ross Rd West
1022	Smith	Paulette Rose	KRMH
1023	Smith	Rhona	8 Fitzroy Rd.
1024	Smith	Russell James	8 Fieldhouse Close
1025	Smith	Sidney Frederick	Jersey Rd.
1026	Smith	Susan	1 Hebe Place
1027	Sollis	Sarah Emma Maude	20 Drury St.
1028	Spall	Christopher Richard	German Camp West, Callaghan Rd
1029	Spink	Roger Kenneth	4 Hebe St.
1030	Spinks	Malvina Ellen	Flat6, 7Jeremy Moore Ave East
1031	Spruce	Helena Joan	29 Ross Rd. West
1032	Spruce	Mark Felton	29 Ross Road West
1033	Spruce	Terence George	29 Ross Rd. West
1034	Steen	Barbara Ingrid	39 Ross Rd. West
1035	Steen	Emma Jane	36 Ross Rd.
1036	Steen	Gail	7 St. Marys Walk
1037	Steen	Karen Lucetta	7 St. Marys Walk
1038	Steen	Vernon Robert	7 St Marys Walk
1039	Steen MacDonald	Vanda Joan	38 Ross Rd.
1040	Stenning	Anna Russalka	5B Ross Rd. West
1041	Stenning	Timothy Charles	5B Ross Road West
1042	Stephenson	James	Moody Valley
1043	Stephenson	Joan Margaret	Moody Valley
1044	Stephenson	Katrina	4 Davis St.
1045	Stephenson	Zachary	4 Davis St.

1046	Stevens	Paul Theodore	9 Drury St.
1047	Stewart	Aarron Stephen	6 Pioneer Row
1048	Stewart	Celia Joyce	12 St. Marys Walk
1049	Stewart	David William	55 Davis St.
1050	Stewart	Hulda Fraser	24 Ross Rd. West
1051	Stewart	Ian Bremner	9 McKay Close
1052	Stewart	Irene Anne	Racecourse Rd.
1053	Stewart	Kenneth Barry	3 Discovery Close
1054	Stewart	Pam Ellen	18 Endurance Ave.
1055	Stewart	Robert	12 St. Marys Walk
1056	Stewart	Robert William	Racecourse Rd.
1057	Stewart	Sheila Olga	9 McKay Close
1058	Stewart	Sylvia Rose	7 Ross Rd. West
1059	Stewart-Reid	Carol Ellen Eva	7 Ross Rd. West
1060	Strange	Georgina	The Dolphins Snake St
1061	Strange	Maria Marta	The Dolphins, Snake St.
1062	Strange	Shona Marguerite	36 Ross Rd. West
1063	Summers	Alastair Peter	1 Ross Rd. East
1064	Summers	Brian	1 Ross Rd. East
1065	Summers	Colin Owen	5 Brandon Rd.
1066	Summers	Deborah	Murray Heights
1067	Summers	Dennis David	18 Endurance Ave.
1068	Summers	Donna	15 Ross Rd. East
1069	Summers	Dorothy Constance	42 Eliza Cres
1070	Summers	Edith Catherine	5 Dean St.
1071	Summers	Irvin Gerard	Sir Rex Hunt House.
1072	Summers	Jacqueline	11 Pioneer Row
1073	Summers	Jonathan Derek	5 Allardyce St.
1074	Summers	Judith Orissa	1 Ross Rd East
1075	Summers	Lynn Jane	2 Campbell Drive
1076	Summers	Marie Pearl	1 Ross Rd West
1077	Summers	Melvyn Mark	Stanley
1078	Summers	Michael Kenneth	6A Brisbane Rd.
1079	Summers	Michael Victor	11 Pioneer Row
1080	Summers	Naomi Christine	Sir Rex Hunt House
1081	Summers	Nigel Clive	32 Fitzroy Rd.
1082	Summers	Owen William	5 Brandon Rd.
1083	Summers	Pamela Rosemary Cheek	32 Fitzroy Rd.
1084	Summers	Rowena Elsie	5 Allardyce St.
1085	Summers	Roy	9 Murray Heights
1086	Summers	Sandra Marie	66 Davis St.
1087	Summers	Sheila	Sir Rex Hunt House, John St.
1088	Summers	Sybella Catherine Ann	1 Ross Rd. West
1089	Summers	Sylvia Jean	8 Racecourse Rd.
1090	Summers	Terence	1 Ross Rd. West.
1091	Summers	Tony	8 Racecourse Rd.
1092	Summers	Veronica	5 Brandon Rd.
1093	Summers	Yona	37 Davis St.
1094	Sutherland	Elizabeth Margaret	13/14 Eliza Cove Rd.
1095	Sutherland	James David	Reflections Flat, Dean St.
1096	Sutherland	John Gall	3B Jersey Est.
1097	Sutherland	William John Munro	13/14 Eliza Cove Rd.
1098	Teale	Colin Edwin	8 Brisbane Rd.
1099	Teale	Jeannette	8 Brisbane Rd.
1100	Teggart	Carol Wendy	9 Callaghan Rd.

1101	Teggart	John Patrick	9 Callaghan Rd
1102	Tellez	Jose Hector	2 Hodson Villa West
1103	Thain	John	8 Davis St.
1104	Thain	Stephanie Ann	8 Davis St.
1105	Thom	David Anderson	47 Fitzroy Rd.
1106	Thom	Dorothy Irene	47 Fitzroy Rd.
1107	Thom	John Currie	25 Ross Rd East
1108	Thom	Norma Ann	92 Davis St.
1109	Thompson	William John	Flat 2, 1 Moody St.
1110	Titterington	Lesley Ann	55 Fitzroy Rd.
1111	Titterington	Robert Mark	55 Fitzroy Rd.
1112	Toase	Aidan Edward	7 Ross Road East
1113	Toase	Cora Agnes	7 Ross Rd. East
1114	Triggs	Diane	3 Fieldhouse Close
1115	Triggs	Michael David	3 Fieldhouse Close
1116	Tuckwood	John Rodney	1 Drury St.
1117	Tuckwood	Phyllis Majorie	1 Drury St.
1118	Turner	Melvyn George	36 John St.
1119	Tyrrell	Garry Bernard	1 Beaver Rd.
1120	Tyrrell	Gina Michelle	1 Beaver Rd.
1121	Valler	Glyndwr Huw	Flat 4 8 Jersey Rd
1122	Valler	Robert Hugh	9 Philomel St.
1123	Valler	Robert Stanley Ernest	22 Murray Heights
1124	Vidal	Bileen Nora	12 Jeremy Moore Ave.
1125	Vidal Roberts	Leona Lucila	7 Jersey Rd
1126	Villalon	Elizabeth Alice	7 McKay Close
1127	Villalon	Hector Ricardo	7 McKay Close
1128	Villegas	Caroline	2 Philomel Place
1129	Vincent	Janette Mary	10 Endurance Ave.
1130	Vincent	Stephen Lawrence	10 Endurance Ave.
1131	Wade	Donald Harold	41 Fitzroy Rd.
1132	Wade	June Rose Elizabeth	41 Fitzroy Rd.
1133	Wagner	Mary Elizabeth	6 Jeremy Moore Ave.
1134	Wagner	Richard Karl	6 Jeremy Moore Ave.
1135	Wallace	Fiona Alice	38 Ross Rd. West
1136	Wallace	Fraser Barrett	10 John St.
1137	Wallace	James Barrett	38 Ross Rd West
1138	Wallace	Maria Lilian	38 Ross Rd. West
1139	Wallace	Michael Ian	23 Callaghan Rd.
1140	Wallace	Stuart Barrett	38 Ross Rd. West
1141	Wallace	Una	23 Callaghan Rd.
1142	Watson	Ben	7 Moody St.
1143	Watson	Paul	20 Endurance Ave.
1144	Watson	Ruth Jane	20 Endurance Ave.
1145	Watt	Stephen Robert	11 Narrows View
1146	Watt	Sylvia Ann	11 Narrows View
1147	Watts	Amara Theresa	7 Brandon Rd.
1148	Watts	Patrick James	13 Brisbane Rd.
1149	Webb	Loretta Isobel	1C Capricorn Rd.
1150	White	Judy Marie	Bliza Cove Rd
1151	White	Kathleen Elizabeth	9 Thatcher Drive
1152	Whitney	Frederick William	1 Police Cottages, 9 Ross Rd.
1153	Whitney	Henry Leslie	3 St. Marys Walk
1154	Whitney	Jason	15 Ross Rd. East
1155	Whitney	Kurt Ian	2 Pioneer Row

1156	Whitney	Lana Rose	22 Eliza Cres.
1157	Whitney	Robert Michael	Stanley
1158	Whitney	Susan Joan	1 Police Cottages, 9 Ross Rd.
1159	Wilkinson	Alistair Graham	5 Philomel St.
1160	Wilkinson	Dorothy Ruth	5 Philomel St.
1161	Wilkinson	Robert John	YMCA
1162	Williams	Gene	23 Ross Rd. West
1163	Williams	Glen	33 Ross Rd East
1164	Williams	Margaret Elizabeth	33 Ross Rd East
1165	Williams	Marlene Rose	23 Ross Rd. West
1166	Winter	Teresa Irene	4A Jeremy Moore Ave. East
1167	Wylie	Julian Richard	1 McKay Close
1168	Wylie	Wendy Jennifer	1 Jersey Rd.
1169	Yon	Rodney Kevin	Flat 1 Church House
1170	Zuvic-Bulic	Kuzma Mario	16 Ross Rd. West
1171	Zuvic-Bulic	Sharon Marie	16 Ross Rd. West

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

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

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

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

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

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



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

30th June 2000

No. 7

Appointments

Mrs. Ruth Jane Watson, Auxiliary Nurse, Health & Social Services Department, 29.5.00.

Mrs. Charlotte Anderson, Sports Attendant, Leisure Centre, 1.6.00.

Matthew John McMullen, Police Constable, Royal Falkland Islands Police, 1.6.00.

Robert Stewart, Handyman/Driver, Health & Social Services Department, 1.6.00.

Leon John Mitchell, Plant Operator/Handyman, Public Works Department, 19.6.00.

Henry Donald Alexander McLeod, Shotfire/Driller, Public Works Department, 21.6.00.

Acting Appointment

Graham Brian France, Planning Officer, Environment Planning Office, 2.6.00 - 25.6.00.

Confirmation of Appointment

Patrick Warburton Short, Maintenance Technician, Education Department, 8.6.00.

Transfer

Mrs. Ann Reid from Senior Housekeeper Government House to Part-time Housekeeper, Government House 3.5.00.

NOTICES

No. 37

15th June 2000

DESURVEY (FALKLANDS) LIMITED Company Number 10964

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

Dated this 15 day of June 2000

J. C. ROWLAND,
Registrar of Companies.

No. 38

15th June 2000

CASTLE FISHING LIMITED
Company Number 10075

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

Dated this 15 day of June 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 39

16th June 2000

SUPREME COURT OF THE FALKLAND ISLANDS

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

TAKENOTICE THAT Donald Henry McLeod deceased of Stanley, Falkland Islands died on the 20th day of May 2000 intestate.

WHEREAS Henry Donald Alexander McLeod has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

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

L.A. TITTERINGTON,
Registrar, Supreme Court.

Stanley
Falkland Islands
16 June 2000

Ref: PRO/12/2000

No. 40

20th June 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

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

I hereby appoint:

SGT KEITH FREDERICK DENT C8213226

to be a temporary Customs Officer from 15th May 2000 to 15th September 2000.

R.J. King,
Collector of Customs.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

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

I hereby appoint:

CPL MARK DAVID DOBSON B8254584

to be a temporary Customs Officer from 15th May 2000 to 15th September 2000.

R.J. King,
Collector of Customs.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

31st July 2000

No.8

Appointments

Ms. Angeline Gloria Clarke, Fuel Bowser Driver, Public Works Department, 25.4.00.

Miss Johan Gray, Clerk, Court and Registry, Justice Department, 1.7.00.

Osvaldo Marcelo D'Avino, Cleaner, Leisure Centre, Education Department, 7.7.00.

Mrs. Maria Angelica Jones, Cleaner, Leisure Centre, Education Department, 7.7.00.

John Owen Clifford, Computer Technician, Computer Section (Secretariat), 10.7.00.

Robert Kiddle, Cleaner, Leisure Centre, Education Department, 17.7.00.

Matthew Keith Dawkins, Temporary Fisheries Observer, Fisheries Department, 21.7.00.

Michael John Hattersley, Fisheries Observer, Fisheries Department, 21.7.00.

Paul Georg Schroder, Fisheries Observer, Fisheries Department, 21.7.00.

Confirmation of Appointments

Ms. Amanda Susan Floyd, Auxiliary Nurse, Health Services Department, 1.6.00.

Dereck Charles Jaffray, Plant Operator/Handyman, Public Works Department, 29.6.00.

Promotions

Mrs. Cheryl Julie Mitchell, from Legal Secretary, Justice Department, to Courts Administrator, Justice Department, 1.7.00.

Michael Anthony Pole-Evans, from Mechanical Foreman, Public Works Department, to Mechanical Supervisor, Public Works Department, 1.7.00.

Glen Stephen Ross, from Electrical Engineer, Public Works Department, to Power Station Manager, Public Works Department, 1.7.00.

Transfer

Mrs. Althea Maria Biggs, from Secretary, Falkland Islands Community School, Education Department, to Auxiliary Nurse, Health Services Department, 1.7.00.

Completion of Contracts

Ms. Paula Jane Robinson, Nursing Sister, Health Services Department, 30.6.00.

Ms. Tania Antunovic, Staff Nurse, Health Services Department, 7.7.00.

Resignations

Daniel Biggs, Sports Attendant, Leisure Centre, Education Department, 30.6.00.

Mrs. Janette Mary Vincent, Nursing Sister, Health Services Department, 30.6.00.

Termination of Appointment

Matthew John Berntsen, Plant Operator/Handyman, Public Works Department, 17.7.00.

NOTICES

No. 41 30th June 2000

APPOINTMENT OF COMMISSIONER FOR OATHS

In accordance with section 2 (2) of the Commissioners for Oaths Ordinance 1969, **CHERILYN JULIE MITCHELL** is appointed a Commissioner for Oaths.

Dated this thirtieth day of June 2000.

R. T. JARVIS,
Acting Governor.

No. 42 5th July 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 43 5th July 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 44

5th July 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 45

5th July 2000

**AIR FALKLANDS LIMITED
Company Number 9932**

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

Dated this 5th day of July 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 46

11th July 2000

**McADAM DESIGN (FALKLAND ISLANDS)
LIMITED
Company Number 8432**

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

Dated this 11th day of July 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 47

11th July 2000

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

TAKE NOTICE THAT Fredrick George Coutts deceased of Stanley, Falkland Islands died on the 1st day of March 1999 intestate.

WHEREAS Charles Lindsay Coutts has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

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

C. J. MITCHELL,
Registrar, Supreme Court.

Stanley
Falkland Islands
11 July 2000
Ref: PRO/13/2000

No. 48 _____ 12th July 2000

APPOINTMENT OF COMMISSIONER FOR OATHS

In accordance with section 2 (2) of the Commissioners for Oaths Ordinance 1969, **ROSALIND CATRIONA CHEEK** is appointed a Commissioner for Oaths.

Dated this twelfth day of June 2000.

R. T. JARVIS,
Acting Governor.

No. 49 _____ 14th July 2000

**INTERPRETATION AND GENERAL CLAUSES
ORDINANCE
(section 56)**

**Change of title of posts of Superintendent and
Assistant Superintendent at the Power Station**

IN EXERCISE of my powers under section 56 of the Interpretation and General Clauses Ordinance 1977

(Title 67.2) I declare that the titles of the posts of Superintendent and Assistant Superintendent at the Power Station are changed so that with effect from 1 July 2000 they shall be known as Power Station Manager and Assistant Power Station Manager respectively.

Dated this 14th day of July 2000.

M. D. BLANCH,
Chief Executive.

No. 50

24th July 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J. E. SMITH,
Immigration Officer.

No. 51

24th July 2000

APPLICATION FOR NATURALISATION

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

J. E. SMITH,
Immigration Officer.



**THE
FALKLAND ISLANDS GAZETTE
Extraordinary**

PUBLISHED BY AUTHORITY

Vol. CIX

11th August 2000

No. 9

The following is published in this Gazette:-

The Register of Electors 2000.

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

56	Berntsen	Olaf Christian Alexander	Eliza Cres.
57	Berntsen	Patrick	10 James St.
58	Berntsen	Rachel Bna	32 Eliza Cres
59	Berntsen	Saphena Anya Jane	Flat 7, 6 Jersey Rd.
60	Berntsen	Valdamar Lars	14 St. Marys Walk
61	Berntsen	Valorie Marcela	14 St. Marys Walk
62	Bertrand	Catherine Gladys	11 Ross Rd. East
63	Besley-Clark	Barbara June	53 Callaghan Rd.
64	Besley-Clark	Craig Norman Leigh	53 Callaghan Rd.
65	Besley-Clark	Douglas James	53 Callaghan Rd.
66	Besley-Clark	Norman	53 Callaghan Rd.
67	Betts	Arlette	Lafone House, Ross Rd. East
68	Betts	Donald William	7 Jeremy Moore Ave.
69	Betts	Ellen Alma	21 Fitzroy Rd.
70	Betts	George Winston Charles	35 Ross Rd. West
71	Betts	Ian	1 Villiers St.
72	Betts	Lucia Elizabeth	35 Ross Rd. West
73	Betts	Owen	Flat 4, Church House
74	Betts	Severine	2B Jeremy Moore Ave. East
75	Betts	Shirley Rose	7 Jeremy Moore Ave.
76	Betts	Simon Keith	Reflections Flat Stanley
77	Betts	Stephen	7 Jeremy Moore Ave
78	Betts	Terence Severine	Lafone House, Ross Rd. East
79	Biggs	Alastair Gordon	Trehayle, 50 John St.
80	Biggs	Althea Maria	3 Dairy Paddock Rd.
81	Biggs	Betty Josephine	9 Moody St.
82	Biggs	Rdith Joan	Trehayle, 50 John St.
83	Biggs	Frances	16 Endurance Ave.
84	Biggs	Frederick James	KEMH
85	Biggs	Irene Mary	Harbour View, 4 Ross Rd. East
86	Biggs	Leslie Frederick	3 Dairy Paddock Rd.
87	Biggs	Michael Elfed	21 Fitzroy Rd.
88	Biggs	Peter Julian Basil	16 Endurance Ave.
89	Binnie	Juliet Ann	33 Eliza Cres.
90	Binnie	Susan	3 Brandon Rd.
91	Birmingham	John	4 Drury St.
92	Birmingham	Susan Jane	4 Drury St.
93	Blackley	Candy Joy	4 Barrack St.
94	Blackley	Hilda	11 Thatcher Drive
95	Blackley	John David	4 Barrack St.
96	Blackley	Maurice	The Lodge, Market Garden
97	Blackley	Shane David	4 Barrack St.
98	Blades	Helen Jean	10 John St.
99	Blake	Alexander Charles	1 Ross Rd
100	Blake	Lionel Geoffrey	1 Ross Rd
101	Blake	Sally Gwynfa	1 Ross Rd
102	Blake	Thomas Patrick	90 Davis St.
103	Blizard	Malvina Mary	51 Fitzroy Rd.
104	Blyth	Agnes Ruth	2 Brandon Rd.
105	Blyth	Paz Neri	5 St Marys Walk
106	Bonner	Alan Paul	5 John Street
107	Bonner	Angela Jane	5 John St.
108	Bonner	Cheryl Anne	4a Ross Road West
109	Bonner	Donald William	Chaffeurs Cottage
110	Bonner	Hayley Trina	41 Ross Rd. West

111	Bonner	Linda Jane	4A Ross Rd. West
112	Bonner	Lindsay Jane	21 Shackleton Drive
113	Bonner	Nicholas	4A Ross Rd. West
114	Bonner	Paul Roderick	5 John St.
115	Bonner	Terence Leslie	Flat 1 30 Jersey Rd
116	Bonner	Timothy	41 Ross Rd. West
117	Bonner	Vera Ann	5 John St.
118	Bonner	Vera Joan	Chaffeurs Cottage
119	Bonner	Violet	40 Ross Rd.
120	Booth	Jessie	Racecourse Cottage
121	Booth	Joseph Bories	7 Philomel St.
122	Booth	Myriam Margaret Lucia	7 Philomel St.
123	Booth	Stuart Alfred	Racecourse Cottage
124	Bound	Joan	Barrack St.
125	Bowles	Norma Evangeline	1A Villiers St.
126	Bowles	William Edward	1A Villiers St.
127	Bowles	William George Troyd	1A Villiers St.
128	Bragger	Edward Laurence	14 Jeremy Moore Ave.
129	Brock	Juanita Lois	Flat5, 1 Jeremy Moore Ave East
130	Brooks	Cheryl Rose	25 Callaghan Rd.
131	Brooks	Peter William	25 Callaghan Rd.
132	Browning	Amanda Marie	3 Dairy Paddock Rd
133	Browning	Colin George	1 Moody St.
134	Browning	Edwina	Davis St.
135	Browning	Joan Lucy Ann	Rose Hotel Drury St
136	Browning	Nathan David	3 Dairy Paddock Road
137	Browning	Rex	35 Davis St.
138	Browning	Richard William	33 Davis St
139	Browning	Trevor Osneith	Rose Hotel Drury St
140	Brownlee	Andrew Samuel	19 Ross Rd East
141	Brownlee	Lynn Frances	19 Ross Rd East
142	Buckettt	Ronald Peter	49 Fitzroy Rd.
143	Buckettt	Roy Peter	2 Barrack St
144	Buckettt	Susan Vera	49 Fitzroy Rd.
145	Buckland	Colin Michael	13 Murray Heights
146	Buckland	Darlene Joanna	11 James St.
147	Buckland	Peter John	9 Callaghan Rd.
148	Budd	Dennis Raymond	5 Ian Campbell Drive
149	Budd	Pamela Joan	5 Ian Campbell Drive
150	Bundes	Robert John Christian	17 Fitzroy Rd.
151	Burnett	Anthony	59 Fitzroy Rd.
152	Burnett	Elizabeth Ann	59 Fitzroy Rd.
153	Burns	Mary Anne	34 Davis St.
154	Burston	Catherine	91 Davis St
155	Burston	Stephen Leslie	91 Davis St
156	Bury	Ian Thomas	63 Davis St.
157	Butcher	Michael George	3A Dairy Paddock Rd.
158	Butcher	Trudi	3A Dairy Paddock Rd.
159	Butler	Elsie Maud	8 John St.
160	Butler	Frederick Lowther Edward Olai	8 John St.
161	Butler	George Joseph	1A Moody St.
162	Butler	Jonathan Jeffers	3 Jeremy Moore Ave
163	Butler	Laurence Jonathan	2 Davis St East
164	Butler	Margaret Orlanda	15A James St.
165	Butler	Orlanda Betty	2 Davis St. East

166	Buxton	Nicole Gabrielle	19 Jeremy Moore Ave
167	Cameron	Jane Diana Mary Keith	Old Bakery, Fitzroy Rd.
168	Cant	Carol Rosine	37 Callaghan Rd
169	Cant	Martin Ronald	37 Callaghan Rd
170	Cantlie	Derek William	27 Callaghan Rd
171	Card	Patricia Collette	7 Ian Campbell Drive
172	Carey	Anthony Michael	19 Ross Rd. West
173	Carey	Gladys	19 Ross Rd. West
174	Carey	Martin Rex	21 Eliza Cove Cres.
175	Carey	Mary Ann Margaret	18 Ross Rd. West
176	Carey	Terence James	18 Ross Rd. West
177	Cartwright	Stephen	39 Ross Road West
178	Castle	David Peter	26 John St.
179	Castle	Isobel	26 John St.
180	Ceballos	Eulogio Gabriel	28 Endurance Ave.
181	Chaloner	Sheila Catherine	2 Racecourse Rd
182	Chapman	Helen	6 Fitzroy Rd. East
183	Chapman	Paul	6 Fitzroy Rd. East
184	Chater	Thomas Frederick	33 Fitzroy Rd.
185	Chater	William John	33 Fitzroy Rd.
186	Cheek	Barbara	8 Watson Way
187	Cheek	Gerald Winston	10 Ross Rd.
188	Cheek	Janet Linda	25 Ross Rd. West
189	Cheek	Marie	10 Ross Rd.
190	Cheek	Miranda	2 Fieldhouse Close
191	Cheek	Rosalind Catriona	25 Ross Rd. West
192	Cheeseman	Kaye	Stanley
193	Cheeseman	Stanley John	Stanley
194	Clapp	Kevin Christopher	1 Murray Heights
195	Clark	Hector	27 Eliza Cres.
196	Clark	Jonathan Andrew	Flat 10, Jersey Rd
197	Clark	Joyce Kathleen	27 Eliza Cres.
198	Clarke	Amelia	1 Callaghan Rd.
199	Clarke	Angela Sindy	Stanley
200	Clarke	Camilla Marie	8 Drury St.
201	Clarke	Christopher	5 Discovery Close
202	Clarke	David James	17 Ross Rd. West
203	Clarke	Derek Simon	23 Jeremy Moore Ave.
204	Clarke	Doreen	17 Ross Rd. West
205	Clarke	Gwynne Edwina	17 Jeremy Moore Ave.
206	Clarke	Ian	17 Ross Rd. West
207	Clarke	Isabel Joan	12 Fieldhouse Close
208	Clarke	James Martin	4B Ross Rd. West
209	Clarke	Jan Michael	5 Allardyce Street
210	Clarke	Joan Patricia Marion	50 Davis St
211	Clarke	Jonathan Terence	17 Jeremy Moore Ave.
212	Clarke	Joseph Gwyn	17 Jeremy Moore Ave Sty
213	Clarke	Julie Ann	Globe Tavern
214	Clarke	Marvin Thomas	7 Fitzroy Rd.
215	Clarke	Paul Ian	Stanley
216	Clarke	Petula Jane	Stanley
217	Clarke	Ronald John	17 Ross Rd. West
218	Clarke	Rudy Thomas	8 Drury St.
219	Clarke	Sasha Michelle	Stanley
220	Clarke	Shane Adrian	1 Callaghan Rd.

221	Clarke	Suzanna	Fieldhouse Close Stanley
222	Clarke	Terence John	17 Jeremy Moore Ave.
223	Clarke	Tracey Clare	23 Jeremy Moore Ave.
224	Clarke	Trudi Ann	7 Fitzroy Rd.
225	Clasen	Wayne Ian Summers James	9 Fitzroy Rd.
226	Clausen	Andrea Patricia	3 St. Marys Walk
227	Clausen	Denzil George Gustavius	3 St. Marys Walk
228	Clausen	Melanie	1 Hebe St.
229	Claxton	Frank Brian	28 Ross Rd. East
230	Claxton	Margaret	28 Ross Rd. East
231	Clayton	Brian	16 St. Marys Walk
232	Clayton	Susan	16 St. Marys Walk
233	Clement	Gary	9 Snake St.
234	Clement	Jane	9 Snake St.
235	Clement	Lee	9 Snake Hill
236	Clement	Wayne	Snake Hill Stanley
237	Cletheroe	Kenneth Stanley	45 Fitzroy Rd.
238	Clifton	Charles	3 Ross Rd. West
239	Clifton	Darwin Lewis	53 Davis St.
240	Clifton	Doreen	3 Ross Rd. West
241	Clifton	Marie	6 Discovery Close
242	Clifton	Melvyn	Lookout Lodge
243	Clifton	Neil	20 Davis St.
244	Clifton	Stephen Peter	61 Fitzroy Rd.
245	Clifton	Terence Charles	3 Ross Rd. West
246	Clifton	Teresa Ann	12 Callaghan Rd.
247	Clifton	Valerie Ann	61 Fitzroy Rd.
248	Clingham	Leslie George	2 Brisbane Rd.
249	Clingham	Yvonne Helen	2 Brisbane Rd.
250	Cockwell	Jennifer Marie	90 Davis St
251	Cockwell	John Richard	14 Ross Road West
252	Cockwell	Maurice Adam	90 Davis St.
253	Cofre	Anya Evelyn	1 Brandon Rd West
254	Cofre	Elvio Miguel	1 Brandon Rd West
255	Collier	Mark Walter	68 Davis St
256	Collins	Shiralee	Flat 9, 6 Jersey Rd.
257	Connolly	Kevin Barry	1 King St.
258	Coombe	Peter	12 Ross Rd. West
259	Coombe	Shirley Anne	12 Ross Rd. West
260	Cotter	Mary Jane	9 Jeremy Moore Ave.
261	Cotter	Timothy Stewart	9 Jeremy Moore Ave.
262	Coulter	Donald Mark	9 Fieldhouse Close
263	Coulter	Paula	9 Fieldhouse Close
264	Courtney	Anthony Clive	Lady Hunt House, John St.
265	Courtney	Julie Doris	Lady Hunt House, John St.
266	Coutts	Charles	12 Endurance Ave.
267	Coutts	Charles Lindsay	33 Ross Rd.
268	Coutts	Diana Marion	6B Ross Rd. West
269	Coutts	John	36 Ross Rd. West
270	Coutts	Olga	33 Ross Rd.
271	Coutts	Peter	13 Campbell Drive
272	Crabb	Elizabeth Ann	38 Eliza Cres.
273	Crowie	Alan John	72 Davis Street Stanley
274	Crowie	Ana Bonita	72 Davis Street Stanley
275	Crowie	Breda Marie	35 Callaghan Rd.

276	Crowie	Clare Frances	35 Callaghan Rd
277	Crowie	David Sean	51 Callaghan Rd
278	Crowie	Nicola Jane	35 Callaghan Rd.
279	Crowie	Peter James	35 Callaghan Road Sty
280	Crowie	Robert John	35 Callaghan Rd.
281	Curtis	Alfred William Hamilton	6 Brandon Rd. West
282	Curtis	Barbara Joan	6 Brandon Rd. West
283	Curtis	James William Hamilton	6 Ross Rd.
284	Davies	Andrew Liam	Plat 7, 6 Jersey Rd.
285	Davies	Anthony Warren	7 Callaghan Rd.
286	Davies	Christine Susan	8 Fitzroy Rd. East
287	Davies	Colin George	15 Ross Rd. West
288	Davies	Bileen Wynne	15 Ross Rd. West
289	Davies	Jacqueline Nancy	7 Callaghan Rd.
290	Davies	Sian Karen	7 Callaghan Road Sty
291	Davies	William	8 Fitzroy Rd. East
292	Davis	Ellen Rose	39 Davis St.
293	Davis	Maurice	39 Davis St.
294	Davis	Nicholas	15 James St.
295	Davis	Roy George Victor	6 Narrows View
296	Davis	Sharon Sandra Evelyn	6 Narrows View
297	Davy	Patrick Alex Field	Plat3, 3 Jeremy Moore Ave East
298	Decroliere	Carrie Madeline Helen	5 Discovery Close
299	Dent	Janice Vanessa	3C Jersey Bst.
300	Desborough	Gladys Malvina	14 Allardyce Street
301	Dickson	Caroline Christine Bird	108 Davis St.
302	Dickson	Michael Keith	C/o Tamar
303	Didlick	Christopher Graham	13 Jeremy Moore Ave
304	Didlick	Fiona Margaret	13 Jeremy Moore Ave
305	Didlick	Graham John	13 Jeremy Moore Ave
306	Didlick	Rhiannon Elinore	13 Jeremy Moore Ave
307	Diggle	Katherine Elizabeth	12 Jersey Rd.
308	Diggle	Roger John	12 Jersey Rd.
309	Dobbys	Kathleen Gay	60 Davis St.
310	Dodd	Alison	1 Pioneer Row
311	Dodd	Nigel Keith	1 Pioneer Row
312	Donnelly	Derek	YMCA, Stanley
313	Drysdale	Karen Margaret	1 Watson Way Stanley
314	Duncan	Delsha Vanessa Jane	18 Jeremy Moore Ave.
315	Duncan	Doreen	Tenacres
316	Duncan	William	Tenacres
317	Duvall	Kenneth William	51 Callaghan Rd
318	Barnshaw	Jacqueline Elizabeth	32 Ross Rd. West
319	East	Justin Clive Richard	1 Fieldhouse Close
320	Eccles	Bernard Leslie	18 Jeremy Moore Ave.
321	Eccles	Moir Cameron	18 Jeremy Moore Ave.
322	Edwards	Emma Jane	Murray Heights
323	Elliot	Elizabeth Rose	15 Callaghan Rd
324	Elliot	Henry James	15 Callaghan Rd.
325	Ellis	Cyril	24 Ross Rd. East
326	Ellis	Lucy	11 James St
327	Ellis	Valerie	24 Ross Rd. East
328	Elsby	Barry	Moody Brook House.
329	Ericksen	Michelle	1B Capricorn Rd.
330	Evans	Donna Newell	By-Pass Rd.

331	Evans	Gladys Alberta	6 Barrack St.
332	Evans	Michael David	By-Pass Rd.
333	Evans	Russell	45 Ross Rd East
334	Evans	Susan Maureen	45 Ross Rd East
335	Ewing	Gordon	4 Jeremy Moore Ave
336	Ewing	Irene	4 Jeremy Moore Ave
337	Eynon	Carol	8 Villiers St.
338	Eynon	Christopher Huntlee	8 Villiers St.
339	Eynon	David John	8 Villiers St.
340	Faria	Mary Ann	6A Jeremy Moore Ave
341	Felton	Sonia Ellen	Stanley
342	Felton	Violet Regina Margaret	German Camp, Callaghan Rd.
343	Ferguson	Ellen Rose	51 Callaghan Rd.
344	Ferguson	John William	47 Ross Rd East
345	Ferguson	Marie Anne	2 Davis St
346	Ferguson	Robert John	4 Capricorn Rd.
347	Ferguson	Rose	Flat7, 1 Jeremy Moore Ave East
348	Ferguson	Stephanie Janet	47 Ross Rd East
349	Ferguson	Thelma	4 Capricorn Rd.
350	Ferriby	Deborah Susana	Market Garden Airport Rd
351	Fiddes	Douglas Graham	18 Ross Rd. East
352	Fiddes	Gardner Walker	3 Watson Way
353	Fiddes	Julia Bertrand	18 Ross Rd. East
354	Fiddes	Mary McKinnon Livingstone	4 Moody St.
355	Fiddes	Melody Christine	3 Watson Way
356	Fiddes	Robert	4 Moody St.
357	Fiddes	Shona Mary	Sir Rex Hunt House.
358	Finlayson	Iris Dwenda Margaret	7 John St.
359	Finlayson	Peter	6 Brandon Rd.
360	Finlayson	Phyllis	6 Brandon Rd.
361	Pinn	Natalie Anne	9 Eliza Cres
362	Fisher-Smith	Julie Anne	8 Fieldhouse Close
363	Fleming	Richard Ian	7 Ian Campbell Drive
364	Floyd	Amanda Susan	7 Pitaluga Place
365	Floyd	Michael	7 Pitaluga Place
366	Fogerty	Philip John	Stone Cottage
367	Fogerty	Richard Edwin John	Stone Cottage
368	Ford	Alison Jane Marie	5 Jersey Rd.
369	Ford	Arthur Henry	6 Drury St.
370	Ford	Cherry Rose	1 James St.
371	Ford	Christopher James	11 Fieldhouse Close
372	Ford	Colin Stewart	15 Kent Rd.
373	Ford	Colleen Mary	Lady Hunt House John St.
374	Ford	Darrel	1 James Street, Stanley
375	Ford	David	1 Davis St.
376	Ford	Frederick James	Lady Hunt House John St.
377	Ford	Gerard Allan	Flat 1, 3 Jeremy Moore Ave
378	Ford	Jonathan	11 Beaver Rd.
379	Ford	Julie Ann	11 Beaver Rd.
380	Ford	Leann Caroline	15 Kent Rd.
381	Ford	Leonard	5 Jersey Rd.
382	Ford	Marilyn Christina	24 James St.
383	Ford	Michael	1 James St.
384	Ford	Paul Edward	2 Philomel Place
385	Ford	Robert	1 Davis St.

386	Ford	Sara	11 Fieldhouse Close.
387	Ford	Simon	1 James St.
388	Forrest	Jennifer Carol	16 Kent Rd.
389	Forrest	Michael John	16 Kent Rd
390	Forster	Amanda	39 Eliza Cres.
391	Forster	Lynne	5 Discovery Close
392	Forster	Sarah	9 Fitzroy Rd Stanley
393	Fowler	Daniel Martin	2 Glasgow Rd
394	Fowler	John Andrew Thomas	2 Glasgow Road Sty
395	Fowler	Rachael Jane	2 Glasgow Rd
396	Fowler	Veronica May	2 Glasgow Road
397	France	Graham Brian	7 Snake St
398	France	Ian Peter	7 Snake St
399	France	Jane Aileen Marie	7 Snake St
400	Freeman	Carl Francis	10 James St.
401	Freeman	Dianne May	10 James St.
402	Freeman	Tracy	10 James St
403	Fullerton	Mary Ellen	Government House
404	Geach	Alan John	37 Eliza Crescent Stanley
405	George	Magnus John Alexander	14 Ross Rd. West
406	Gilbert	Christopher Paul	22 Jeremy Moore Ave.
407	Gilbert	Judith Elizabeth	22 Jeremy Moore Ave.
408	Gilbert	Mark Ian	22 Jeremy Moore Ave
409	Gilbert	Neil Robert	22 Jeremy Moore Ave
410	Gilbert	Robert Ernest	22 Jeremy Moore Ave.
411	Gilding	Sara Jane	Snake Hill Stanley
412	Gilson Clarke	Dustin James	1 Discovery Close
413	Gisby	Annie	33 Fitzroy Rd.
414	Goodwin	Angela Jane	27 Callaghan Rd
415	Goodwin	Bonita Colleen	19 Ross Rd. West
416	Goodwin	Colin Valentine	86 Davis St.
417	Goodwin	Derek Samuel	3 Police Cottages, 7 Ross Rd.
418	Goodwin	Emily Rose	7 Brisbane Rd.
419	Goodwin	Gareth Kevin	86 Davis St.
420	Goodwin	Hazel Rose	3 Police Cottages, 7 Ross Rd.
421	Goodwin	June Elizabeth	86 Davis St.
422	Goodwin	Kathleen Edith Marguerite	6 Thatcher Drive
423	Goodwin	Margaret Ann	3 H Jones Rd.
424	Goodwin	Margo Jane	31 Ross Rd West
425	Goodwin	Neil Alexander William	31 Ross Rd West
426	Goodwin	Robin Christopher	27 Callaghan Rd.
427	Goodwin	Simon James	Flat 3, 2 Eliza Place
428	Goodwin	Una	27 Callaghan Rd.
429	Goodwin	William John Maurice	7 Brisbane Rd.
430	Goss	Annagret	16 Jeremy Moore Ave.
431	Goss	Corina Rose	20 Murray Heights
432	Goss	Dorothy Ellen	4 Discovery Close
433	Goss	Eric Miller	2 Fitzroy Rd East
434	Goss	Errol Barry Gordon	Flat3, 7 Jeremy Moore Ave East
435	Goss	Grace Elizabeth	5 Ross Rd. East
436	Goss	Ian Ernest Barle	Fieldhouse Close
437	Goss	Morgan Edmund	16 Jeremy Ave.
438	Goss	Odetta Ellen May	Flat 1, 30 Jersey Rd.
439	Goss	Roderick Jacob	Fitzroy Rd.
440	Goss	Roger Simon	15 Callaghan Rd

441	Goss	Roy Shepherd	4 Discovery Close
442	Goss	Sandra Kathleen	11 Kent Rd.
443	Goss	Shirley Ann	2 Fitzroy Rd East
444	Goss	Simon Peter Miller	11 Kent Rd.
445	Goss	Susan Diann	Fieldhouse Close
446	Goss	William Henry (jnr)	7 Brandon Rd.
447	Goss	William Henry (snr)	5 Ross Rd. East
448	Gough	Phyllis Candy	11 Callaghan Rd.
449	Gould	Arthur William	Moody St.
450	Grant	Lennard John	3 Moody St.
451	Grant	Milly	3 Moody St.
452	Gray	David Edward	22 Ross Rd West
453	Gray	Johan	6 Murray Heights Sty
454	Gray	Patricia May	22 Ross Rd West
455	Green	David William	5 Police Cottages, Ross Rd.
456	Greenland	James Andrew William	9 Beaver Rd
457	Grimmer	Keith	15 Pioneer Row
458	Grimmer	Marilyn	15 Pioneer Row
459	Hadden	Alexander Burnett	27 Fitzroy Rd.
460	Hadden	Sheila Peggy	27 Fitzroy Rd.
461	Halford	Rodney John	Tenacres
462	Halford	Sara Jayne	Tenacres
463	Halford	Sharon	Tenacres
464	Hall	Marilyn Joyce	56 Davis St.
465	Halliday	Gerald	Flat 1, 6 Racecourse Rd.
466	Halliday	Jeffrey James	Fieldhouse Close
467	Halliday	John Arthur Leslie	108 Davis St.
468	Halliday	Leslie John	5 Villiers St.
469	Halliday	Raynor	9 Brisbane Rd.
470	Hancox	Rachel Mary	9 Ross Rd. West
471	Hancox	Robert James	9 Ross Rd. West
472	Hansen	Douglas John	6 Fitzroy Rd.
473	Hansen	Keva Elizabeth	1 Dairy Paddock Rd.
474	Hansen	Terence Joseph	1 Dairy Paddock Rd.
475	Hardcastle	Simon Brook	5 Pioneer Row
476	Harris	Christopher James	8 Pioneer Row
477	Harris	Heather	3 Ross Rd. East
478	Harris	Jill Yolanda Miller	19 Fitzroy Rd.
479	Harris	Karl Henry	19 Fitzroy Rd.
480	Harris	Leeann Watson	10 Dairy Paddock Rd.
481	Harris	Leslie Sidney	19 Fitzroy Rd.
482	Harris	Michael Ronald	3 Ross Rd. East
483	Harris	Nicola Jane	3 Ross Rd East
484	Harris	Ralph Aaron	10 Dairy Paddock Rd.
485	Harris	Roslyn	19 Fitzroy Rd.
486	Harvey	Muriel Elizabeth Elsie	2 King St.
487	Harvey	Sheila	Flat 3, 5 Jeremy Moore Ave.
488	Harvey	William	21 Fitzroy Rd.
489	Hawksworth	Christopher	29 Fitzroy Rd.
490	Hawksworth	David	29 Fitzroy Rd.
491	Hawksworth	Jeanette	24 Murray Heights
492	Hawksworth	Mary Catherine	5 A Brisbane Rd.
493	Hawksworth	Pauline May	29 Fitzroy Rd.
494	Hawksworth	Terence	5A Brisbane Rd.
495	Hayward	Marjorie	30 Eliza Rd.

496	Hayward	Neville	Flat 2, Church House
497	Hayward	Peter Dennis	30 Eliza Rd.
498	Hazell	Lee Felton	3 Drury Street Sty
499	Heathman	Malcolm Keith	15 Eliza Cove Rd.
500	Heathman	Mandy Gail	15 Eliza Cove Rd.
501	Henry	Alan Richard	8 Beaver Rd.
502	Henry	Patricia Denise	8 Beaver Rd.
503	Hernandez Mantero	Miguel Angel	3 Murray Heights
504	Hernandez Trevell	Maria Blena	3 Murray Heights
505	Hewitt	Alison Denise	23 Shackleton Drive
506	Hewitt	Clare Ann	1c Capricorn Rd Sty
507	Hewitt	Frances Agnes	Stanley
508	Hewitt	Gary George	3 Hebe Place
509	Hewitt	Kevin John	14 Jeremy Moore Ave
510	Hewitt	Margaret Ann	3 Hebe Place
511	Hewitt	Neil George	1C Capricorn Rd
512	Hewitt	Rachel Catherine Orissa	4 St. Marys Walk
513	Hewitt	Robert John David	3 Thatcher Drive
514	Higgins	Dawn	2 Dean Street
515	Hill	Brian Jarvis	1 Kent Rd.
516	Hill	Penelope Ann	1 Kent Rd.
517	Hills	Heather Margaret	5 Davis St.
518	Hills	Richard William	5 Davis St.
519	Hirtle	Christine	5 Capricorn Rd.
520	Hirtle	Debbie Ann	Flat 7 Jeremy Moore Ave
521	Hirtle	Leonard John	20 Jeremy Moore Ave
522	Hirtle	Leonard Lloyd	20 Jeremy Moore Ave.
523	Hirtle	Mary Ann	12 Drury St.
524	Hirtle	Michael Barry	20 Jeremy Moore Ave.
525	Hirtle	Rose Ann Shirley	4 Villiers St.
526	Hirtle	Shirley	20 Jeremy Moore Ave.
527	Hirtle	Zane Eric	Eliza Cove Rd.
528	Hobman	Anilda Marilu	34 Ross Rd. West Flat
529	Hobman	Carol Margaret	17 Scoresby Close
530	Hobman	David Gonsalo	34 Ross Rd. West Flat
531	Hobman	Luis Alfonzo	34 Ross Rd. West Flat
532	Hoggarth	Agnes Christina	2 James St.
533	Horne-MacDonald	John Alexander	2 Dairy Paddock Rd.
534	Howatt	Derek Frank	4 Racecourse Rd.
535	Howatt	Suzanna Margaret	4 Racecourse Rd.
536	Howe	Alison Delia	36 Davis St.
537	Howe	Paul Anthony	36 Davis St.
538	Howells	Anne Stephanie	112 Davis St.
539	Howells	Lorna Marie	112 Davis St.
540	Howells	Martin Edward Derek	112 Davis St
541	Howells	Melissa Louise	112 Davis St.
542	Howells	Roger	112 Davis St.
543	Hoy	Dawn	7 Murray Heights
544	Humphreys	Dennis James	7 Dean St.
545	Humphreys	Margaret Anne	7 Dean St.
546	Hutton	Elizabeth Isabella	3 John St.
547	Hutton	Philip	3 John St.
548	Igao	Noel Neri	15 Scoresby Close
549	Igao	Pauline Lynx	15 Scoresby Close
550	Inglis	Alison Anne MacKenzie	9 Short Street Stanley

551	Jackson	Mark Malcolm	23 Fitzroy Road
552	Jacobsen	Alistair	1A Philomel St.
553	Jacobsen	Catherine Joan	1A Philomel St.
554	Jaffray	Dereck Charles	2 Arch Green Stanley
555	Jaffray	Donald	15 Brandon Rd.
556	Jaffray	Bileen	5 Hebe St.
557	Jaffray	Elaine Michele	8 Discovery Close
558	Jaffray	Estelle Anita	Snake Hill
559	Jaffray	Frank Alexander	8 Discovery Close
560	Jaffray	Gerard Alan	5 Hebe St.
561	Jaffray	Helen Rose	84 Davis St.
562	Jaffray	Ian	5 Hebe St.
563	Jaffray	Jacqueline Ann	17 Watson Way
564	Jaffray	Janet	40 Eliza Cres.
565	Jaffray	John	40 Eliza Cres.
566	Jaffray	John Summers	84A Davis St.
567	Jaffray	John Willie	21 Watson Way Sty
568	Jaffray	June Elizabeth	17 Ross Rd. East
569	Jaffray	Kenneth Ian	2 Dean St.
570	Jaffray	Lisa Jane	Flat 3, 1 Jeremy Moore Ave.
571	Jaffray	Marina Morrison	15 Brandon Rd.
572	Jaffray	Nichola Jane	84a Davis St.
573	Jaffray	Phyllis	21 Watson Way Sty
574	Jaffray	Robin George	Rose Hotel
575	Jaffray	Stephen James	11 James St.
576	Jaffray	Tanya Fiona	5 Hebe Street
577	Jaffray	Terence Roy	Flat 3, 1 Jeremy Moore Ave
578	Jaffray	Terri-Ann	24 Endurance Ave.
579	Jaffray	Tony	84 Davis St.
580	Jaffray	Wayne Neil	5 Hebe St.
581	Jennings	Neil	Flat 4, 30 Jersey Rd.
582	Jennings	Stephen	5 Fitzroy Rd.
583	Johnson	Jacqueline	5 Kent Rd.
584	Johnson	Lily Ann	5 Hebe St
585	Johnson	Michael Neil	5 Kent Rd.
586	Jones	Alan Smith	26 Ross Rd. West
587	Jones	David Richard	6 Allardyce Street
588	Jones	Deena Marie	YMCA, Stanley
589	Jones	Doreen Evelyn Margaret	6 Allardyce Street
590	Jones	Jennifer	26 Ross Rd. West
591	Jones	John Hugh	28 John St
592	Jones	Kevin Richard	Callaghan Rd
593	Jones	Michelle	28 John St
594	Jones	Yvonne Malvina	3 Discovery Close
595	Jonson	Amy Elizabeth	The Rose Hotel Brisbane Rd
596	Keane	Alva Rose Marie	18 Davis St.
597	Keane	Olaf James	18 Davis St.
598	Keane	Thomas James	18 Davis St.
599	Keenleyside	Charles Desmond	3 Pioneer Row
600	Keenleyside	Dorothy Maud	3 Pioneer Row
601	Keenleyside	Manfred Michael Ian	2 Snake Hill
602	Keenleyside	Nanette Barbara	2 Snake Hill
603	Kenny	Erling	20 James St.
604	Kiddle	Robert Karl	Flat 3. 6 Racecourse Rd.
605	King	Anna Constance Eve	38 Davis St.

606	King	Desmond George Buckley	38 Davis St.
607	King	Glynis Margaret	2 B Jeremy Moore Ave. East
608	King	Michelle Beverley	4 Biggs Rd
609	King	Peter Thomas	10 Jeremy Moore Ave.
610	King	Robert John	1D Jersey Est.
611	King	Rosemarie	10 Jeremy Moore Ave
612	King	Vernon Thomas	39 Fitzroy Rd.
613	Kirkham	Campbell Joseph	5 Capricorn Rd.
614	Kluzniak	Boguslaw Sylvester	26 Ross Rd. East
615	Kultschar	John William	4 Davis St. East
616	Kultschar	Richard Paul	4 Davis St. East
617	Kultschar	Yvonne Rosina	4 Davis St. East
618	Laffi	Atilio Segundo	3 Brisbane Rd.
619	Laffi	Kathleen Mary	3 Brisbane Rd.
620	Lang	Alexander Peter	28 Goss Rd
621	Lang	David Geoffrey	28 Goss Rd
622	Lang	James Patrick	Flat2, 3 Jeremy Moore Ave East
623	Lang	Marie-Bernard Therese	28 Goss Rd
624	Lang	Sandra Shirleen	2 Allardyce St.
625	Lang	Theresa Margaret	28 Goss Rd
626	Lang	William Frank	3 James St.
627	Larsen	Ellen	74 Davis St.
628	Lazo	Joanna Rose	7 Eliza Cres.
629	Lazo	Myriam Beatris	2 Dairy Paddock Rd.
630	Lee	Alfred Leslie	11 Drury St.
631	Lee	Angela Audrey	8 Jersey Rd.
632	Lee	Anthony John	8 Jersey Rd.
633	Lee	Beverley Christina	5 Villiers St.
634	Lee	Derek William	2 Davis St.
635	Lee	Gladys	11 Drury St.
636	Lee	Leslie James	10 Allardyce St.
637	Lee	Mandy John	15 James St.
638	Lee	Mervyn Richard	10 Allardyce Street
639	Lee	Owen Henry	4 Pioneer Row
640	Lee	Tanya	15 Campbell Drive
641	Lee	Trudi Dale	10 Allardyce St.
642	Lennie	Gordon Carnie	9 Narrows View
643	Lewis	David James	3 Campbell Drive
644	Lewis	James	2 St. Marys Walk
645	Lewis	Jason	9 Short St
646	Lewis	Jean	2 St. Marys Walk
647	Lewis	Pamela Irene	3 Campbell Drive
648	Lewis	Sharon	11 Campbell Drive
649	Leyland	Frank	10 Brandon Rd.
650	Leyland	Vera	10 Brandon Rd.
651	Livermore	Anton	33 Callaghan Rd.
652	Livermore	Darren	5 Philomel Place
653	Loveridge	Daniel Nolan	1 Ross Road West Stanley
654	Loveridge	Marie Pearl	1 Ross Rd West
655	Lowe	Anthony Trevor	54 Davis St.
656	Lowe	Fiona Alison	54 Davis St.
657	Luxton	Anna	1A Pioneer Row Sty
658	Luxton	Elisabeth Mary	1 Kent Rd
659	Luxton	Jennifer Mary	4 Hebe Place
660	Luxton	Michael	1A Pioneer Row

661	Luxton	Nicola	1A Pioneer Row
662	Luxton	Robin	1 Jersey Rd
663	Luxton	Stephen Charles	7 Narrows View
664	Luxton	Sybil Grace	38 John St.
665	Luxton	Winifred Ellen	15 Fitzroy Rd.
666	Luxton	Zoe	1A Pioneer Row
667	Lyse	Ethel Malvina	65 Fitzroy Rd.
668	Lyse	George Walter	8 Moody St.
669	Lyse	Linda Margaret	65 Fitzroy Rd.
670	Macaskill	Angus Lindsay	8 Jeremy Moore Ave.
671	Macaskill	Jeanette May	8 Jeremy Moore Ave.
672	Macaskill	John	34 Ross Rd. West
673	MacBeth	Phyllis Elizabeth Grace	17 Brandon Rd.
674	MacDonald	Colin George	26 Endurance Ave.
675	MacDonald	Derek George	26 Endurance Ave.
676	MacDonald	Irene	26 Endurance Ave.
677	MacDonald	Kathleen Rose	26 Endurance Ave Sty
678	Maciello	Susan Ovedia Franz De	Flat 4 Church House
679	Malcolm	Velma	7 Allardyce St.
680	Marsh	Michelle Jane	1 Fieldhouse Close
681	May	Brian Roy	21 Jeremy Moore Ave.
682	May	Bruce Raymond	Wardens House, KEMH
683	May	Christopher Raymond	9 Callaghan Rd
684	May	Connie	Wardens House, KEMH
685	May	Donna Monica	13 Murray Heights
686	May	Heather	1 Glasgow Rd.
687	May	Jonathan Roy	33 Davis St
688	May	Lindsey Olga	9 Callaghan Rd
689	May	Lucinda Vikki	33 Davis St.
690	May	Monica	21 Jeremy Moore Ave.
691	May	Roger	21 Jeremy Moore Avenue
692	May	William Albert	1 Glasgow Rd.
693	McCallum	Bettina Kay	14 Drury St.
694	McCallum	Christopher John	8A Jeremy Moore Ave.
695	McCallum	Timothy Andrew	14A Drury St.
696	McCormick	Dale Ronald	29 Callaghan Rd.
697	McCormick	Pauline Margaret Ruth	29 Callaghan Rd.
698	McCormick	Richard Paul	29 Callaghan Rd.
699	McCormick	Wayne Stanley James	29 Callaghan Rd.
700	McBachern	Gloria Jane	2 H Jones Rd.
701	McBachern	James	2 H Jones Rd.
702	McGill	Coral Elizabeth	6 Ross Rd.
703	McGill	Darrel Ian	2 Campbell Drive
704	McGill	David William	17 James St.
705	McGill	Derek Gary	12 Scoresby Close
706	McGill	Diane Beverley	2 James St.
707	McGill	Doris Mary	32 Davis St.
708	McGill	Glenda	Barrack St.
709	McGill	Ian Peter	Barrack St.
710	McGill	Jane	10 Ross Rd. East
711	McGill	Len Stanford	2 James St.
712	McGill	Lorraine Iris	10 Ross Rd. East
713	McGill	Teresa Rose	9 Drury St.
714	McGinness	Janice	10 Beaver Rd.
715	McKay	Clara Mary	20 Ross Rd. West

716	McKay	Heather Valerie	16 Eliza Cres.
717	McKay	James John	7 Villiers St.
718	McKay	Jane Elizabeth	7 Villiers St.
719	McKay	Jeannie Paullina	64 Davis St.
720	McKay	Jennifer Coral	29 Callaghan Rd
721	McKay	Josephine Ann	5 James St.
722	McKay	Kenneth Andrew	5 James St.
723	McKay	Kevin Derek Charles	51 Callaghan Rd
724	McKay	Mandy Rose	51 Callaghan Rd
725	McKay	Michael John	64 Davis St.
726	McKay	Neil	62 Davis St.
727	McKay	Paul Anthony	3 Nutt Cartmel Drive
728	McKay	Peter John	21 Ross Rd. West
729	McKay	Rex	16 Eliza Cres.
730	McKay	Shelley Jane	7 Villiers St.
731	McKay	Trudi Ann	3 Nutt Cartmel Drive
732	McKay	Wayne Lawrence Kenneth	Discovery Close
733	McKay	William Robert	20 Ross Rd. West
734	McKenzie	Alice Maude	Moody Brook Homestead
735	McKenzie	Charles Alexander Albert John	Moody Brook Homestead
736	McKinley	Melissa Jane	Flat 3,2 Eliza Place
737	McLaren	Caroline Mary	12 Allardyce St.
738	McLaren	Tony Eugene Terence	12 Allardyce St.
739	McLeod	David	49 Callaghan Rd.
740	McLeod	Henry Donald Alexander	36 Eliza Cres.
741	McLeod	Ian	9 Fitzroy Rd.
742	McLeod	Ian James	YMCA
743	McLeod	Jane Elizabeth Diana	36 Eliza Cres.
744	McLeod	Janet Wensley	75 Davis St.
745	McLeod	Janice	2 Ross Rd. West
746	McLeod	John (1)	1 Campbell Drive
747	McLeod	John (2)	23 Murray Heights
748	McLeod	Louise	1 Campbell Drive Sty
749	McLeod	Madeline Jean	1 Campbell Drive
750	McLeod	Mally	9 Fitzroy Rd.
751	McLeod	Margaret Ann	Fitzroy Rd. East
752	McLeod	Michael William	15A James St.
753	McLeod	Pearl Mary Ann	3 Brisbane Rd.
754	McLeod	Robert	75 Davis St.
755	McLeod	Robert John	2 Ross Rd. West
756	McMullen	Lucille Anne	8 Brandon Rd.
757	McMullen	Mathew John	8 Brandon Rd
758	McNally	Patricia Jayne	18 Ross Rd. East
759	McPhee	Denise	4 Brandon Rd. West
760	McPhee	Iris Blanche	14 Davis St.
761	McPhee	Justin Owen	4 Brandon Rd. West
762	McPhee	Marjorie May	14 John St.
763	McPhee	Owen Horace	14 John St.
764	McPhee	Patrick	14 Davis St.
765	McRae	Elvis Richard	Stanley
766	McRae	Mandy	Flat 1, 6 Jersey Rd
767	McRae	Michael	8 Goss Road Stanley
768	McRae	Richard Winston	Flat 2, 6 Racecourse Rd.
769	Middleton	Brian	13 McKay Close
770	Middleton	Caroline Ann	7 James St.

771	Middleton	Dennis Michael	Dolphin Cottage
772	Middleton	Graham Cyril	50 Davis St.
773	Middleton	Joan Eliza	8 James St.
774	Middleton	Kerry Ann	Dolphin Cottage
775	Middleton	Leonard	67 Fitzroy Rd.
776	Middleton	Phillip John	5 St. Marys Walk
777	Middleton	Sharon Elizabeth	Dolphin Cottage
778	Middleton	Stephanie Anne	13 McKay Close
779	Miller	Andrew Nigel	2 Fieldhouse Close
780	Miller	Betty Lois	6 St. Marys Walk
781	Miller	Bruce Graham	10 Pioneer Row
782	Miller	Carol	Kent Rd.
783	Miller	Florence Roberta	5 Moody St.
784	Miller	Gail Marie	2 Police Cottages, 8 Ross Rd.
785	Miller	Janet Mary	Market Gdn. Stly Airport Rd.
786	Miller	Jayne Elizabeth	2 Fieldhouse Close
787	Miller	Jeanette	10 Pioneer Row
788	Miller	Simon Roy	Kent Rd.
789	Miller	Timothy John Durose	Market Gdn. Stly Airport Rd.
790	Mills	Terence Kenneth	43 Callaghan Rd.
791	Minnell	Adrian James	24 Murray Heights
792	Minnell	Michelle Rose	41 Eliza Crescent
793	Minto	Alistair Daen	Flat 5, 6 Racecourse Rd.
794	Minto	Dilyz Rose	18 Endurance Ave
795	Minto	Graham Stewart	12 Brisbane Rd.
796	Minto	May Doreen	Flat 5, 6 Racecourse Rd.
797	Minto	Timothy Ian	18 Enurance Ave
798	Miranda	Augusto	31 Davis St.
799	Miranda	Carmen	Globe Tavern
800	Miranda	Ramon	3 Drury St.
801	Miranda	Winifred Dorothy	3 Drury St.
802	Mitchell	Cherilyn Julie	32 Ross Rd East
803	Mitchell	Lee Robertson	32 Ross Rd East
804	Mitchell	Leon John	6 Discovery Close.
805	Moffatt	Angela	20 Ross Rd East
806	Moffatt	James	20 Ross Rd East
807	Moffatt	Kelly	20 Ross Rd East
808	Molkenbuhr	Jill Edith	Flat 3, 30 Jersey Rd
809	Molkenbuhr	Lee Charles	Flat 3 30 Jersey Rd
810	Monti	Elizabeth Ellen	4 Fitzroy Rd.
811	Morris	Alana Marie	4 Callaghan Rd.
812	Morris	David	4 Callaghan Rd.
813	Morris	Jason Paul	4 Callaghan Rd.
814	Morris	Michelle Jane	6 McKay Close
815	Morris	Trevor Alan	6 McKay Close
816	Morrison	Basil	4 Philomel St
817	Morrison	Catherine Rose	4 Philomel St
818	Morrison	Doreen	82 Davis St.
819	Morrison	Edgar Ewen	5 Racecourse Rd.
820	Morrison	Fayan	54 John St.
821	Morrison	Graham Stewart	46 Davis St.
822	Morrison	Joan Margaret	Flat 6, 1 Jeremy Moore Ave.
823	Morrison	Lewis Ronald	82 Davis St.
824	Morrison	Marcus Lewis	82 Davis Street, Stanley
825	Morrison	Michael John	10 Fitzroy Rd East

826	Morrison	Muriel Eliza Ivy	40 Eliza Cres.
827	Morrison	Nanette Rose	46 Davis St.
828	Morrison	Nigel Peter	7 James St.
829	Morrison	Patrick	1 Brandon Road West
830	Morrison	Paul Roderick	3 Racecourse Rd East
831	Morrison	Priscilla Violet	82 Davis St.
832	Morrison	Ronald Terence	5 Racecourse Rd.
833	Morrison	Russell John Allan	6A Jeremy Moore Ave
834	Morrison	Stewart	46 Davis St.
835	Morrison	Susan Margaret	10 Fitzroy Rd East
836	Morrison	Trevor	6A Jeremy Moore Ave.
837	Morrison	Valerie Anne	6A Jeremy Moore Ave.
838	Morrison	Violet Sarah	5 Racecourse Rd.
839	Morrison	William Roderick Halliday	54 John St.
840	Munro	Grant Mackintosh	69 Fitzroy Rd
841	Murphy	Ann Susan	2 King St.
842	Murphy	Bessie	68 Davis St.
843	Neal	Richard John	1 Dean St.
844	Neilson	Barry Marwood	23 Ross Rd.
845	Neilson	Harold Ian	23 Ross Road
846	Neilson	Margaret	23 Ross Rd.
847	Newell	Cara Jane	3 Villiers St.
848	Newell	Joseph Orr	3 Villiers St.
849	Newell	Paula Michelle	6 Pioneer Row
850	Newell	Trudi Malvina	3 Villiers St.
851	Newman	Andrew Raymond	17 Ross Rd. East
852	Newman	Clive Alexander	5 Brandon Rd.
853	Newman	Dwenda Rose	5 Brandon Rd.
854	Newman	Glynis Karen	4 James St.
855	Newman	Ingrid Helen	5 Brandon Road, Stanley
856	Newman	Lisa Jeraine	Flat 5, 6 Jersey Rd.
857	Newman	Marlene	11 Jeremy Moore Ave.
858	Newman	Raymond Winston	11 Jeremy Moore Ave.
859	Newman	Tansy Fiona	Jersey Rd.
860	Newman	Terence	24 Endurance Ave.
861	Nutter	Arthur Albert	9 Brandon Rd.
862	Nutter	Josephine Lesley	9 Brandon Rd.
863	O'Shea	Cynthia Kay	9 Campbell Drive
864	O'Shea	Desmond	9 Campbell Drive
865	Olmedo	Alex	76 Davis St
866	Ormond	Christina Helen	6 Goss Rd
867	Ormond	Kevin Micheal Patrick Joseph	6 Goss Rd
868	Parrin	Norman George	108 Davis St.
869	Patterson-Smith	Ian Colin	15 Watson Way Stanley
870	Pauloni	Hilary Maud	63 Fitzroy Rd.
871	Pauloni	Romolo Vittorio	63 Fitzroy Rd.
872	Paver	Bernadette Marguerite	Moody Brook House.
873	Payne	Dilys Agnes	2 Racecourse Road East
874	Payne	St. John Peter	2 Racecourse Road East
875	Peake	Arthur	19 James St.
876	Peck	Burned Brian	22 James St.
877	Peck	Carol Margaret	2 Discovery Close
878	Peck	Christine	2 Barrack St
879	Peck	David John	15 Villiers St
880	Peck	David Patrick	78 Davis St.

881	Peck	Eleanor Margaret	26 Shackleton Drive
882	Peck	Evelyn Elizabeth	22 James St.
883	Peck	Gordon Pedro James	17 Brandon Rd.
884	Peck	Harwood John Charles	C/o Tamar
885	Peck	James	2 Discovery Close
886	Peck	Maureen Heather	78 Davis St.
887	Peck	Patrick William	78 Davis St.
888	Peck	Shirley	2 Barrack St.
889	Peck	Terence John	26 Shackleton Drive
890	PBD		6 Beaver Rd.
891	Perkins	Vivienne Esther Mary	33 John St.
892	Perry	Beatrice Annie Jane	1 Thatcher Drive
893	Perry	Hilda Blanche	10 Campbell Drive
894	Perry	Robert Juan Carlos	5 Brisbane Rd
895	Perry	Thomas George	10 Campbell Drive
896	Perry	Thora Virginia	17 Fitzroy Rd.
897	Pettersson	Derek Richard	21 Eliza Cres.
898	Pettersson	Tony	30 Davis St.
899	Pettersson	Trudi Ann	21 Eliza Cres.
900	Phillips	Albert James	16 Brandon Rd.
901	Phillips	David Dawson	35 Fitzroy Rd.
902	Phillips	Gillian Carol	Flat 4,1 Jeremy Moore Ave
903	Phillips	Linda	16 Brandon Rd.
904	Phillips	Paul David	Drury St.
905	Phillips	Shula Louise	Flat 4, 5 Jeremy Moore Ave.
906	Platt	Claire	Rose Hotel Drury St
907	Pole-Evans	Amy Rose	4 Harbour View
908	Pole-Evans	John	4 Harbour View
909	Pole-Evans	Michael Anthony	4 Harbour View
910	Pollard	Andrew Keith	4 Hebe Place
911	Pollard	Elizabeth Eve	23 Ross Rd. East
912	Pollard	John	23 Ross Rd. East
913	Pollard	Mark John	23 Ross Road East
914	Pompert	Joost Herman Willem	11 Ross Rd. West
915	Poole	Andrea Joan	52 John St
916	Poole	Evelyn May	31 Fitzroy Rd.
917	Poole	Nancy Margaret	52 John St.
918	Poole	Raymond John	52 John St.
919	Poole	William John	31 Fitzroy Rd.
920	Porter	Charles	11 Fitzroy Rd.
921	Porter	Elizabeth	5 Thatcher Drive
922	Porter	Geoffrey Bell	5 Jeremy Moore Ave.
923	Porter	Jean Lavinia	11 Fitzroy Rd.
924	Porter	Tracy	5 Jeremy Moore Ave.
925	Prindle-Middleton	Stella Margaret	5 St Mary's Walk
926	Purvis	Alan	3 Narrows View
927	Purvis	Marion Louise	3 Narrows View
928	Reddick	Keith John	By-Pass Rd.
929	Reeves	Carolyn Wendy	2 Moody St
930	Reeves	Michael	2 Moody St.
931	Reid	Ann	5 Police Cottages, Ross Rd.
932	Reid	Colleen Rose	9 Fitzroy Rd. East
933	Reid	Emily Margaret	14 Endurance Ave
934	Reid	John Alexander	7 Ross Rd.
935	Reid	Reynold Gus	9 Fitzroy Rd. East

936	Reive	Roma Endora Mary	St Marys Walk
937	Rendell	Michael	8 Ross Rd. West
938	Rendell	Nicholas Simon Oliver	8 Ross Rd West
939	Rendell	Phyllis Mary	8 Ross Rd. West
940	Richards	Shirley	8 James St
941	Riddell	Lisa Marie	9 Discovery Close
942	Riddell	Paul Robert	9 Discovery Close
943	Roberts	Cheryl Ann Spencer	57 Fitzroy Rd.
944	Roberts	David Anthony	7 Jersey Rd
945	Roberts	Diana Christine	7 Kent Rd.
946	Roberts	Jill Christine	98 Davis St.
947	Roberts	Joselyne Lynette Margaret	Flat 3, 6 Jersey Rd
948	Roberts	Laura May	7 Kent Rd.
949	Roberts	Peter James	57 Fitzroy Rd.
950	Roberts	Simon Theodore Nathaniel	98 Davis St.
951	Robertson	Sally Jean	Flat 1, 2 Eliza Rd.
952	Robertson Pompert	Janet	11 Ross Rd. West
953	Robson	Alison Emily	15 Villiers St.
954	Robson	Anna Jenine	6 Brisbane Rd.
955	Robson	Gerard Michael	1 Philomel Place
956	Robson	Gladys Mary	5 Philomel St.
957	Robson	Miranda Gay	6 Brisbane Rd.
958	Robson	Phyllis Ann	1 Philomel Place
959	Robson	Raymond Nigel	6 Brisbane Rd.
960	Robson	William Charles	18 Ross Rd. East
961	Ross	Andrea Joanna Ampuero	Cemetery Cottage
962	Ross	Cara Jane	21 John Street Sty
963	Ross	Glenn Stephen	22 Shackleton Drive
964	Ross	Janet	22 Shackleton Drive
965	Ross	Kevin John	21 John St
966	Ross	Lachlan Neil	7 Discovery Close
967	Ross	Marie	21 John St.
968	Ross	Paula May	3 Racecourse Rd
969	Ross	Roy	21 John St.
970	Ross	Sheena Margaret	12 Jeremy Moore Ave.
971	Rowland	Charlene Rose	5A Ross Rd. West
972	Rowland	John Christopher	5A Ross Rd. West
973	Rowlands	Catherine Annie	3 Hebe St.
974	Rowlands	Daisy Malvina	106 Davis St.
975	Rowlands	Harold Theodore	8 Ross Rd. East
976	Rowlands	Neil	3A Hebe St.
977	Rowlands	Robert John	13 Callaghan Rd.
978	Rozee	Betty Ellen	16 Davis St.
979	Rozee	Derek Robert Thomas	16 Davis St.
980	Rozee	Shona Mary	5 Narrows View
981	Rozee	Tamara Colette	16 Davis Street, Stanley
982	Sackett	Albert John	25 Ross Rd. East
983	Sackett	Michael John Carlos	30 Eliza Rd
984	Sackett	Pauline	25 Ross Rd East
985	Sawle	Judith Margaret	Seaview Cottage, Ross Rd.
986	Sawle	Richard	Seaview Cottage, Ross Rd.
987	Seron	Jose Segundo	M/V Tamar, C/o Bryon Marine
988	Shepherd	Colin David	11 Narrows View
989	Shepherd	David Samuel Dick	30 Endurance Ave.
990	Shepherd	Elizabeth	30 Endurance Ave.

991	Shepherd	Ramsey	Discovery Close
992	Short	Brenda	Barrack St.
993	Short	Celia Soledad	1 Racecourse Rd.
994	Short	Christina Ethel	12 Brandon Rd.
995	Short	Derek Patrick	42 Eliza Cres.
996	Short	Dilys Margaret Ann	6A Pioneer Row.
997	Short	Donald Robert Gordon	Eliza Cove Rd.
998	Short	Emily Christina	1 Fitzroy Rd. East
999	Short	Gavin Phillip	14 Pioneer Row
1000	Short	Isobel Rose	15 Brandon Rd
1001	Short	Joseph Leslie	12 Brandon Rd.
1002	Short	Marc Peter	1 Racecourse Rd.
1003	Short	Marlene Cindy	9 Pitaluga Place
1004	Short	Matias Ricardo	4 Dairy Paddock Rd
1005	Short	Montana Tyrone	4 Dairy Paddock Rd.
1006	Short	Patrick Warburton	15 Brandon Rd
1007	Short	Peter Robert	1 Fitzroy Rd East
1008	Short	Richard Edward	9 Pitaluga Place
1009	Short	Riley Ethroe	Barrack St.
1010	Short	Robert Charles	12A Brandon Rd.
1011	Short	Vilma Alicia	4 Dairy Paddock Rd.
1012	Sigaton	Joan	3 Auster Place Sty
1013	Simpson	Bertha Veronica	6 Police Cottages, 4 Ross Rd.
1014	Simpson	James Alexander Bruce	7 Racecourse Rd.
1015	Simpson	James Garry	7 Racecourse Rd.
1016	Simpson	John Frederick	6 Police Cottages, 4 Ross Rd.
1017	Simpson	Mirabelle Hermoine	7 Racecourse Rd.
1018	Sinclair	Serena Samantha	6 Biggs Rd
1019	Sinclair	Veronica Joyce	21 Ross Rd. West
1020	Skene	Greta Winnora Miller	22 Ross Rd. East
1021	Smallwood	Margo Ameer	105 Davis St.
1022	Smallwood	Michael Anthony	105 Davis St.
1023	Smith	Adeline Jane	2 Thatcher Drive
1024	Smith	Alexander Gordon	16 Jersey Rd.
1025	Smith	Anthony David	10 Fieldhouse Close.
1026	Smith	Caroline	Murray Heights Sty
1027	Smith	Colin David	6 James St.
1028	Smith	Derek	8 Eliza Cres.
1029	Smith	Elenore Olive	3 Brisbane Rd.
1030	Smith	Eric	3 Allardyce St.
1031	Smith	Gerard Alexander	8 Barrack St.
1032	Smith	Ian Lars	2 Ross Rd. West
1033	Smith	Ileen Rose	28 Ross Rd. West
1034	Smith	James Terence	3 Fitzroy Rd. West
1035	Smith	Jean Waddell	16 Jersey Rd.
1036	Smith	Jennifer Ethel	6 Watson Way
1037	Smith	John	28 Ross Rd. West
1038	Smith	Julia Trinidad	8 Eliza Cres.
1039	Smith	Lisa Margaret	Flat 8 2 Eliza Place Sty
1040	Smith	Martyn James	6A Ross Rd West
1041	Smith	Natalie Marianne	6 James St.
1042	Smith	Nora Kathleen	5 Fitzroy Rd. East
1043	Smith	Osmund Raymond	3 Brisbane Rd.
1044	Smith	Owen Archibald	3 Fitzroy Rd.
1045	Smith	Patricia Anne	6A Moody St.

1046	Smith	Paul	2 Ross Rd West
1047	Smith	Paulette Rose	KEMH
1048	Smith	Rhona	8 Fitzroy Rd.
1049	Smith	Russell James	8 Fieldhouse Close
1050	Smith	Sidney Frederick	Jersey Rd.
1051	Smith	Susan	1 Hebe Place
1052	Sollis	Sarah Emma Maude	20 Drury St.
1053	Spall	Christopher Richard	German Camp West, Callaghan Rd
1054	Spink	Roger Kenneth	4 Hebe St.
1055	Spinks	Malvina Ellen	Flat6, 7Jeremy Moore Ave East
1056	Spruce	Helena Joan	29 Ross Rd. West
1057	Spruce	Mark Felton	29 Ross Road West
1058	Spruce	Terence George	29 Ross Rd. West
1059	Steen	Barbara Ingrid	39 Ross Rd. West
1060	Steen	Emma Jane	36 Ross Rd.
1061	Steen	Gail	7 St. Marys Walk
1062	Steen	Karen Lucetta	7 St. Marys Walk
1063	Steen	Vernon Robert	7 St Marys Walk
1064	Steen MacDonald	Vanda Joan	38 Ross Rd.
1065	Stenning	Anna Russalka	5B Ross Rd. West
1066	Stenning	Timothy Charles	5B Ross Road West
1067	Stephenson	James	Moody Valley
1068	Stephenson	Joan Margaret	Moody Valley
1069	Stephenson	Katrina	4 Davis St.
1070	Stephenson	Zachary	4 Davis St.
1071	Stevens	Paul Theodore	9 Drury St.
1072	Stewart	Aarron Stephen	6 Pioneer Row
1073	Stewart	Celia Joyce	12 St. Marys Walk
1074	Stewart	David William	55 Davis St.
1075	Stewart	Hulda Fraser	24 Ross Rd. West
1076	Stewart	Ian Bremner	9 McKay Close
1077	Stewart	Irene Anne	Racecourse Rd.
1078	Stewart	Kenneth Barry	3 Discovery Close
1079	Stewart	Pam Ellen	18 Endurance Ave.
1080	Stewart	Robert	12 St. Marys Walk
1081	Stewart	Robert William	Racecourse Rd.
1082	Stewart	Sheila Olga	9 McKay Close
1083	Stewart	Sylvia Rose	7 Ross Rd. West
1084	Stewart-Reid	Carol Ellen Eva	7 Ross Rd. West
1085	Strange	Georgina	The Dolphins Snake St
1086	Strange	Maria Marta	The Dolphins, Snake St.
1087	Strange	Shona Marguerite	36 Ross Rd. West
1088	Summers	Alastair Peter	1 Ross Rd. East
1089	Summers	Brian	1 Ross Rd. East
1090	Summers	Colin Owen	5 Brandon Rd.
1091	Summers	Deborah	Murray Heights
1092	Summers	Dennis David	18 Endurance Ave.
1093	Summers	Donna	15 Ross Rd. East
1094	Summers	Dorothy Constance	42 Eliza Cres
1095	Summers	Edith Catherine	5 Dean St.
1096	Summers	Irvin Gerard	Sir Rex Hunt House.
1097	Summers	Jacqueline	11 Pioneer Row
1098	Summers	Jonathan Derek	5 Allardyce St.
1099	Summers	Judith Orissa	1 Ross Rd East
1100	Summers	Lynn Jane	2 Campbell Drive

1101	Summers	Michael Kenneth	6A Brisbane Rd.
1102	Summers	Michael Victor	11 Pioneer Row
1103	Summers	Naomi Christine	Sir Rex Hunt House
1104	Summers	Nigel Clive	32 Fitzroy Rd.
1105	Summers	Owen William	5 Brandon Rd.
1106	Summers	Pamela Rosemary Cheek	32 Fitzroy Rd.
1107	Summers	Rowena Elsie	5 Allardyce St.
1108	Summers	Roy	9 Murray Heights
1109	Summers	Sandra Marie	66 Davis St.
1110	Summers	Sheila	Sir Rex Hunt House, John St.
1111	Summers	Sybella Catherine Ann	1 Ross Rd. West
1112	Summers	Sylvia Jean	8 Racecourse Rd.
1113	Summers	Terence	1 Ross Rd. West.
1114	Summers	Tony	8 Racecourse Rd.
1115	Summers	Veronica	5 Brandon Rd.
1116	Summers	Yona	37 Davis St.
1117	Sutherland	Elizabeth Margaret	13/14 Eliza Cove Rd.
1118	Sutherland	James David	Reflections Flat, Dean St.
1119	Sutherland	John Gall	3B Jersey Est.
1120	Sutherland	William John Munro	13/14 Eliza Cove Rd.
1121	Teale	Colin Edwin	8 Brisbane Rd.
1122	Teale	Jeannette	8 Brisbane Rd.
1123	Tellez	Jose Hector	2 Hodson Villa West
1124	Thain	John	8 Davis St.
1125	Thain	Stephanie Ann	8 Davis St.
1126	Thom	David Anderson	47 Fitzroy Rd.
1127	Thom	Dorothy Irene	47 Fitzroy Rd.
1128	Thom	John Currie	25 Ross Rd East
1129	Thom	Norma Ann	92 Davis St.
1130	Thompson	William John	Flat 2, 1 Moody St.
1131	Titterington	Lesley Ann	55 Fitzroy Rd.
1132	Titterington	Robert Mark	55 Fitzroy Rd.
1133	Toase	Aidan Edward	7 Ross Road East
1134	Toase	Cora Agnes	7 Ross Rd. East
1135	Triggs	Diane	3 Fieldhouse Close
1136	Triggs	Michael David	3 Fieldhouse Close
1137	Tuckwood	John Rodney	1 Drury St.
1138	Tuckwood	Phyllis Majorie	1 Drury St.
1139	Turner	Melvyn George	36 John St.
1140	Tyrrell	Garry Bernard	1 Beaver Rd.
1141	Tyrrell	Gina Michelle	1 Beaver Rd.
1142	Valler	Glyndwr Huw	Flat 4 8 Jersey Rd
1143	Valler	Robert Hugh	9 Philomel St.
1144	Valler	Robert Stanley Ernest	22 Murray Heights
1145	Vidal	Bileen Nora	12 Jeremy Moore Ave.
1146	Vidal Roberts	Leona Lucila	7 Jersey Rd
1147	Villalón	Elizabeth Alice	7 McKay Close
1148	Villalón	Hector Ricardo	7 McKay Close
1149	Villegas	Caroline	2 Philomel Place
1150	Vincent	Janette Mary	10 Endurance Ave.
1151	Vincent	Stephen Lawrence	10 Endurance Ave.
1152	Wade	Donald Harold	41 Fitzroy Rd.
1153	Wade	June Rose Elizabeth	41 Fitzroy Rd.
1154	Wagner	Mary Elizabeth	6 Jeremy Moore Ave.
1155	Wagner	Richard Karl	6 Jeremy Moore Ave.

1156	Wallace	Fiona Alice	38 Ross Rd. West
1157	Wallace	Fraser Barrett	10 John St.
1158	Wallace	James Barrett	38 Ross Rd West
1159	Wallace	Maria Lillian	38 Ross Rd. West
1160	Wallace	Michael Ian	23 Callaghan Rd.
1161	Wallace	Stuart Barrett	38 Ross Rd. West
1162	Wallace	Una	23 Callaghan Rd.
1163	Watson	Ben	7 Moody St.
1164	Watson	Paul	20 Endurance Ave.
1165	Watson	Ruth Jane	20 Endurance Ave.
1166	Watt	Stephen Robert	11 Narrows View
1167	Watt	Sylvia Ann	11 Narrows View
1168	Watts	Amara Theresa	7 Brandon Rd.
1169	Watts	Patrick James	13 Brisbane Rd.
1170	Webb	Loretta Isobel	1C Capricorn Rd.
1171	White	Judy Marie	Eliza Cove Rd
1172	White	Kathleen Elizabeth	9 Thatcher Drive
1173	Whitney	Frederick William	1 Police Cottages, 9 Ross Rd.
1174	Whitney	Henry Leslie	3 St. Marys Walk
1175	Whitney	Jason	15 Ross Rd. East
1176	Whitney	Kurt Ian	2 Pioneer Row
1177	Whitney	Lana Rose	22 Eliza Cres.
1178	Whitney	Robert Michael	Stanley
1179	Whitney	Susan Joan	1 Police Cottages, 9 Ross Rd.
1180	Wilkinson	Alistair Graham	6 Murray Heights Sty
1181	Wilkinson	Dorothy Ruth	5 Philomel St.
1182	Wilkinson	Robert John	YMCA
1183	Williams	Gene	23 Ross Rd. West
1184	Williams	Glen	33 Ross Rd East
1185	Williams	Margaret Elizabeth	33 Ross Rd East
1186	Williams	Marlene Rose	23 Ross Rd. West
1187	Winter	Teresa Irene	4A Jeremy Moore Ave. East
1188	Wylie	Julian Richard	1 McKay Close
1189	Wylie	Wendy Jennifer	1 Jersey Rd.
1190	Yon	Rodney Kevin	Flat 1 Church House
1191	Zuvic-Bulic	Kuzma Mario	16 Ross Rd. West
1192	Zuvic-Bulic	Sharon Marie	16 Ross Rd. West

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

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

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

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

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

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



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

31st August 2000

No. 10

Appointments

Ms Alison Anne MacKenzie Inglis, Crown Counsel (A), Justice Department, 1.8.00.

Miss Tracey Jayne Street, Staff Nurse, Health Services Department, 1.8.00.

John Thomas Irwin, Clerk of Works, Public Works Department, 4.8.00.

Mrs. Marian June Biggs, Special Education Needs Co-ordinator, Education Department, 19.8.00.

Dustin James Gilson-Clarke, Customs & Immigration Officer, Customs & Immigration Department, 21.8.00.

Graham James Cripps, Principal Crown Counsel, Justice Department, 15.8.00.

Steven Mark Johnston, Station Manager, Falkland Islands Broadcasting Station, 15.8.00.

Promotion

Kenneth John Aldrige, from Mechanic, Public Works Department, to Mechanical Foreman, Public Works Department, 26.7.00.

Transfer

Mrs. Carolyn Wendy Reeves, from Customs &

Immigration Officer, Customs & Immigration Department, to Secretary, Falkland Islands Community School, Education Department, 1.8.00.

Completion of Contracts

Ms Alison Anne MacKenzie Inglis, Crown Counsel (A), Justice Department, 9.6.00.

John Addinall, Senior Fisheries Protection Officer, Fisheries Department, 20.6.00.

Anthony Bishop, Fisheries Observer, Fisheries Department, 11.7.00.

Graham Brian France, Building Adviser, Environmental Planning Office, Secretariat, 31.7.00.

Mark Ashley Holmes Potter, Fisheries Observer, Fisheries Department, 3.8.00.

Renewal of Contracts

Graham Brian France, Building Adviser, Environmental Planning Office, Secretariat, 1.8.00.

John Addinall, Senior Fisheries Protection Officer, Fisheries Department, 25.8.00.

Miss Emma Dilnutt, Health Promotion Counsellor, Health Services Department, 29.8.00.

Resignations

Ms Sally-Anne Allen, Assistant Taxation Officer,
Income Tax Department, Treasury, 11.7.00.

Ms Katrina Davidson, Special Education Needs
Co-ordinator, Education Department, 4.8.00.

Mrs. Angela Wilson, Teacher, Infant & Junior School,
Education Department, 4.8.00.

Mrs. Charlotte Anderson, Sports Attendant, Education
Department, 11.8.00.

Mrs. Jane Mackintosh Mackenzie, Staff Nurse, Health
Services Department, 15.8.00.

Matthew John McMullen, Constable, Royal Falkland
Islands Police, 29.8.00.

Darrell Michael Ford, Shotfirer/Driller, Public Works
Department, 31.8.00.

Retirements

Robert Juan Carlos Perry, Plant Operator/Handyman,
Public Works Department, 28.7.00.

Neil Jennings, Plant Operator/Handyman, Public Works
Department, 31.8.00.

NOTICES

No. 52 26th July 2000

C.D. BUILDING SERVICES LIMITED
Company Number 8439

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

Dated this 26th day of July 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 53 31st July 2000

INDEX OF RETAIL PRICES

The Index of Retail Prices for the quarter ended 30 June 2000 has now been completed.

The calculations show an increase during the quarter, from 104.27 to 104.39, an increase of 0.115%.

C.S. DAVIES,
for Government Secretary.

No. 54

7th August 2000

SEAMOUNT LIMITED
Company Number 8306

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

Dated this 7th day of August 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 55 15th August 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J. E. SMITH,
Immigration Officer.

No. 56 16th August 2000

PARAGON LIMITED
Company Number 9044

TAKE NOTICE that by the order of the Supreme Court of the Falkland Islands dated 7th August 2000 the above named company has been restored to the Register of Companies in the Falkland Islands with immediate effect in accordance with the provisions of the Companies Act 1948 in its application to the Falkland Islands.

Dated this 16th day of August 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 57 18th August 2000

APPLICATION FOR NATURALISATION

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

J. E. SMITH,
Immigration Officer.

No. 58 18th August 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 59 25th August 2000

**ALLIED CONTRACTING (CIVILS)
COMPANY LIMITED
Company Number 9795**

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

Dated this 25th day of August 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 60 25th August 2000

**BLAKE ALONSO LIMITED
Company Number 11134**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the

publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated this 25th day of August 2000.

J. C. ROWLAND,
Registrar of Companies.

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

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

I hereby appoint:

SGT KEITH ANDREW BISHOP E8290123

to be a temporary Customs Officer from 15th June 2000 to 15th October 2000.

R.J. King,
Collector of Customs.

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

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

I hereby appoint:

CPL SHARON JANE EDWARDS R8239933

to be a temporary Customs Officer from 31st July 2000 to 30th November 2000.

R.J. King,
Collector of Customs.

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

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

I hereby appoint:

WO2 JOHN GRIEVE 24498582

to be a temporary Customs Officer from 8th August 2000 to 8th February 2001.

R.J. King,
Collector of Customs.

REGISTER OF MEMBERS' INTERESTS

The information contained in this Register is provided by every member of the Legislative Council and the Attorney General in accordance with Rules 18 and 18A of the Falkland Islands Legislative Council Standing Rules and Orders.

The information is current to 18 August 2000.

INFORMATION TO BE PROVIDED

Every member of the Legislative Council and the Attorney General is required to notify the Clerk of Councils of the following registrable interests.

1. Remunerated directorships, and whether or not in companies incorporated in the Falkland Islands, including directorships which are unremunerated, but where remuneration is paid through another company in the same group.
2. Remunerated employment, office or profession.
3. Clients in respect of whom the member holds a general retainer or in respect of whom he has in the last 12 months, or expects in the next 12 months, to provide services for payment where a member of the public might reasonably think that the Member's conduct in or in relation to the business of the Legislative Council might have been or might be influenced by the client's interests.
4. Sponsorships. Any form of sponsorship or financial or material support of a Member which involves any payment, benefit or advantage whether to the Member or any other person with whom the Member is closely connected.
5. Gifts, benefits and hospitality.
6. Overseas visits relating to or arising out of membership of the Legislative Council where the cost of any such visit has not been borne wholly by the Member or out of Falkland Islands public funds.
7. Any gifts or material benefits or advantages received by the Member or the Member's spouse from or on behalf of overseas Governments, organisations or persons.
8. Land or property of a substantial value or from which a substantial income is gained.
9. The names of companies or other bodies in which the Member has, to his knowledge, either with or on behalf of his spouse and children under the age of 18 years, a beneficial interest in shareholdings of a nominal value greater than one percent of the issued share capital, or less than one percent or more than £25000.00.
10. Any relevant interest not covered by one of the main categories which falls within the purpose of the Register (which is to provide information on any pecuniary benefit which a Member receives and which might reasonably be thought by others to influence his or her actions, speeches or votes in the Legislative Council, or actions taken in his or her capacity as a Member of the Legislative Council **OR** which the Member considers might be thought by others to influence his or her actions in a similar manner, even though the Member receives no financial benefit.

NOTIFICATION OF REGISTRABLE INTERESTS

Every Member of the Legislative Council and the Attorney General notified the following interests.

John Birmingham

1. Nil
2. Nil
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. Nil
10. Nil

Michael Dennis Blanch

1. Nil
2. Chief Executive. Falkland Islands Government
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. None more than £25,000.00
10. Nil

Janet Linda Cheek

1. Fortuna Limited - Director & Co-owner
Jason Fishing Co. Ltd. - Director. Wholly owned by Fortuna Ltd.
Consolidated Fisheries Ltd - Director
Beagle Fishing Co. Ltd. - Part of Fortuna Group - Unremunerated

Capricorn Ltd - Part of Fortuna Group - Unremunerated
Petrel Fishing Co. Ltd - Part of Fortuna Group - Unremunerated
Petrel Trawling Co. Ltd - Part of Fortuna Group - Unremunerated
Venturer Fishing Co. Ltd - Part of Fortuna Group - Unremunerated
Ace Fisheries Ltd - Part of the Fortuna Group - Unremunerated

2. Legislative Councillor's Allowance.
3. Nil
4. Nil
5. Nil
6. Nil
7. 1998 Armani Scarf and Novelty Watch from Amerada Hess.
1999 Leather handbag from Guido Di Tella - Given to a hospice charity for their fund-raising auction.
8. 25 Ross Road West - House and Land (Home) Through Fortuna Ltd an interest in
 - Waverley House and associated land and buildings
 - Globe Tavern
 - Building currently leased to Rockhopper Day Nursery
 - Building leased to Falklands Brasserie on land south of John Street
 - 56 John Street - land and buildings.
9. Nil
10. 1 (a) Director/Co-owner Hebe Ltd - Unremunerated
(b) Director Falklands Conservation - Unremunerated
(c) Director Rockhopper Day Nursery - Unremunerated
(d) Director Falklands Brasserie Ltd - Unremunerated
2. Fortuna Ltd has shares in Falkland Islands Holdings
3. Fortuna Ltd and Jason F.C. Ltd have shares in CFL
4. Dividends received from 1998 onwards on the small percentage of Petrel Fishing Company Ltd owned personally.
5. Hebe Ltd. has shares in CFL.

Darwin Lewis Clifton

Byron Marine Ltd (FI)

Dorada Marine Ltd (FI)
 Byron Holdings Ltd (FI)
 Nores Marine Ltd (FI)
 Byron Ship Management Ltd (FI)
 Sigma Marine Ltd (FI)

2. Consultant Desire Petroleum plc.
 Managing Director Byron Holdings Ltd.
3. Desire Petroleum plc
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. Byron Holdings Ltd - Holding company of
 following trading subsidiaries:-
 Byron Marine Ltd
 Dorada Marine Ltd
 Nores Marine Ltd
 Sigma Marine Ltd
 Byron Ship Management Ltd
10. Nil in respect of any pecuniary benefit

John Richard Cockwell

1. Warrah Design Ltd.
2. Partner in Warrah Design Ltd
 Part time Manager "Falkland Mill"
3. Nil
4. Nil
5. 1 Table watch from Amerada Hess £50
 1 Scarf from Amerada Hess
6. All overseas visits paid either by FIG or Self.
7. Nil
8. Nil
9. Falkland Mill Ltd.
10. Nil

Norma Edwards

1. Nil

2. Nil
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. Nil
10. Meredith Fishing Co - Husband a Director (Roger
 Edwards)
 Daughter - A Director (Rebecca Edwards)
 Consolidated Fishing - Husband (Roger Edwards)
 FI Director (now Chairman)
 I receive no monetary benefits from either of these
 companies.

Sharon Halford

1. Nil
2. Tenacres Tours (Owner) General Tours relating
 to Tourism plus Bed & Breakfast
3. Nil
4. Nil
5. Amerada Hess - Silver Clock & Silk Scarf
 Rio (Nov) - Piece of Quartz
 Guido Di Tella - Brown Leather Handbag - (donated
 to London charity)
6. Nil
7. Guido Di Tella - Brown Leather Handbag - (donated
 to London charity)
8. All buildings and land at Tenacres, Bypass Road,
 Stanley - Jointly owned with husband.
 The Green Roofed House - San Carlos - Jointly
 owned with husband
9. Nil
10. Nil

Derek Frank Howatt

1. Nil

2. Financial Secretary FIC
No other

3. Nil

4. Nil

5. Nil

6. Nil

7. Nil

8. Nil

9. Nil

10. Nil

David Geoffrey Lang

1. Nil

2. Attorney General, Falkland Islands (I also hold the unremunerated post of Attorney General, South Georgia and South Sandwich Islands)

3. Nil

4. Nil

5. None exceeding ordinary hospitality and small gifts.

6. Nil

7. Nil

8. Nil (the only property of a substantial value which I own in the Falkland Islands is 28 Goss Road, Stanley)

9. Nil

10. As stated in 2 above, Attorney General for South Georgia and South Sandwich Islands. Company Secretary Falkland Landholdings Limited. Neither paid any salary nor receive any financial benefit from either of these appointments.

William Robert Luxton

1. Chartres Sheep Farming Co Ltd
Chartres River Properties Ltd

2. Farmer

1. Nil

4. Nil

5. Paperknife - From Guido Di Tella (May 09)
Briefcase - Gibraltar CPA

6. Nil

7. Nil

8. House at 27 Ross Road West, Stanley
Land owned by Chartres S. F. Co. in which I hold a substantial share.

9. Chartres Sheep Farming Co. Ltd
Chartres River Properties Ltd (This company is an original shareholder in Consolidated Fisheries Ltd).

10. Member of Farmers Association,
Sheep Owners Association.

Michael Victor Summers

1. Pioneer Seafoods Ltd
Quark Fishing Ltd
Prion Ltd
Falkland Islands Airways Ltd (Not trading)

2. Director/Managing Director of the above companies.

3. Nil

4. Nil

5. Nil

6. Nil

7. My wife Mrs Jacki Summers is part time secretary of the Falklands Fishing Vessel Owners Association.

8. Owner of 11 and 14 Pioneer Row, Stanley

9. Quark Fishing Ltd
Prion Ltd

10. Director - Port Howard Farm Ltd (unremunerated)
Trustee - FI YMCA
Member of - FI Fishing Vessel Owners Association
Stanley Golf Club
Stanley Sports Association (Chairman)
Falkland Club



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

29th September 2000

No. 11

Appointments

Joseph Gwyn Clarke, Plant Operator/Handyman, Public Works Department, 28.8.00.

Miss Melissa Maude Coulter, Police Constable, Royal Falkland Islands Police, 1.9.00.

Mrs. Ruth Eleanor Taylor, Legal Secretary, Justice Department, 4.9.00.

Mrs. Alison Mary Barton, Administration Officer, Customs & Immigration Department, 6.9.00.

Lucinda Vikki May, Infant/Junior Teacher, Education Department, 11.9.00.

Miss Sally Owen, Dental Officer, Health Services Department, 12.9.00.

Andrew Mark Galwey, Sports Attendant, Education Department, 18.9.00.

Miss Lisa Mae Thomas, Sports Attendant, Education Department, 18.9.00.

Miss Kathleen Denise Thuis-Harris, Theatre ODP, Health Services Department, 19.9.00.

Alan William Joshua, Plant Operator/Handyman, Public Works Department, 20.9.00.

John Stuart Henry, Plant Operator/Handyman, Public Works Department, 21.9.00.

Confirmation of Appointments

Mrs. Dilys Agnes Payne, Computer Co-ordinator, Computer Section, 1.9.00.

St John Peter Payne, Leisure Centre Manager, Education Department, 14.9.00.

Promotion

Miss Catriona Mhairi Mitchell, from Legal Secretary, Justice Department, to Legal Secretary (1), Justice Department, 1.7.00.

Completion of Contracts

Miss Alison Blundell, Dental Officer, Health Services Department, 8.9.00.

Paul Brickle, Observer, Fisheries Department, 8.9.00.

Resignations

Miss Coral Elizabeth McGill, Plant Operator/Handyman, Public Works Department, 1.9.00.

Mrs. Barbara June Besley-Clark, Clerk, Health & Social Services Department, 15.9.00.

Miss Emma Margaret Reid, Sports Attendant, Education Department, 15.9.00.

Edgar Ewen Morrison, Plant Operator/Handyman, Public Works Department, 29.9.00.

Mrs. Jenna Louise De La Rosa, Sports Attendant, Education Department, 30.9.00.

NOTICES

No. 62 1st September 2000

APPLICATION FOR NATURALISATION

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

J.E. SMITH,
Immigration Officer.

No. 63 1st September 2000

APPLICATION FOR NATURALISATION

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

J.E. SMITH,
Immigration Officer.

No. 64 4th September 2000

**MERMAID FISHERIES LIMITED
Company Number 9562**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 4th of September 2000.

Dated this 4th day of September 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 65 6th September 2000

**APPOINTMENT OF
ACTING REGISTRAR GENERAL**

IDONALDALEXANDER LAMONT Governor of the Falkland Islands **HEREBY** authorise **GRAHAM JAMES CRIPPS** to discharge the functions and duties of the post of Registrar General whenever the substantive holder of the post of Registrar General **JOHN CHRISTOPHER ROWLAND** is unavailable to discharge the same through absence from the Falkland Islands or inability to perform the functions and duties of the post.

Given under my hand and the Public Seal at Stanley on this sixth day of September 2000.

D. A. LAMONT,
Governor.

No. 66

14th September 2000

**MOUNT MARIA LIMITED
Company Number 8669**

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

Dated this 14th day of September 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 67

15th September 2000

**DESURVEY (FALKLANDS) LIMITED
Company Number 10964**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 15th day of September 2000.

Dated this 15th day of September 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 68

15th September 2000

**CASTLE FISHING LIMITED
Company Number 10075**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 15th day of September 2000.

Dated this 15th day of September 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 69

18th September 2000

POLICE ORDINANCE 2000**Section 1****COMMENCEMENT NOTICE**

IN EXERCISE of my powers under section 1 of the Police Ordinance 2000, I hereby notify that the Ordinance shall come into force on 1st October 2000.

Dated this eighteenth day of September 2000

D. A. LAMONT,
Governor.

No. 70

26th September 2000

PEAKS ENTERPRISES LIMITED**Company Number 8307**

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

Dated this 26th day of September 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 71

27th September 2000

PISCES FISHING COMPANY LIMITED**Company Number 8499**

TAKE NOTICE that in accordance with the provisions of section 353 of the Companies Act 1948 in its application to the Falkland Islands and the requirements of the said section having been complied with the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause

do be shown as to why such action should not be taken.

Dated this 27th day of September 2000.

J. C. ROWLAND,
Registrar of Companies.

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

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

I hereby appoint:**SGT WILLIAM GRIFFITH KENWAY F8197337**

to be a temporary Customs Officer from 12th September 2000 to 12th January 2001.

R.J. King,
Collector of Customs.

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

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

I hereby appoint:**CPL GUY EDWIN BARNES WILMSHURSA8412675**

to be a temporary Customs Officer from 1st September 2000 to 1st January 2001.

R.J. King,
Collector of Customs.

FALKLAND ISLANDS GOVERNMENT

CODE OF PRACTICE ON ACCESS TO GOVERNMENT INFORMATION

PART I

Purpose

1. This Code of Practice supports the Government's policy of extending access to official information, and responding to reasonable requests for information. The approach to release of information should in all cases be based on the assumption that information should be released except where disclosure would not be in the public interest, as specified in Part II of this Code.

2. The aims of the Code are:

- to improve policy-making and the democratic process by extending access to the facts and analyses which provide the basis for the consideration of proposed policy;
- to protect the interests of individuals and companies by ensuring that reasons are given for administrative decisions, except where there is statutory authority or established convention to the contrary; and
- to support and extend the principles of public service adopted by the Government.

The aims are balanced by the need:

- to maintain high standards of care in ensuring the privacy of personal and commercially confidential information; and
- to preserve confidentiality where disclosure would not be in the public interest or would breach personal privacy or the confidences of a third party, in accordance with statutory requirements and Part II of the Code.

Information the Falkland Islands Government will release

3. Subject to the exemptions in Part II, the Code commits departments and public bodies controlled by the Falkland Islands Government;

- i. to publish the facts and analysis of the facts which the Government considers relevant and important in framing major policy proposals and decisions; such information will normally be made available when policies and decisions are announced;
- ii. to publish or otherwise make available, as soon as practicable after the Code becomes operational, explanatory material on departments' dealings with the public (including such rules, procedures, internal guidance to officials, and similar administrative manuals as will assist better understanding of departmental action in dealing with the public) except where publication could prejudice any matter which should properly be kept confidential under Part II of the Code;
- iii. to give reasons for administrative decisions to those affected.
- iv. to publish:
 - o full information about how public services are run, how much they cost, who is in charge, and what complaints and redress procedures are available;
 - o full and, where possible, comparable information about what services are being provided, what targets are set, what standards of service are expected and the results achieved.

- v. to release, in response to specific requests, information relating to their policies, actions and decisions and other matters related to their areas of responsibility.

4. There is no commitment that pre-existing documents, as distinct from information, will be made available in response to requests. The Code does not require departments to acquire information they do not possess, to provide information which is already published, or to provide information which is provided as part of an existing charged service other than through that service.

Responses to requests for information

5. Information will be provided as soon as practicable. The target for response to simple requests for information is 20 working days from the date of receipt. This target may need to be extended when significant search or collation of material is required. Where information cannot be provided under the terms of the Code, an explanation will normally be given.

Scope

6. The Code applies to Falkland Islands Government departments and other public bodies controlled by the Government.

Charges

7. Departments, agencies and public bodies may charge for copy documents and make a standard charge for processing simple requests for information. Where a request is complex and would require extensive searches of records or processing or collation of information, an additional charge, reflecting reasonable costs, may be notified.

Relationship to statutory access rights

8. This Code is non-statutory and cannot override provisions contained in statutory rights of access to information or records (nor can it override statutory prohibitions on disclosure). Where the information could be sought under an existing statutory right, the terms of the right of access takes precedence over the Code. There are already certain access rights to health and medical, to personal files held by the Government (except personnel files) and potentially to personal data held on computer.

Jurisdiction of courts, tribunals or inquiries

9. The Code only applies to Government-held information. It does not apply to or affect information held by courts or contained in court documents. ("Court" includes tribunals and inquiries). The present practice covering disclosure of information before courts, tribunals and inquiries will continue to apply.

Investigation of complaints

10. Complaints that information which should have been provided under the Code has not been provided, or that unreasonable charges have been demanded, should be made first to the Government department or body concerned. If the applicant remains dissatisfied, complaints may be made to the Chief Executive.

PART II

Reasons for confidentiality

The following categories of information are exempt from the commitments to provide information in this Code. In those categories which refer to harm or prejudice, the presumption remains that information should be disclosed unless the harm likely to arise from disclosure would outweigh the public interest in making the information available.

References to harm or prejudice include both actual harm or prejudice and risk or reasonable expectation of harm or prejudice. In such cases it should be considered whether any harm or prejudice arising from disclosure is outweighed by the public interest in making information available.

The exemptions will not be interpreted in a way which causes injustice to individuals.

1. Defence, security and international relations

- Information whose disclosure would harm national security or defence.
- Information whose disclosure would harm the conduct of international relations or affairs or relations with Her Majesty's Government in the United Kingdom.
- Information received in confidence from Her Majesty's Government in the United Kingdom or from foreign governments, foreign courts or international organisations.

2. Internal discussion and advice

Information whose disclosure would harm the frankness and candour of internal discussion, including:

- proceedings of the Executive Council;
- internal opinion, advice, recommendation, consultation and deliberation, not within the scope of the Committees (Public Access to Information) Ordinance;
- projections and assumptions relating to internal policy analysis; analysis of alternative policy options and information relating to rejected policy options;
- confidential communications between departments, public bodies and regulatory bodies.

3. Law enforcement and legal proceedings

Information whose disclosure could prejudice the administration of justice (including fair trial), legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigations (whether actual or likely) or whose disclosure is, has been, or is likely to be addressed in the context of such proceedings.

Information whose disclosure could prejudice the enforcement or proper administration of the law, including the prevention, investigation or detection of crime, or the apprehension or prosecution of offenders.

Information relating to legal proceedings or the proceedings of any tribunal, public inquiry or other formal investigation which have been completed or terminated, or relating to investigations which have or might have resulted in proceedings.

Information covered by legal professional privilege.

Information whose disclosure would harm public safety or public order, or would prejudice the security of any building or penal institution.

Information whose disclosure could endanger the life or physical safety of any person, or identify the source of information or assistance given in confidence for law enforcement or security purposes.

Information whose disclosure would increase the likelihood of damage to the environment, or rare or endangered species and their habitats.

4. Immigration and nationality

Information relating to immigration and nationality. However, information will be provided, though not through access to personal records, where there is no risk that disclosure would prejudice the effective administration of immigration controls or other statutory provisions.

5. Effective management of the economy and collection of tax

Information whose disclosure would harm the ability of the Government to manage the economy, prejudice the conduct of official market operations overseas (e.g. in certain circumstances, The Stock Exchange in the United Kingdom), or could lead to improper gain or advantage.

Information whose disclosure would prejudice the assessment or collection of tax, duties or retirement pension contributions, or assist tax avoidance or evasion.

6. Effective management and operations of the public service

Information whose disclosure could lead to improper gain or advantage or would prejudice:

- the competitive position of a department or other public body or authority;
- negotiations or the effective conduct of personnel management, or commercial or contractual activities;
- the awarding of discretionary grants.

7. Public employment, public appointments and honours

Personnel records (relating to public appointments as well as employees of public authorities) including those relating to recruitment and promotion.

Information, opinions and assessments given in confidence in relation to public employment and public appointments.

Information, opinions and assessments given in relation to recommendations for honours.

8. Voluminous or vexatious requests

Requests for information which are vexatious or manifestly unreasonable or are formulated in too general a manner, or which (because of the amount of information to be processed or the need to retrieve information from files not in current use) would require unreasonable diversion of resources.

9. Publication and prematurity in relation to publication

Information which is or will soon be published, or whose disclosure, where the material relates to a planned or potential announcement or publication, could cause harm (for example, of a physical or financial nature)

10. Research, statistics and analysis

Information relating to incomplete analysis, research or statistics, where disclosure could be misleading or deprive the holder of priority of publication or commercial value.

Information held only for preparing statistics or carrying out research, or for surveillance for health and safety purposes (including food safety), and which relates to individuals, companies or products which will not be identified in reports of that research or surveillance, or in published statistics.

11. Privacy of an individual

Unwarranted disclosure to a third party of personal information about any person (including a deceased person) or any other disclosure which would constitute or could facilitate an unwarranted invasion of privacy.

12. Third party's commercial confidences

Information including commercial confidences, trade secrets or intellectual property whose unwarranted disclosure would harm the competitive position of a third party.

13. Information given in confidence

Information held in consequence of having been supplied in confidence by a person who:

- gave the information under a statutory guarantee that its confidentiality would be protected; or
- was not under any legal obligation, whether actual or implied, to supply it, and has not consented to its disclosure.

Information whose disclosure without the consent of the supplier would prejudice the future supply of such information.

Medical information provided in confidence if disclosure to the subject would harm their physical or mental health, or should only be made by a medical practitioner.

14. Statutory and other restrictions

Information whose disclosure is prohibited by or under any enactment, regulation, European Community law or international agreement.

Information whose release would constitute a breach of Legislative Council privilege.

29th September 2000

Falkland Islands Government The Offshore Petroleum (Licensing) Regulations 2000

- 1 The Governor of the Falkland Islands invites applications, in accordance with the Offshore Petroleum (Licensing) Regulations 2000, for petroleum production licences in respect of whole blocks specified in Schedules 1 and 2 to this notice and delineated on a map deposited at the Department of Mineral Resources, Ross Road, Stanley. An official copy of the map may be inspected between 09.15 and 16.30 hours on Monday to Friday at the above address (contact Tel +500 27322, Fax +500 27321).

Consideration and conditions of Licence

- 2 Licences issued in respect of blocks shown in Schedule 1 and shown on map at Schedule 2 of this notice will be subject to the conditions set out in the Model Clauses for Production Licences in controlled waters (Schedule 2 to the Offshore Petroleum (Licensing) Regulations 2000).

Contiguous whole blocks can be grouped together in single applications, up to a maximum of 30 blocks per application. However, in the case of applications being made for multiple blocks, the Governor reserves the right to make awards of Licences covering only part of that number applied for.

Licences issued in respect of this notice will have an initial exploration term of three or five years, dependent on the nature of the work programme proposed by the applicant (see section 5e below). Fifty percent of the acreage must be relinquished at the end of the first exploration phase. There will be a second exploration period of 3 years, but entry into the second exploration phase will require the submission of a new work programme including the drilling of at least one well.

If a discovery is made, a "Discovery Area" will be identified and set-aside. A Discovery Area can be held for 5 years from the date of spudding of the discovery well, to allow time for appraisal drilling and/or the submission, for the Governor's approval, of a field development plan. However, either appraisal drilling or the submission of a development plan must commence within three years of the date of a discovery, or the licensee's interests in the Discovery Area will be forfeited.

An exploitation stage of 35 years, relating only to the area of any defined and exploitable hydrocarbon accumulation, may be entered at any time upon the approval by the Governor of a field development plan.

- 3 The acreage rentals, royalty and profits and gains taxation in respect of Production Licences granted as a result of this invitation will be as follows:
 - a) an acreage rental payment as provided for by the Model Clauses for Production Licences in Controlled Waters, set out within the Offshore Petroleum (Licensing) Regulations 2000;
 - b) a royalty as provided for in the Model Clauses for Production Licences in Controlled Waters, set out within the Offshore Petroleum (Licensing) Regulations 2000, at a rate of 9%.
 - c) Profits and gains from activities carried on in connection with the exploration for and exploitation of petroleum resources within the controlled waters will be subject to Falkland Islands taxation. The current rate for corporation tax is 32.5%.
- 4 Licences may be granted subject to special conditions governing the notice required for, and the timing and circumstances of, operations carried out thereunder (including in particular conditions as to environmental obligations). The Falkland Islands Government will make copies of these conditions available on request and/or as soon as possible.

Applications for Licences

5 In respect of blocks shown in Schedule 1 and shown in Schedule 2:

- a) applications should be made in duplicate in the form available from the Falkland Islands Government's Mineral Resources Department or in a form substantially to the like effect, and must include in duplicate all materials requested in the application form;
- b) a third copy of all aspects of the application should be submitted to the British Geological Survey;
- c) a separate application must be submitted for every group of contiguous blocks, up to a maximum of 30 blocks in any single application;
- d) applications should be delivered, as either hard copy or on CD-ROM or other computer media as previously agreed with the Director of Mineral Resources, Department of Mineral Resources, Falkland Islands Government, between 09.15 and 16.30 hours on the last working day of any month to, the Director of Mineral Resources, The Department of Mineral Resources, Falkland Islands Government, Ross Road, Stanley, Falkland Islands Fax +500 27321, e-mail oil.fig@horizon.co.fk, together with a remittance in respect of an application fee of £5,000 sterling for each application (to be drawn in Sterling on a UK bank account and payable to the Falkland Islands Government); a copy of the application should also be submitted to Dr P Richards, British Geological Survey, Murchison House, West Mains Road, Edinburgh, EH9 3LA, Scotland, Fax +44 131 668 4930, e-mail pcr@bgs.ac.uk;
- e) First consideration of bids will be 31 January 2001;
- f) applicants must provide details of the work programme they propose to carry out if awarded a licence. A work programme must include, as a minimum, one or more of the following elements –

proposals for the acquisition of an extensive and intensive geochemical "sniffer-type" survey;

proposals for the acquisition of an extensive and intensive aeromagnetic survey;

proposals for the acquisition of an extensive and intensive set of sea-bed cores testing the stratigraphy of the feather edges of the presently unexplored basins;

proposals for the acquisition and processing of an extensive and intensive two dimensional or three dimensional seismic survey;

Proposals for the drilling of one or more exploration wells.

Note that Desk Studies and the acquisition of presently available data sets, whether proprietary or non-exclusive will not be regarded as acceptable work commitments.

To qualify for an initial exploration period of five years rather than three, the work programme should include a commitment to acquire and process a seismic programme appropriate to the size of the licensed area, and/or a commitment to drill at least one well during the first five year phase of the licence;

- g) applicants must provide a statement of their general policy on the environment and (in the case of joint application) state whether this is endorsed by all applicants. Guidance as to the essential elements of an Environmental Policy Statement is available from the Department of Mineral Resources;
- h) further guidance on the material with which applicants may support their application may be obtained from the Department of Mineral Resources;
- i) copies of the documents referred to in the text of this notice are available from the Department of Mineral Resources, Ross Road, Stanley, Falkland Islands.

6 Applicants will be judged against the background of the Falkland Islands Government's wish to ensure expeditious, thorough, efficient and safe exploration to identify oil and gas resources on the Falkland Islands Continental Shelf, with due regard to environmental considerations. The financial and technical ability of each applicant will be established as far as possible

before the technical aspects of applications are evaluated. Applicants must meet a threshold of acceptability for other criteria, including health and safety and environmental policies. Once these criteria have been met, applicants will be evaluated on the basis of the following technical criteria:

- a) the quality of the geological analysis related to the blocks applied for and the identification of prospects;
 - b) the quality, extent and scope of the work programme submitted for the first exploration phase;
 - c) the experience and/or technical databases of applicants.
- 7 Applicants achieving the threshold criteria for acceptability outlined in section 6 may be called for interview to discuss the application.
- 8 Following examination of applications, the Governor of the Falkland Islands will select the applicants to whom he is prepared to award licences, and the area that will be covered by those licences should that be less than the entire amount applied for by any applicant.
- 9 The selected applicants will be offered licences on condition that within 14 days of the date on which the Governor of the Falkland Islands makes the offer of an award:
- a) they will confirm acceptance of a work programme for the first phase of the licence as approved by the Governor following discussion with the applicants concerned;
 - b) they remit to the Governor the appropriate sum referred to in section 3a above; and
 - c) they confirm in writing that they accept any special conditions or restrictions of the sort referred to in section 4 above.

Schedule 1

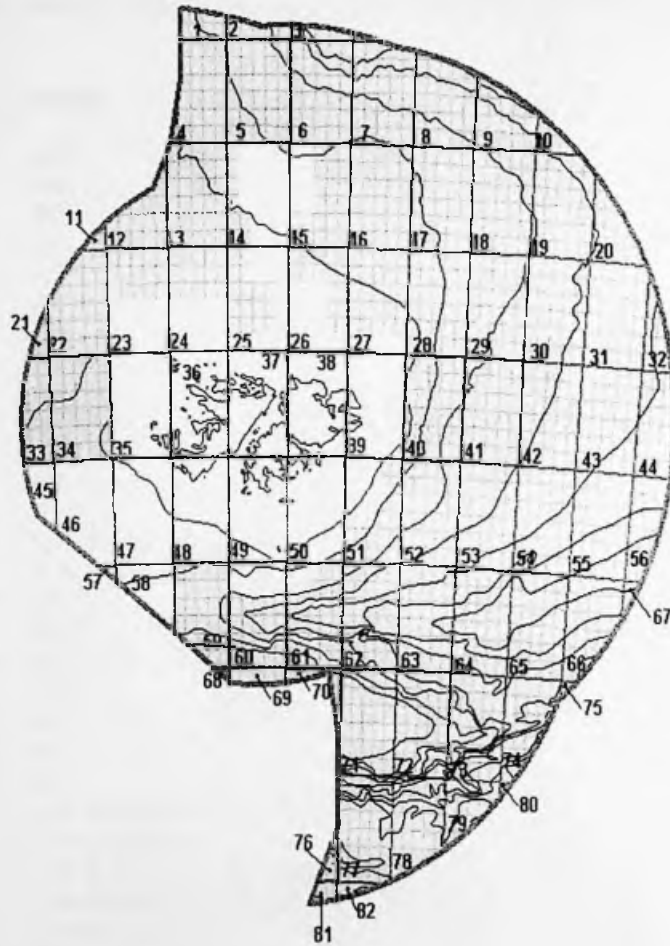
Standard licence terms will apply to all of the blocks listed below.

The blocks offered, which may be applied for in any combination of whole, contiguous blocks, with a limit of 30 blocks in any one application, are listed below by reference to their Quadrant and/or block numbers. Block co-ordinates are available from the Department of Mineral Resources, Falkland Islands Government, Ross Road, Stanley, Falkland Islands, Tel +500 27322, Fax +500 27321, e-mail oil.fig@horizon.co.fk

Quadrant	Blocks
1	All
2	All
3	All
4	All
5	All
6	All
7	All
8	All
9	All
10	All
11	All
12	All
13	All
14	1, 6, 11, 16, 21, 22, 26, 27
15	3, 4, 5, 8, 9, 10, 13, 14, 15, 18, 19, 20, 21 to 30 inclusive
16	All
17	All
18	All
19	All
20	All
21	All
22	All
23	1 to 15 inclusive
24	1 to 15 inclusive
25	1, 2, 6, 7, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 23, 24
26	1 to 10 inclusive, 14, 15, 19, 20, 24, 25
27	1 to 25 inclusive
28	All
29	All
30	All
31	All
32	All
33	All
34	All
40	All
41	All
42	All
43	All
44	All
51	4, 5, 9, 10, 14, 15, 16 to 30 inclusive
52	All
53	All
54	All
55	All
56	All
59	All
60	6, 11 to 30 inclusive
61	3, 4, 5, 7, 8, 9, 10, 11 to 30 inclusive

62	All
63	All
64	All
65	All
66	All
67	All
68	All
69	All
70	All
71	All
72	All
73	All
74	All
75	All
76	All
77	All
78	All
79	All
80	All
81	All
82	All

Schedule 2



Shaded areas = Blocks available for licensing



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

31st October 2000

No. 12

Appointments

Miss Nyree Heathman, Observer, Falkland Islands Government Air Service, 19.9.00.

Dr. Peter William Johnston, Pasture Agronomist, Agriculture Department, 30.9.00.

Ivan Sinclair Porritt, Highways Engineer/Technician, Public Works Department, 3.10.00.

Miss Michelle Jane Pring, Supervisor, Young Person's Unit, Social Welfare, Health Services Department, 16.10.00.

Ms. Samantha Anne Allanson-Bailey, Customer Services & Marketing Manager, Falkland Islands Government London Office, 23.10.00.

Mrs. Gina Ruth Smith, Part-time Clerk, Education Department, 25.10.00.

Transfer

Mrs. Ruth Eleanor Taylor, from Legal Secretary, Justice Department, to Special Needs Assistant, Education Department, 23.10.00.

Completion of Contracts

Ryszard Grzebielec, Data Analyst, Fisheries Department, 29.9.00.

Alan Cruickshank, Plant and Vehicle Manager, Public Works Department, 6.10.00.

Renewal of Contracts

Ryszard Grzebielec, Data Analyst, Fisheries Department, 30.9.00.

Alan Cruickshank, Plant and Vehicle Manager, Public Works Department, 7.10.00.

Retirement

Stewart Morrison, Senior Storeman, Central Store, 18.10.00.

Resignations

Jeffrey James Halliday, Electrician, Public Works Department, 5.10.00.

Miss Myrian Beatris Lazo, Special Needs Assistant, Education Department, 16.10.00.

NOTICES

No. 74 18th August 2000

APPOINTMENT OF COMMISSIONER FOR OATHS

In accordance with section 2(2) of the Commissioners for Oaths Ordinance 1969, **GRAHAM JAMES CRIPPS** is appointed a Commissioner for Oaths.

Dated this eighteenth day of August 2000.

R.T. JARVIS,
Acting Governor.

No. 75 5th October 2000

APPLICATION FOR NATURALISATION

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

J.E. SMITH,
Immigration Officer.

No. 76 5th October 2000

APPLICATION FOR NATURALISATION

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

J.E. SMITH,
Immigration Officer.

No. 77 9th October 2000

MAGISTRATES COURT OF THE FALKLAND ISLANDS**Notice Under the Police Ordinance 2000**

TAKE NOTICE that the following items have been found by members of the public and are in the possession of the Royal Falkland Islands Police Force:-

Date Found	Description of Property
11.10.99.	1 x Yellow coloured personalised metal ring
11.10.99.	1 x Coin embossed in a yellow coloured case
26.3.00.	1 x Yellow coloured wedding band engraved 6ALS22A

- 17.6.00. 1 x Kodak Advantix 4100ix zoom camera
19.7.00. 1 x White coloured ring with clear stone fitted
13.8.00. 1 x White coloured necklace with pendant on a white coloured ball chain
2.10.00 1 x Yellow coloured bracelet
1 x Blue necklace with feather

Any person who may have a claim to this property is to lodge a claim in writing to the Magistrate's Court within six months of the date of the publication hereof.

If no such application is made by any person who may have a claim on the property then the said property may be disposed of according to law.

C.J. MITCHELL,
Courts Administrator.

No. 78 9th October 2000

CALLING IN OF COINS UNDER THE PROVISIONS OF SECTION 10 OF THE CURRENCY ORDINANCE 1987

With effect from 1 January 2001 the old large size 5p, 10p and 50p coins will cease to be legal tender in the Falkland Islands.

To assist in the calling in process any person who possesses any of these coins and would like them to be exchanged is asked to present them at the Standard Chartered Bank or the Treasury before 1 January 2001.

Please note that the coins can continue to be exchanged after 1 January 2001 but the Commissioners of Currency have the discretion to levy a handling charge on any presented for exchange more than 5 years after they have ceased to be legal tender, that is from 1 January 2006.

Government House,
Stanley.

No. 79 11th October 2000

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

TAKE NOTICE THAT Mabel Neilsen deceased of Stanley, Falkland Islands died on the 10th day of April 1984 intestate.

WHEREAS Barry Marwood Neilsen has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

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

C. J. MITCHELL,
Registrar, Supreme Court.

No. 80

11th October 2000

APPOINTMENT OF REGISTRAR

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

RODNEY WILLIAM LEE

to be Registrar for the purpose of the marriage of BENJAMIN WILLIAM COCKWELL and CLARE MARIE SLATER at the Southern Cross Social Club, Fox Bay, West Falkland on Sunday 31st December 2000 at 3.00pm.

Given under my hand at Stanley this 11th day of October 2000.

D.A. LAMONT,
Governor.

No. 81

16th October 2000

INDEX OF RETAIL PRICES

The Index of Retail Prices for the quarter ended 30 September 2000 has now been completed.

The calculations show an increase during the quarter, from 104.39 to 106.45, an increase of 1.973%.

C.S. DAVIES,
for Government Secretary.

No. 82

25th October 2000

AIR FALKLANDS LIMITED
Company Number 9932

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 5th day of October 2000.

Dated this 25th day of October 2000.

J. C. ROWLAND,
Registrar of Companies.

No. 83

26th October 2000

C.D. BUILDING SERVICES LIMITED
Company Number 8439

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 26th day of October 2000.

Dated this 26th day of October 2000.

J. C. ROWLAND,
Registrar of Companies.

Appointment of Temporary Customs Officer
Customs Ordinance 1943

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

I hereby appoint:

CPL VINCENT JOSEPH KIRWAN - S8222280

to be a temporary Customs Officer from 11th October 2000 to 11th February 2001.

R.J. King,
Collector of Customs.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

30th November 2000

No. 13

Appointments

Stephen Boyd Clarke, Carpenter, Public Works Department, 1.11.00.

Robert Legg, Sports Attendant, Leisure Centre, 2.11.00.

Ms. Sandra May Herbert, Staff Nurse, Health Services Department, 7.11.00.

Miss Emma Reid, Legal Secretary, Justice Department, 7.11.00.

Mrs. Sandra Edith Short, Cleaner, Leisure Centre, 8.11.00.

Mrs. Cherie Yvonne Clifford, Support Worker, Young People's Unit, Health Services Department, 13.11.00.

Mrs. Clare Ann Hewitt, Support Worker, Young People's Unit, Health Services Department, 13.11.00.

Christopher David Francis, Pilot, Falkland Islands Government Air Service, 17.11.00.

Miss Juliet Ann Binnie, Part-time Receptionist, Leisure Centre, 27.11.00.

Alistair Jaime Ceballos, Part-time Receptionist, Leisure Centre, 27.11.00.

Confirmation of Appointments

Elvio Miguel Cofre, Customs & Immigration Officer, Customs & Immigration Department, 1.11.00.

Russell Morrison, Customs & Immigration Officer, Customs & Immigration Department, 1.11.00.

Promotions

Mrs. Margaret Mary Battersby, from Veterinary Services Officer, Agriculture Department, to Supervisor, Young Person's Unit, Health Services Department, 6.11.00.

Miss Sarah Forster, from Agricultural Assistant, Agriculture Department, to Veterinary Assistant, Agriculture Department, 6.11.00.

Transfer

Miss Priscilla Alison Halliday, from Part-time Clerk, Secretariat and Part-time Clerk, Civil Aviation Department, to Agricultural Assistant, Agriculture Department, 13.11.00.

Completion of Contract

Garry David Fuller, Maintenance Manager, Public Works Department, 21.11.00.

Renewal of Contract

Garry David Fuller, Maintenance Manager, Public Works Department, 22.11.00.

NOTICES

No. 84 7th November 2000

**SEAMOUNT LIMITED
Company Number 8306**

NOTICE IS HEREBY GIVEN that the above named company was removed from the Companies Register pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 7th day of November 2000.

Dated this 7th day of November 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 85 10th November 2000

FALKLAND ISLANDS STATUS APPLICATION

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

J.E. SMITH,
Immigration Officer.

No. 86 10th November 2000

APPLICATION FOR PERMANENT RESIDENCE

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

J.E. SMITH,
Immigration Officer.

No. 87 15th November 2000

**APPOINTMENT OF ACTING BUILDING
CONTROL SURVEYOR**

**Building Regulations 1999
(regulation 4(1))**

IN EXERCISE of my powers under regulation 4(1) of the Building Regulations 1999 and of all other powers

enabling me I **Donald Alexander Lamont** Governor of the Falkland Islands hereby appoint **Thomas Eggeling** to be Acting Building Control Surveyor for the Falkland Islands during the period 4th November 2000 up to and including 1st December 2000.

Given under my hand this fifteenth day of November 2000.

D.A. LAMONT,
Governor.

No. 88 20th November 2000

FALKLAND ISLANDS STATUS APPLICATION

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

J.E. SMITH,
Immigration Officer.

No. 89 28th November 2000

**BLAKE ALONSO LIMITED
Company Number 11134**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 28th day of November 2000.

Dated this 28th day of November 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 90 28th November 2000

**ALLIED CONTRACTING (CIVILS) COMPANY
LIMITED
Company Number 9795**

NOTICE IS HEREBY GIVEN that the above named company was dissolved pursuant to section 353 of the Companies Act 1948 in its application to the Falkland Islands on the 28th day of November 2000.

Dated this 28th day of November 2000.

J.C. ROWLAND,
Registrar of Companies.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. CIX

22nd December 2000

No. 14

Appointments

Kenneth William Duval, Handyman, Public Works Department, 3.4.00.

Miss Margaret Rosemary Scarlett, Social Worker, Health Services Department, 8.12.00.

Miss Margaret Fawcett, Nursing Sister/Midwife, Health Services Department, 12.12.00.

Confirmation of Appointments

Trevor Marshall Barnes, Plumber, Public Works Department, 1.12.00.

Valdamar Lars Berntsen, Evening Security Officer, Health Services Department, 1.12.00.

Dennis John Bolt, Painter/Handyman, Public Works Department, 1.12.00.

Keith Bonner, Power Station Operator, Public Works Department, 1.12.00.

Timothy Bonner, Agricultural Assistant, Department of Agriculture, 1.12.00.

Stephen Leslie Burston, Labourer, Public Works Department, 1.12.00.

Mrs. Carol Rosina Cant, Special Needs Assistant, Education Department, 1.12.00.

Derek Cantlie, Plant Operator/Handyman, Public Works Department, 1.12.00.

Miss Patricia Collette Card, Personal Assistant to Director Public Works, Public Works Department, 1.12.00.

Miss Rosalind Catriona Cheek, Crown Counsel, Justice Department, 1.12.00.

Mrs. Amelia Clarke, Part-time Record Librarian/ Receptionist, Falkland Islands Broadcasting Station, 1.12.00.

Miss Angeline Gloria Clarke, Plant Operator/ Handyman, Public Works Department, 1.12.00.

Miss Felicity Marie Clarke, Clerk (Part-time), Education Department, 1.12.00.

Jonathan Terrence Clarke, Plant Operator/Handyman, Public Works Department, 1.12.00.

Robert John Crowie, Night Security Officer, Health Services Department, 1.12.00.

Mrs. Ellen Rose Davis, Head Cook, Education Department, 1.12.00.

De Fu Yan (Thomas), Handyman, Public Works Department, 1.12.00.

Christopher Graham Didlick, Clerk, Public Service, 1.12.00.

Mrs. Alison Dodd, Assistant Taxation Officer, Taxation Office, 1.12.00.

Kenneth William Duvall, Temporary Handyman, Public Works Department, 1.12.00.

Mrs. Elizabeth Rose Elliott, Broadcasting Assistant, Falkland Islands Broadcasting Station, 1.12.00.

Mrs. Michelle Paula Evans, Cleaner, Education Department, 1.12.00.

Miss Samantha Jayne Evans (Poppy Napier), Clerk, Public Service, 1.12.00.

Miss Rachael Freeman, Sports Attendant, Education Department, 1.12.00.

Miss Tracy Freeman, Clerk, Public Service, 1.12.00.

Mrs. Una Goodwin, Cleaner, Education Department, 1.12.00.

Miss Priscilla Alison Halliday, Agricultural Assistant, Department of Agriculture, 1.12.00.

Malcolm Keith Heathman, Night Security Officer, Health Services Department, 1.12.00.

John Hobman, Farm Manager, Saladero, Department of Agriculture, 1.12.00.

Miss Hannah Elaine Humphreys, Clerk, Public Service, 1.12.00.

John Summers Jaffray, Plant Operator/Handyman, Public Works Department, 1.12.00.

Mrs Lillian Rose Kidd, Senior Gardener, Government House, 1.12.00.

Mrs. Elisabeth Mary Luxton, Ward Manager, Health Services Department, 1.12.00.

Jorge Deigo Maciello, Refueller/Handyman, Falkland Islands Government Air Service, 1.12.00.

Christopher John McCallum, Plant Operator/Handyman, Public Works Department, 1.12.00.

Karl Adrian McKay, Fireman, Fire & Rescue Department, 1.12.00.

Kevin Derek Charles McKay, Plant Operator/Handyman, Public Works Department, 1.12.00.

Mrs. Yvonne Allison Middleton, Learning Support Assistant/Laboratory Technician, Education Department, 1.12.00.

Mrs. Michelle Jane Morris, Clerk, Public Service, 1.12.00.

James Fred Parke, Storeman/Clerk, Falkland Islands Government Air Service, 1.12.00.

Mrs. Janet Margaret Parke, Clerk/Laboratory Assistant, Health Services Department, 1.12.00.

Mrs. Elisa Phillips, Cleaner, Education Department, 1.12.00.

Miss Kim Robertson, Houseparent, Education Department, 1.12.00.

Miss Andrea Joanna Ross, Constable, Royal Falkland Islands Police, 1.12.00.

Roy Ross, Gardener, Government House, 1.12.00.

Tyssen John Richard Smith, Plant Operator/Handyman, Public Works Department, 1.12.00.

William John Sutherland, Handyman, Infant & Junior School, Education Department, 1.12.00.

Mrs. Roxana Janett Tapia, Cleaner, Education Department, 1.12.00.

Mrs. Ruth Jane Watson, Auxiliary Nurse, Health Services Department, 1.12.00.

Miss Amara Theresa Watts, Personal Assistant, Department of Mineral Resources, 1.12.00.

Robert John Wilkinson, Plumber, Public Works Department, 1.12.00.

Glen Williams, Housing Officer, Public Works Department, 1.12.00.

Completion of Contracts

Matthew Dawkins, Temporary Fisheries Observer, Fisheries Department, 24.11.00.

Mrs. Christine Cauwood, Travelling Teacher, Education Department, 30.11.00.

Miss Rosemary Anne Pugh, Travelling Teacher, Education Department, 30.11.00.

Francis John Sheppard, Teacher, Education Department, 30.11.00.

Miss Nicola Jane Taylor, Travelling Teacher, Education Department, 30.11.00.

Miss Ainslie Sinclair Wilson, Teacher, Education Department, 30.11.00.

Derek Muhl, Director of Health Services, Health Services Department, 1.12.00.

Determination of Contract

Mrs. Elspeth Alice Coutts (nee Wyke-Holloway), Staff Nurse, Health Services Department, 5.12.00.

NOTICES

No. 91

11th December 2000

**MCADAM DESIGN (FALKLAND ISLANDS)
LIMITED
Company Number 8432**

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

Dated this 11th day of December 2000.

J.C. ROWLAND,
Registrar of Companies.

No. 92

19th December 2000

**CAMWOOD LIMITED
Company Number 10492**

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

Dated this 19th day of December 2000.

J.C. ROWLAND,
Registrar of Companies.

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

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

I hereby appoint:

CPL KEVIN RETCHLESS-C8213672

to be a temporary Customs Officer from 16th November 2000 to 17th March 2001.

R.J. King,
Collector of Customs.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

7th January 2000

No. 1

The following are published in this Supplement -

Philomel Street Waiting Regulations Order (Amendment) Order 1999, (S.R. & O. No. 36 of 1999);

Registration of Charities (Exemption) Order 1999, (S.R. & O. No. 37 of 1999);

Law Revision Order No. 1 of 1999, (S.R. & O. No. 38 of 1999);

Disapplication of Enactments No. 2 Order 1999, (S.R. & O. No. 39 of 1999);

Commencement and Approval of Volume 5 Order 1999, (S.R. & O. No. 40 of 1999).

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Philomel Street Waiting Regulations Order (Amendment) Order 1999

S. R. & O. No: 36 of 1999

Made: 17 December 1999

Published: 7 January 2000

Coming into force: 1st February 2000

IN EXERCISE of my powers under section 18 of the Road Traffic Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Philomel Street Waiting Regulations Order (Amendment) Order 1999 and comes into force on 1st February 2000.

Amendment of principal Order

2. The Philomel Street Waiting Regulations Order 1994(b) is amended by replacing the words "Davis Street" in article 2 with the words "Stanley By-pass".

Made this seventeenth day of December 1999

D A Lamont
Governor

EXPLANATORY NOTE *(not forming part of the above Order)*

The effect of this Order is to extend the prohibition on waiting in Philomel Street to the part of that street lying south of Davis Street to the junction with Stanley By-pass (ie the prohibition will apply to the whole length of the street).

(a) Cap 60 Laws of the Falkland Islands 1950 Edition (Title 63.1 Revised Laws of the Falkland Islands in which section 18 (1950 Edition) will be section 59)

(b) S. R. & O. No 7 of 1994

SUBSIDIARY LEGISLATION

CHARITIES

Registration of Charities (Exemption) Order 1999

S. R. & O. No. 37 of 1999

Made: 21 December 1999

Published: 7 January 2000

Coming into force: 1st January 2000

IN EXERCISE of my powers under section 4(4) of the Charities Act 1960(a) in its application to the Falkland Islands, and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Registration of Charities (Exemption) Order 1999 and shall come into force on 1st January 2000.

Charities exempt from the requirement to register

2. The charities mentioned in the Schedule to this Order are exempt from the requirement to be registered in the register of charities to be established and maintained in the Falkland Islands pursuant to the Charities Act 1960 in its application to the Falkland Islands but only until 31 December 2000 or such later date as may be specified by the Governor by Notice published in the Gazette.

Made this twenty-first day of December 1999

D A Lamont
Governor

SCHEDULE

Falkland Islands Scouts Association
Falkland Islands Guides Association
King Edward Memorial Hospital Fund
KEMH Colonic Cancer Screening Fund
KEMH Geriatric Day Centre Fund
KEMH Eye Fund
KEMH Community Fund
Falklands Children in Need

EXPLANATORY NOTE

(not forming part of the above Order)

The Order temporarily exempts from registration under section 4 of the Charities Act 1960 in its application to the Falkland Islands a number of charitable bodies established in the Falkland Islands.

SUBSIDIARY LEGISLATION

REVISED EDITION OF THE LAWS

Law Revision Order No. 1 of 1999

(S. R. & O. No. 38 of 1999)

Made: 22 December 1999

Published: 7 January 2000

Coming into force in accordance with article 1

IN EXERCISE of my powers under section 4(4) of the Revised Edition of the Laws Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1.—(1) This Order may be cited as Law Revision Order No. 1 of 1999 and shall come into force on such date, not earlier than the first publication of this Order in the *Gazette*, as the Governor may, subject to paragraph (2), notify by notice so published.

(2) The Governor shall not notify a date pursuant to paragraph (1) unless he is satisfied that copies of Volume 5 are available in the Falkland Islands.

Interpretation

2. In this Order —

“the Ordinance” means the Revised Edition of the Laws Ordinance 1991;

“the Revised Laws of the Falkland Islands” means the work under that title published or intended to be published in seven volumes on the authority of the Government of the Falkland Islands by Law Reports International, Oxford, which is ISBN 1 870584 69 4;

“the relevant revision date” means 1st January 1993;

“Volume 5 of the Revised Laws of the Falkland Islands” and “Volume 5” means the fifth volume of the Revised Laws of the Falkland Islands which, as a separate volume is ISBN 1 870584 74 0.

Approval of Volume 5 of the Revised Laws of the Falkland Islands

3. Volume 5 of the Revised Laws of the Falkland Islands is approved as at the relevant revision date.

(a) No 17 of 1991

Pages included in Volume 5

4. The pages included in Volume 5 are those specified in the Schedule to this Order.

Made this twenty-second day of December 1999

D A Lamont
Governor

SCHEDULE 1

Pages contained in Volume 5

Preliminary pages: pages i to iv;

Title 50 (Mental Health): pages 50/1 to 50/18, pages 50 Imp/1 to 50 Imp/3 and page 50 Disapplied/1;

Title 51 (Money): pages 51/1 to 51/7, pages 51 Imp/1 to 51 Imp/6 and pages 51 Disapplied/1 and 51/Disapplied/2;

Title 52 (Nationality and Immigration): pages 52/1 to 52/66, pages 52 Imp/1 to 52 Imp/10 and page 52 Disapplied/1;

Title 53 (Oil and Mineral Resources): pages 53/1 to 53/54, page 53 Imp/1 and page 53 Disapplied/1;

Title 54 (Pensions and Superannuation): page 54/1 to 54/70 and page 54 Disapplied/1;

Title 55 (Planning and Building): pages 55/1 to 55/153 and page 55 Disapplied/1;

Title 56 (Police): pages 56/1 to 56/39 and page 56 Disapplied/1;

Title 57 (Ports and Harbours): pages 57/1 to 57/73 and page 57 Disapplied/1;

Title 58 (Post Office): pages 58/1 to 58/17, page 58 Imp/1 and page 58 Disapplied/1;

Title 59 (Printing and Publishing): pages 59/1 to 59/13 and page 59 Disapplied/1;

Title 60 (Prisons): page 60/1 to 60/39, pages 60 Imp/1 to 60 Imp/11 and page 60 Disapplied/1.

SUBSIDIARY LEGISLATION

LAW REVISION

Disapplication of Enactments No. 2 Order 1999

(S. R. & O. No. 39 of 1999)

Made:22 December 1999

Published: 7 January 2000

Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 78A(2) of the Interpretation and General Clauses Ordinance 1977(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Disapplication of Enactments No. 2 Order 1999 and shall be deemed to have come into force on 1st January 1993.

Disapplication of Enactments

2. So far as concerns the Falkland Islands the indirectly adopted imperial enactments specified in Schedule 1 to this Order shall be deemed never to have been enacted.

Made this twenty-second day of December 1999

D A Lamont
Governor

(a) No. 14 of 1977 (it is intended that this will be Title 67.3 in the Revised Edition of the Laws where s.78A will be renumbered as s.79.), as amended

SCHEDULE

Note: The cross-headings which follow are the Titles in which the disapplication of the enactments which are specified under them is mentioned in Volume 5 of the Revised Laws of the Falkland Islands

MENTAL HEALTH (TITLE 50)

Asylums Officers' Superannuation Act 1909
Asylums and Certified Institutions (Officers' Pensions) Act 1918
Mental Health Act 1959
Health Services and Public Health Act 1968, ss. 66 and 79
Mental Health Act 1983, ss. 2 to 92 (inclusive), 114 to 133 (inclusive), 135 to 138 (inclusive), 140 to 142 (inclusive), 144 to 148 (inclusive) and Schedules 1 to 6 (inclusive)
Public Trustee and Administration of Funds Act 1986, ss. 3 and 6

MONEY (TITLE 51)

Consolidated Fund Act 1816
Loan Societies Act 1840
Public Revenue and Consolidated Fund Charges Act 1854
Exchequer and Audit Departments Act 1866
Exchequer Extra Receipts Act 1868
Consolidated Fund (Permanent Charges Redemption) Act 1873
Suez Canal (Shares) Act 1876
Public Offices Fees Act 1879
Consolidated Fund (Permanent Charges Redemption) Act 1883
Revenue Act 1889, ss. 31 and 32
Public Accounts and Charges Act 1891
Exchequer and Audit Departments Act 1921
China Indemnity (Application) Act 1931
Miscellaneous Financial Provisions Act 1946
Borrowing (Control and Guarantees) Act 1946
Finance Act 1954, ss. 34 and 35
Exchequer and Audit Departments Act 1957
Building Societies Act 1962
National Loans Act 1968
Public Expenditure and Receipts Act 1968, s. 5
Contingencies Fund Act 1970
Banking and Financial Dealings Act 1971, ss. 2, 4(3) and 5
Statutory Corporations (Financial Provisions) Act 1974
Contingencies Fund Act 1974
Statutory Corporations (Financial Provisions) Act 1975
OECD Support Fund Act 1975
International Monetary Fund Act 1979
Exchange Equalisation Account Act 1979
Miscellaneous Financial Provisions Act 1983, ss. 4, 6, 8, 9, 10(2), to (4) (inclusive) and 11

National Audit Act 1983
International Monetary Arrangements Act 1983
Financial Services Act 1986, ss. 1 to 129 (inclusive), 135 to 137 (inclusive), 142 to 171 (inclusive), 179 to 194 (inclusive), 199(1)(a), (2) to (9) (inclusive), 200 to 210 (inclusive), 211(1), (3), 212, Schedules 1 to 9 (inclusive) and 13 to 17 (inclusive)
Finance (No. 2) Act 1987, ss. 102 and 104(1)
Building Societies Act 1986
Companies Act 1989
Finance Act 1990, s. 128
Courts and Legal Services Act 1990, ss. 104 to 107 (inclusive), 119(1), (2), 120(1) to (3) (inclusive), (6), 124(1)(a), (3), (4) and 125(1)

NATIONALITY AND IMMIGRATION (TITLE 52)

Aliens Employment Act 1955
Immigration Act 1971
Immigration (Carriers Liability) Act 1987
Immigration Act 1988
Asylum and Immigration Appeals Act 1993

OIL AND MINERAL RESOURCES (TITLE 53)

Stannaries Act 1855
Stannaries Act 1869
Stannaries Act 1887
Brine Pumping (Compensation for Subsidence) Act 1891
Petroleum (Production) Act 1934
Coal Act 1938
Coal Act 1943
Coal Industry Nationalisation Act 1946
Coal Industry Act 1949
Mineral Workings Act 1951
Miners' Welfare Act 1952
Mines and Quarries Act 1954
Opencast Coal Act 1958
Coal Consumers' Councils (Northern Irish Interests) Act 1962
Coal Industry Act 1962
Continental Shelf Act 1964
Coal Industry Act 1965
Mines (Working Facilities and Support) Act 1966
National Coal Board (Additional Powers) Act 1966
Coal Industry Act 1967
Mines and Quarries (Tips) Act 1969
Coal Industry Act 1971
Mines Management Act 1971
Mineral Workings (Offshore Installations) Act 1971
Mineral Exploration and Investment Grants Act 1972

Coal Industry Act 1973
Coal Industry Act 1975
Petroleum and Submarine Pipe-Lines Act 1975
National Coal Board (Finance) Act 1976
Coal Industry Act 1977
Coal Industry Act 1980
Deep Sea Mining (Temporary Provisions) Act 1981
Coal Industry Act 1982
Oil and Gas (Enterprise) Act 1982
Petroleum Royalties (Relief) Act 1983
Coal Industry Act 1983
Mineral Workings Act 1985
Coal Industry Act 1985
Oil and Pipelines Act 1985
Coal Industry Act 1987
Petroleum Act 1987
Petroleum Royalties (Relief) and Continental Shelf Act 1989
Coal Mining Subsidence Act 1991
Offshore Safety Act 1992, s. 5

PENSIONS AND SUPERANNUATION (TITLE 54)

Pensions Commutation Act 1871
Pensions Commutation Act 1882
Superannuation (Various Services) Act 1938
Personal Injuries (Emergency Provisions) Act 1939
Superannuation Schemes (War Service) Act 1940
Pension Appeals Tribunals Act 1943
Superannuation (Miscellaneous Provisions) Act 1948
Judges Pensions (India and Burma) Act 1948
Pensions Appeals Tribunals Act 1949
USA Veterans' Pension (Administration) Act 1949
Superannuation Act 1965
Superannuation (Miscellaneous Provisions) Act 1967, ss. 11(1), 17, 18(1) and (5)
Pensions (Increase) Act 1971
Superannuation Act 1972
Parliamentary and Other Pensions Act 1972
Pensions (Increase) Act 1974
Parliamentary and Other Pensions and Salaries Act 1976
Parliamentary Pensions Act 1978
Pensions Commutation Act 1984
Parliamentary Pensions, *etc.*, Act 1984
British Council and Commonwealth Institute Superannuation Act 1986
Parliamentary and Other Pensions Act 1987
Pensions (Miscellaneous Provisions) Act 1990
Ministerial and Other Pensions and Salaries Act 1991

PLANNING AND BUILDING (TITLE 55)

- Architects (Registration) Act 1931
- Architects Registration Act 1938
- Town Development Act 1952
- Land Commission Act 1967
- Civic Amenities Act 1967
- Architects Registration (Amendment) Act 1969
- Chronically Sick and Disabled Persons Act 1970, ss. 3, 28 and 29
- Land Commission (Dissolution) Act 1971
- Town and Country Amenities Act 1972
- Land Compensation Act 1973, ss. 28, 39 to 43 (inclusive), 84, 85, 87(1), (4), 89(1) and (4)
- Inner Urban Areas Act 1978
- Local Government, Planning and Land Act 1980, ss. 86, 91, 101 to 104 (inclusive), 106 to 111 (inclusive), 124, 134 to 144 (inclusive), 146, 148, 149, 151 to 154 (inclusive), 157, 159 to 172 (inclusive), 179, 194, 196, 197, Schedules 17 to 22 (inclusive), 26 to 29 (inclusive), 31, 32 and 34, Parts X, XI and XIV
- New Towns Act 1981
- New Towns and Urban Development Corporations Act 1985
- Housing Act 1985
- Housing Associations Act 1985
- Housing (Consequential Provisions) Act 1985
- Housing and Planning Act 1986
- Housing Act 1988, ss. 35(4) to (6) (inclusive), 38, 45(1), (3), 46 to 48 (inclusive), 50 to 55 (inclusive), 57 to 69 (inclusive), 71 to 82 (inclusive), 84 to 114 (inclusive), 122, 123, 129 to 131 (inclusive), 133, 137 to 141 (inclusive), Schedules 5 to 12 (inclusive), 17 and 18
- Local Government and Housing Act 1989, ss. 74 to 138 (inclusive), 164 to 169 (inclusive), 171 to 173 (inclusive), 175, 183, 190 to 193 (inclusive), 195, Schedules 4 and 9
- Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- Planning (Consequential Provisions) Act 1990
- Planning and Compensation Act 1991

POLICE (TITLE 56)

- Constables Protection Act 1750
- Riot (Damages) Act 1886
- Police (Property) Act 1897
- Police and Firemen (War Service) Act 1939
- Police and Firemen (War Service) Act 1944
- Emergency Laws (Miscellaneous Provisions) Act 1947
- Police Pensions Act 1961
- Police Act 1964
- Superannuation (Miscellaneous Provisions) Act 1967, ss. 11, 13, 15 17 and 18
- Police Act 1969
- Police Pensions Act 1976

Police Act 1976
Police Negotiating Board Act 1980
Police and Criminal Evidence Act 1984, ss. 83 to 102 (inclusive), 104 to 108 (inclusive), 112, 115, 119(2), 120(1), (3) to (5) (inclusive), (10)(b), (11), 121(1), (4), 122, Schedule 4 and Schedule 7, Part VI
Ministry of Defence Police Act 1987

PORTS AND HARBOURS (TITLE 57)

Harbours, Docks and Piers Clauses Act 1847
Harbours and Passing Tolls, *etc.*, Act 1861
Harbours Transfer Act 1862
Public Works and Fisheries Acts Amendment Act 1863
Dockyard Ports Regulation Act 1865
Fishery Harbours Act 1915
Transport Charges, *etc.*, (Miscellaneous Provisions) Act 1954
Fisheries Act 1955
Harbours Act 1964
Docks and Harbours Act 1966
Harbours (Loans) Act 1972
Transport Act 1981, ss. 5 to 18 (inclusive), 40(1) to (3) (inclusive), 41(1)(b), (d), (e), (g), (2), 42, 43, Schedules 2 to 5 (inclusive), and Schedule 12, Parts I and II
Transport Act 1982, ss. 66, 76(1), (2), (4), (6), (7)(a) and (8)
Dangerous Vessels Act 1985
Ports (Finance) Act 1985
Dockyard Services Act 1986
Aviation and Maritime Security Act 1990
Finance Act 1990, ss. 115 to 120 (inclusive)
Ports Act 1991

POST OFFICE (TITLE 58)

Post Office Act 1953, ss. 1 to 10 (inclusive), 11(3), (4), 12 to 21 (inclusive), 23(2), 24, 25, 27(1) to (3) (inclusive), 29 to 31 (inclusive), 33 to 52 (inclusive), 54, 56(3), (4), 63(1) to (3) (inclusive), 66, 67, 69(2), 70 to 86 (inclusive), 88 to 91 (inclusive), 92(2) and Schedules 1 and 3
Post Office Act 1969, ss. 1 to 116 (inclusive), 121, 122, 124 to 127 (inclusive), 130 to 133 (inclusive), 136 to 142 (inclusive) and Schedules 1 to 11 (inclusive)
Chronically Sick and Disabled Persons Act 1970, ss. 14 and 28
Post Office (Banking Services) Act 1976
British Telecommunications Act 1981, ss. 59 to 61 (inclusive), 63 to 69 (inclusive), 71 to 76 (inclusive), 78, 81 to 85 (inclusive), 86(1), 89(3), (4), 90 and Schedule 2
Interception of Communications Act 1985, ss. 1(1), (2), (3)(a), (4), 2, 3(1), 4, 5(1)(a), (2), (4), (5), 6(1)(a), (2), (3), 7(1), to (8) (inclusive), (9)(a), 8, 9, 10(1), (3), 11(4), 12 and Schedule 1

PRISONS (TITLE 60)

Penal Servitude Act 1857
Penal Servitude Act 1891

Prison Act 1952
Criminal Justice Act 1961, ss. 1 to 17 (inclusive), 20 to 35 (inclusive), 37 to 45 (inclusive), and
Schedules 1 to 6 (inclusive)
Criminal Justice Act 1972, ss. 59, 60 and 66(1), (5) to (7) (inclusive)
Imprisonment (Temporary) Provisions Act 1980
Criminal Justice Act 1991, ss. 32 to 51 (inclusive), 80 to 92 (inclusive), 98, 99, 101(1), 102(1) to
(4) (inclusive), (7A), Schedules 5, 10 and 12, paras. 8 to 13 (inclusive)
Prison Security Act 1992

EXPLANATORY NOTE
(not forming part of the above Order)

This Order disapplies a number of English enactments.

SUBSIDIARY LEGISLATION

REVISED EDITION OF THE LAWS

Commencement and Approval of Volume 5 Order 1999

(S. R. & O. No. 40 of 1999)

Made: 22 December 1999

Published: 7 January 2000

Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 4(4) of the Revised Edition of the Laws Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Commencement and Approval of Volume 5 Order 1999 and shall come into force on publication.

Coming into operation of Volume 5

2. Volume 5 of the Revised Edition of the Laws of the Falkland Islands is approved and comes into operation seven days after the publication of this Order in the *Gazette*.

Made this twenty-second day of December 1999

D A Lamont
Governor

(a) No 17 of 1991 (as amended by No 2 of 1998)



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

16th February 2000

No. 2

The following are published in this Supplement -

- Revised Telecommunications Tariff Regulations 2000, (S.R. & O. No. 1 of 2000);**
- Coins (Various Commemorative Coins) Order 2000, (S.R. & O. No. 2 of 2000);**
- No Waiting (General) Regulations Order 2000, (S.R. & O. No. 3 of 2000);**
- Law Revision Order No. 2 of 1999, (S.R. & O. No. 4 of 2000);**
- Disapplication of Enactments No. 1 Order 2000, (S.R. & O. No. 5 of 2000);**
- Commencement and Approval of Volume 6 Order 2000, (S.R. & O. No. 6 of 2000).**

SUBSIDIARY LEGISLATION

TELECOMMUNICATIONS

Revised Telecommunications Tariff Regulations 2000

S. R. & O. No: 1 of 2000

Made: 6 January 2000

Published: 16 February 2000

Coming into force: 1st December 1999

IN EXERCISE of my powers under section 45(2) of the Telecommunications Ordinance 1988(a) and of all other powers enabling me in that behalf, I make the following Regulations —

Citation and commencement

1. These Regulations may be cited as the Revised Telecommunications Tariff Regulations 2000 and shall be deemed to have come into force on 1st December 1999.

Replacement of Schedule to the Telecommunications Ordinance 1988

2. The Schedule to the Telecommunications Ordinance 1988 is replaced by the following —

“SCHEDULE

1. Rental of lines

- | | |
|--|----------------------------|
| (a) Residential, ordinary rate - | £8.00 per calendar month* |
| (b) Residential, subscriber over 64 years of age - | £5.00 per calendar month* |
| (c) Business - | £20.00 per calendar month* |

* Payable monthly in advance.

2. Telephone call charges (dialled calls)

- | | | |
|--|-------|--|
| (a) within the Falkland Islands - | (i) | £0.06 per minute |
| | (ii) | £0.10 per minute reverse charge |
| | (iii) | operator assisted calls £0.10 per minute |
| (b) to the United Kingdom, ordinary rate - | | £0.99 per minute* |

- (c) to the United Kingdom, (off-peak rate
12 midnight Friday to 12 midnight Sunday) - £0.80 per minute*
- (d) to the Rest of the World, ordinary rate - £1.10 per minute*
- (e) to the Rest of the World, (off-peak rate
12 midnight Friday to 12 midnight Sunday) - £0.99 per minute*

* These calls will be charged to the nearest complete six second unit at one tenth of the per minute rate and the resulting sum, if resulting in a fraction of a penny, will be rounded to the nearest penny below.

3. Installation charges

- (a) Stanley - £60.00 per line
- (b) Camp - £175.00 per line

4. Directory enquiries £0.06 per minute

5. Internet charges

- (a) unlimited access charge - £10.00 per month or part payable in advance
- (b) Internet calls -
- (i) Standard rate (6.00am to 6.00pm weekdays) - £0.10 per minute
- (ii) Weekday off-peak (6.00pm to 6.00am) £0.08 per minute
- (iii) Weekend rate (12 midnight Friday to
12 Midnight Sunday) - £0.06 per minute

Made this sixth day of January 2000

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Regulations)

These Regulations amend the charges made in respect of telecommunications services in the Falkland Islands.

SUBSIDIARY LEGISLATION

CURRENCY

Coins (Various Commemorative Coins) Order 2000

(S. R. & O. No. 2 of 2000)

Made: 26 January 2000

Published: 16 February 2000

Coming into operation: upon publication

IN EXERCISE of my powers under section 22 of the Currency Ordinance 1987(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Coins (Various Commemorative Coins) Order 2000.

New Coins

2.—(1) The minting and issue of the coins as described and specified in the Schedule to this Order are hereby authorised.

(2) The Schedule to this Order shall have effect so as to specify the denomination, fineness, weight, diameter, quality, shape, edge and number of the coins authorised by paragraph (1) of this article.

Made this twenty-sixth day of January 2000

D A Lamont
Governor

SCHEDULE

Specifications of Falkland Islands Coins to Commemorate the Queen Mother's Centenary

Metal	Sterling Silver with an outer ring plated in 24 carat gold
Metal Content	.925 Silver, .999Gold
Denomination	Two Pounds
Diameter (millimetres)	38.61
Weight (grammes)	28.1
Minting Quality	Proof
Edge	Milled
Shape	Round
Edition Limit	10,000
Design:	
Obverse	Uncouped portrait of Her Majesty the Queen by Raphael Maklouf with the inscriptions "QUEEN ELIZABETH II" to the left of the portrait, "FALKLAND ISLANDS" to the right of the portrait, and "2000" below the portrait.
Reverse	Portrait of Her Majesty the Queen Mother holding baby Princess Elizabeth in her arms with the circumferential inscription "HM THE QUEEN MOTHER'S CENTENARY" and "2 POUNDS" below the portrait.

**Specifications of Falkland Islands Coins to Commemorate the 125th Anniversary of the
birth of Sir Winston Churchill**

Type	Silver	Gold	Cupro-nickel
Denomination	50 pence	50 pence	50 pence
Diameter (millimetres)	38.61	38.61	38.61
Weight (grammes)	28.28	47.54	28.28
Fineness	.925	.916	75% copper, 25% nickel
Quality	Proof	Proof	Uncirculated
Shape	Round	Round	Round
Edge	Milled	Milled	Milled
Edition Limit	2,500	125	Unlimited

Design:

Obverse	Portrait of Her Majesty the Queen by Raphael Maklouf with the circumferential inscription "QUEEN ELIZABETH II · FALKLAND ISLANDS · 50 PENCE"
Reverse	Sir Winston Churchill in his uniform as a former First Lord of the Admiralty with a WWII battleship in the background. To his right the date of issue "1999" is inscribed. The wording "WINSTON CHURCHILL 1874-1965" appears on the left side surround of the coin.

Specification of Falkland Islands Coins to Commemorate the 125th Anniversary of the Birth of Sir Ernest Shackleton

Type	Silver	Gold	Cupro-Nickel	Silver/Gold Cameo	Gold
Denomination	Two Pounds	Twenty pounds	Two pounds	Two pounds	Seventy Five Pounds
Diameter (millimetres)	38.60	22.0	38.60	38.60	32.70
Weight (grammes)	28.28	6.22	28.28	28.28	31.103
Fineness	.925	.999	75% copper, 25% nickel	.925 Silver, .999 Gold	.999
Quality	Proof	Proof	Uncirculated	Proof	Proof
Shape	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled
Edition Limit	10,000	1,000	Unlimited	5,000	999
Design:					
Obverse	Portrait of Her Majesty the Queen by Raphael Maklouf with circumferential inscription "QUEEN ELIZABETH II · FALKLAND ISLANDS · 1999"				
Reverse	The Endurance in the foreground with a Cameo of Sir Ernest Shackleton to the right. Wording "SIR ERNEST HENRY SHACKLETON 1874-1922" appears in surround of coin with "ENDURANCE" under vessel and denomination "TWO POUNDS" at bottom.	The Endurance in the foreground with a Cameo of Sir Ernest Shackleton to the right. Wording "SIR ERNEST HENRY SHACKLETON 1874-1922" appears in surround of coin with "ENDURANCE" under vessel and denomination "TWENTY POUNDS" at bottom.	The Endurance in the foreground with a Cameo of Sir Ernest Shackleton to the right. Wording "SIR ERNEST HENRY SHACKLETON 1874-1922" appears in surround of coin with "ENDURANCE" under vessel and denomination "TWO POUNDS" at bottom.	The Endurance in the foreground with a Cameo of Sir Ernest Shackleton to the right (the Cameo is Gold Clad @ in 24 carat gold). Wording "SIR ERNEST HENRY SHACKLETON 1874-1922" appears in surround of coin with "ENDURANCE" under vessel and denomination "TWO POUNDS" at bottom.	The Endurance in the foreground with a Cameo of Sir Ernest Shackleton to the right. Wording "SIR ERNEST HENRY SHACKLETON 1874-1922" appears in surround of coin with "ENDURANCE" under vessel and denomination "SEVENTY FIVE POUNDS" at bottom.

Specification of Falkland Islands Coins to Commemorate the Millennium

Composition	Bi-Colour: Inner: .925 Silver Outer: Gold Plated .925 Silver	Bi-Metal: Inner: 5.5% Nickel Brass Outer: Cupro-Nickel
Denomination	Two Pounds	Two pounds
Weight (grammes)	28.10	28.28
Diameter (millimetres)	38.61	38.61
Shape	Round	Round
Edge	Milled	Milled
Standard of Finish	Proof Quality with Frosted Relief	Brilliant Uncirculated
Maximum quantity to be minted for the International Market	30,000	Unlimited
Design:		
Obverse	Uncouped portrait of Her Majesty the Queen by Raphael Maklouf with circumferential inscription "QUEEN ELIZABETH II . FALKLAND ISLANDS . 1999-2000"	
Reverse	The inner section features a map of the Falkland Islands with the sun rising in the east and the inscription "TWO POUNDS" at the bottom. The outer section features indigenous animals. The inner and outer sections are separated by a rope border.	

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

No Waiting (General) Regulations Order 2000

S. R. & O. No: 3 of 2000

Made: 10 February 2000

Published: 16 February 2000

Coming into force: 1st March 2000

IN EXERCISE of my powers under section 59 of the Road Traffic Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the No Waiting (General) Regulations Order 2000 and comes into force on 1st March 2000.

Interpretation

2. In this Order —

“designated road” means a road designated by Order under section 2 of the Road Traffic Ordinance to be a road for the purposes of that Ordinance;

“junction” in relation to a road or roads means any point at which two roads meet together, but a mere continuation of a road under a different name shall not constitute as a junction the point at which the name of the road changes;

“motor vehicle” has the same meaning as it has under section 24 of the Road Traffic Ordinance;

“road” has the same meaning as it has under section 2 of the Road Traffic Ordinance;

“wait”, in relation to a vehicle, means to cause it to stop, other than momentarily, or remain stationed or parked, whether or not the driver or any other person is within or upon the vehicle;

“vehicle” includes a bicycle, tricycle, cart or handcart and every other kind of contrivance used or capable of being used on a road, whether or not it is propelled by means of any engine or other machine.

(a) Title 63.1 Revised Edition of the Laws of the Falkland Islands

Yellow line to signify waiting prohibition

3.—(1) A yellow line painted or otherwise marked in accordance with paragraph (2) along the kerb of a length of road or any designated road in Stanley shall signify that except as allowed by this Order, the driver or other person in charge of a motor vehicle shall not cause or permit a motor vehicle to wait in a position such that any part of its length lies within the half of the carriageway along the kerb of which the yellow line is painted or otherwise marked.

(2) A yellow line is painted or otherwise marked along the kerb of a length of road for the purposes of paragraph (1) if —

(a) a band of yellow is painted or marked approximately parallel to the edge of the upper surface of the kerb;

(b) the roadside edge of the band is not more than six inches from that edge

it being irrelevant whether the vertical surface of the kerb is painted or marked or not.

(3) Subject to article 4, a person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine not exceeding the maximum of level 2 on the standard scale.

Exemptions from no-waiting prohibition

4.—(1) A person does not commit an offence under article 3(3), 5(3) or 6(2) if —

(a) he is required by law to stop the vehicle;

(b) he is obliged to stop it in order to avoid an accident; or

(c) he is prevented from proceeding in it by reason of circumstances beyond his control.

and he drives it or causes it to be moved to a place not within the relevant length of road as soon as is reasonably practicable.

(2) A person does not commit an offence under article 3(3), 5(3) or 6(2) if —

(a) he causes or permits the motor vehicle to wait only so long as is reasonably necessary —

(i) to enable it to be used to remove another vehicle or an obstruction;

(ii) in or in connection with the repairs of the relevant length of road or any other length of highway or of any services lying in under or adjoining the relevant length of road or any other highway;

(iii) for police, fire or ambulance purposes,

(b) he causes or permits the vehicle to wait in accordance with permission granted by a police officer in uniform.

Temporary waiting prohibition

5.—(1) A person shall not cause or permit a motor vehicle to wait in a length of a side of a road each end of which is marked by a predominantly yellow cone or cylinder bearing the legend “no waiting” (“a terminal cone”) and in which, if the terminal cones are more than ten metres apart, yellow cones or cylinders not necessarily bearing the legend “no waiting” (“an intermediate cone”) are placed so that the distance from any intermediate cone to another cone or cylinder provided for by this paragraph does not exceed ten metres.

(2) A cone or cylinder provided for by paragraph (1) shall be not less than 450 millimetres in height and be hollow and have a base which is either —

(a) circular in section with an internal diameter of not less than 150 millimetres;

(b) triangular in section with each side being approximately equal in length having an internal length of not less than 100 millimetres.

(3) Subject to article 4 a person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine not exceeding the maximum of level 2 on the standard scale.

Prohibition of waiting at junctions

6.—(1) A person shall not cause or permit a vehicle of any kind to wait within fifteen metres of a junction.

(2) Subject to article 4, a person who contravenes paragraph (1) commits an offence and is liable to a fine not exceeding the maximum of level 2 on the standard scale.

(3) It is not a defence to a prosecution for an offence under paragraph (2) that the junction was not marked in any way so as to indicate the prohibition of waiting.

Made this tenth day of February 2000

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Order)

This Order provides for yellow lines along kerbs to prohibit waiting by motor vehicles, provides for temporary prohibition of waiting to be indicated by cones and prohibits waiting by any vehicles at road junctions.

SUBSIDIARY LEGISLATION

REVISED EDITION OF THE LAWS

Law Revision Order No. 2 of 1999

(S. R. & O. No. 4 of 2000)

Made: 10 February 2000

Published: 16 February 2000

Coming into force in accordance with article 1

IN EXERCISE of my powers under section 4(4) of the Revised Edition of the Laws Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1.—(1) This Order may be cited as Law Revision Order No. 2 of 1999 and shall come into force on such date, not earlier than the first publication of this Order in the *Gazette*, as the Governor may, subject to paragraph (2), notify by notice so published.

(2) The Governor shall not notify a date pursuant to paragraph (1) unless he is satisfied that copies of Volume 6 are available in the Falkland Islands.

Interpretation

2. In this Order —

“the Ordinance” means the Revised Edition of the Laws Ordinance 1991;

“the Revised Laws of the Falkland Islands” means the work under that title published or intended to be published in seven volumes on the authority of the Government of the Falkland Islands by Law Reports International, Oxford, which is ISBN 1 870584 69 4;

“the relevant revision date” means 1st January 1993;

“Volume 6 of the Revised Laws of the Falkland Islands” and “Volume 6” means the sixth volume of the Revised Laws of the Falkland Islands which, as a separate volume is ISBN 1 870584 75 9.

Approval of Volume 6 of the Revised Laws of the Falkland Islands

3. Volume 6 of the Revised Laws of the Falkland Islands is approved as at the relevant revision date.

Pages included in Volume 6

4. The pages included in Volume 6 are those specified in the Schedule to this Order.

SCHEDULE
Pages contained in Volume 6

Preliminary pages: pages i to iv;

Title 61 (Public Health): pages 61/1 to 61/50, page 61 Imp/1 and pages 61 Disapplied/1 and 61 Disapplied/2;

Title 62 (Registration and Census): pages 62/1 to 62/14, pages 62 Imp/1 to 62 Imp/3 and page 62 Disapplied/1;

Title 63 (Road Traffic): pages 63/1 to 63/95 and pages 63 Disapplied/1 and 63 Disapplied/2;

Title 64 (Shipping and Navigation): pages 64/1 to 64/21, pages 64 Imp/1 to 64 Imp/143 and page 64 Disapplied/1;

Title 65 (Social Security): page 65/1 to 65/73 and page 65 Disapplied/1;

Title 66 (Stanley): pages 66/1 to 66/34 and page 66 Disapplied/1;

Title 67 (Statutes): pages 67/1 to 67/77, pages 67 Imp/1 to 67 Imp/11 and page 67 Disapplied/1;

Title 68 (Succession): pages 68/1 to 68/14, pages 68 Imp/1 to 68 Imp/15 and page 68 Disapplied/1;

Title 69 (Taxation): pages 69/1 to 69/10, page 69 Imp/1 and page 69 Disapplied/1 to 69 Disapplied/3;

Title 70 (Telecommunications and Broadcasting): pages 70/1 to 70/46, page 70 Imp/1 and page 70 Disapplied/1;

Title 71 (Tort): pages 71/1 to 71/3, pages 71 Imp/1 to 71 Imp/8 and page 71 Disapplied/1;

Title 72 (Trade and Industry): pages 72/1 to 72/19, pages 72 Imp/1 to 72 Imp/13 and page 72 Disapplied/1;

Title 73 (Trusts and Settlements): page 73/1, pages 73 Imp/1 to 73 Imp/11 and 73 Disapplied/1;

Title 74 (War and Emergency): page 74/1, page 74 Imp/1 and page 74 Disapplied/1.

Made this tenth day of February 2000

D A Lamont
Governor

SUBSIDIARY LEGISLATION

LAW REVISION

Disapplication of Enactments No. 1 Order 2000

(S. R. & O. No. 5 of 2000)

Made: 10 February 2000

Published: 16 February 2000

Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 79(2) of the Interpretation and General Clauses Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Disapplication of Enactments No. 1 Order 2000 and shall be deemed to have come into force on 1st January 1993.

Disapplication of Enactments

2. So far as concerns the Falkland Islands the indirectly adopted imperial enactments specified in Schedule 1 to this Order shall be deemed never to have been enacted.

Made this tenth day of February 2000

D A Lamont
Governor

SCHEDULE

Note: The cross-headings which follow are the Titles in which the disapplication of the enactments which are specified under them is mentioned in Volume 6 of the Revised Laws of the Falkland Islands.

PUBLIC HEALTH (TITLE 61)

- Town Improvement Clauses Act 1847
- Cemeteries Clauses Act 1847
 - Burial Act 1852
 - Burial Act 1853
 - Burial Act 1855
 - Burial Act 1857
 - Burial Act 1859
- Registration of Burials Act 1864
- Public Health Act 1875
- Burial Laws Amendment Act 1880
- Public Health Act 1875 (Support of Sewers) Amendment Act 1883
- Disused Burial Grounds Act 1884
- Public Health Acts Amendment Act 1890
- Cremation Act 1902
- Alkali, etc., Works Regulation Act 1906
- Public Health Acts Amendment Act 1907
- Celluloid and Cinematograph Film Act 1922
- Fees (Increase) Act 1923, ss. 7 and 11(1)
- Public Health Act 1925
- Petroleum (Consolidation) Act 1928
- Petroleum (Transfer of Licences) Act 1936
- Public Health Act 1936
- Public Health (Drainage of Trade Premises) Act 1937
- Physical Training and Recreation Act 1937
- Prevention of Damage by Pests Act 1949
- Rag Flock and Other Filling Materials Act 1951
- Cremation Act 1952
- Pests Act 1954, ss. 6 and 13 to 15 (inclusive)
- Clean Air Act 1956
- Public Health Act 1961
- Public Lavatories (Turnstiles) Act 1963
- Clean Air Act 1968
- Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970
- Chronically Sick and Disabled Persons Act 1970, ss. 4 to 7 (inclusive), 8A, 8B, 28, 29
- Radiological Protection Act 1970
- Fire Precautions Act 1971
- Land Compensation Act 1973, ss. 20, 84(1), 87, 89(1) and (4)
- Control of Pollution Act 1974
- Safety of Sports Grounds Act 1975
- Local Government (Miscellaneous Provisions) Act 1976, ss. 17, 19 to 27 (inclusive), 35, 39, 44(1), (3) to (6) (inclusive) and 81 to 83 (inclusive)

International Carriage of Perishable Foodstuffs Act 1976
 Refuse Disposal (Amenity) Act 1978
 Vaccine Damage Payments Act 1979
 Disused Burial Grounds (Amendment) Act 1981
 Local Government (Miscellaneous Provisions) Act 1982, ss. 9, 10, 13 to 17 (inclusive), 29 to 32
 (inclusive), 47 and 49
 Public Health (Control of Disease) Act 1984
 Registered Homes Act 1984
 Building Act 1984
 Food and Environment Protection Act 1985, ss. 1 to 4 (inclusive), 20 to 25 (inclusive), 27, 28 and
 Schedules 1 and 2
 Fire, Safety and Safety of Places of Sport Act 1987, ss. 10, 13, 19, 26 to 41 (inclusive), 49, 50 and
 Schedules 4 and 5
 Environment and Safety Information Act 1988
 Control of Pollution (Amendment) Act 1989
 Control of Smoke Pollution Act 1989
 Food Safety Act 1990
 Environment Protection Act 1990, ss. 1 to 4 (inclusive), 6 to 15 (inclusive), 19 to 30 (inclusive), 32 to
 40 (inclusive), 42 to 44A (inclusive), 45 to 49 (inclusive), 51, 52, 55, 57, 59 to 66 (inclusive), 71, 73 to
 82 (inclusive), 84, 106 to 127 (inclusive), 140 to 144 (inclusive), 152 to 154 (inclusive), 156 to 164
 (inclusive), and Schedules 1 to 3 (inclusive), 12, 15 and 16
 Smoke Detectors Act 1991

REGISTRATION AND CENSUS (TITLE 62)

 Non-parochial Registers Act 1840
 Town Police Clauses Act 1847, s. 31
 Marriage and Registration Act 1856
 Births and Deaths Registration Act 1858
 Births and Deaths Registration Act 1874
 Registration of Births, Deaths and Marriages (Army) Act 1879
 Census Act 1920
 Births and Deaths Registration Act 1926
 Population (Statistics) Act 1938
 Births and Deaths Registration Act 1953, ss. 1, 2, 15 to 21 (inclusive) and 35 to 38 (inclusive)
 Registration Service Act 1953
 Registration of Births, Deaths and Marriages (Special Provisions) Act 1957
 Population (Statistics) Act 1960
 Industrial Diseases (Notification) Act 1981
 Family Law Reform Act 1987
 Census (Confidentiality) Act 1991
 Still-Birth Definition Act 1992

ROAD TRAFFIC (TITLE 63)

 Highway (Railway Crossings) Act 1839
 Railway Regulation Act 1842
 Railways Clauses Consolidation Act 1845
 Canal Carriers Act 1845

Town Police Clauses Act 1847, ss. 1 to 5 (inclusive), 15, 21, 23 to 29 (inclusive), 37, 38, 40 to 66
 (inclusive), 68, 75, 77 and 78
 Canal (Carriers) Act 1847
 Locomotive Act 1861
 Railway Clauses Act 1863
 Railway Companies Act 1867
 Regulation of Railways Act 1868
 Tramways Act 1870
 Regulation of Railways Act 1871
 Railway Rolling Stock Protection Act 1872
 Regulation of Railways Act 1873
 Railway Regulation Act (Returns of Signal Arrangements, Workings & c.) Act 1873
 Board of Trade Arbitrations, etc. Act 1874
 Railway and Canal Traffic Act 1888
 Town Police Clauses Act 1889
 Regulation of Railways Act 1889
 Railway Employment (Prevention of Accidents) Act 1900
 Railway Fires Act 1905
 Roads Act 1920
 Mines (Working Facilities and Support) Act 1923
 Railway Fires Act (1905) Amendment Act 1923
 Road Traffic Act 1930
 Road and Rail Traffic Act 1933
 Motor Vehicles (International Circulation) Act 1952
 Road Traffic Act 1960
 Transport Act 1962
 Pipe-Lines Act 1962
 Road Traffic (Amendment) Act 1967
 Road Traffic Regulation Act 1967
 Transport Act 1968
 Vehicle and Driving Licences Act 1969
 Chronically Sick and Disabled Persons Act 1970, ss. 20, 21, 28, 29(1), (3), (4)(a), (c)
 Road Traffic (Foreign Vehicles) Act 1972
 Road Traffic Act 1974
 International Road Haulage Permits Act 1975
 Local Government (Miscellaneous Provisions) Act 1976, ss. 45 to 80 (inclusive) and 83
 Transport Act 1978
 Transport Act 1980
 Public Passenger Vehicles Act 1981
 Transport Act 1981
 Transport Act 1982, ss. 8 to 15 (inclusive), 17, 19 to 26 (inclusive), 52, 70 to 76 (inclusive), Schedules
 5 and 6
 Level Crossings Act 1983
 Road Traffic Regulation Act 1984
 Transport Act 1985, ss. 1 to 110 (inclusive), 112 to 140 (inclusive) and Schedules 1 to 8 (inclusive)
 Motor Cycle Noise Act 1987
 Road Traffic Act 1988

Road Traffic Offenders Act 1988
Road Traffic (Consequential Provisions) Act 1988
Road Traffic (Driver Licensing and Information Systems) Act 1989
Radioactive Material (Road Transport) Act 1991
Road Traffic Act 1991
Transport and Works Act 1992

SHIPPING AND NAVIGATION (TITLE 64)

Nautical Almanack Act 1828
Merchant Shipping Repeal Act 1854
Industry Act 1972
Protection of Wrecks Act 1973
Pilotage Act 1983
Safety at Sea Act 1986
Pilotage Act 1987

SOCIAL SECURITY (TITLE 65)

Polish Resettlement Act 1947, ss. 2, 3, 10 and Schedule
National Assistance Act 1948
National Insurance Act 1948
Chronically Sick and Disabled Persons Act 1970, ss. 12 and 28
Social Security Act 1973
Social Security Pensions Act 1975
Supplementary Benefits Act 1976
Social Security (Miscellaneous Provisions) Act 1977, ss. 21 to 25 (inclusive)
Social Security Act 1979
Pneumoconiosis Etc. (Workers' Compensation) Act 1979
Health and Social Services and Social Security Adjudications Act 1983
Disabled Persons (Services, Consultation and Representation) Act 1986
Social Security Act 1986
Social Security Act 1988
Social Security Act 1989, ss. 4 to 7 (inclusive), 22 to 24 (inclusive), 26, 28 to 31 (inclusive), 33,
Schedule 4, Pt. IV and Schedules 5, 6, 8 and 9
Social Security Act 1990, s. 15
Social Security Contributions and Benefits Act 1992
Social Security Administration Act 1992

STANLEY (TITLE 66)

Poor Rates Recovery Act 1862
Jurisdiction in Rating Act 1877
Local Government Act 1929, ss. 77, 83 and 134
Fire Services Act 1947
Fire Services Act 1959
General Rate Act 1967
Rates Act 1984
Local Government Finance Act 1988

STATUTES (TITLE 67)

- Acts of Parliament (Commencement) Act 1793
- Crown Debts Act 1801
- Sunday Observance Act 1833
- Statute Law Revision (Substituted Enactments) Act 1876
- Statute Law Revision Act 1894
- Statute Law Revision Act 1927
- Statutory Orders (Special Procedure) Act 1945
- Statutory Instruments Act 1946
- Laying of Documents Before Parliament (Interpretation) Act 1948
- Statute Law Revision Act 1948, ss. 1 to 4 (inclusive) and Schedule 1
- Consolidation of Enactments (Procedure) Act 1949
- Statute Law Revision Act 1950
- Statute Law Revision Act 1958
- Recorded Delivery Service Act 1962
- Law Commissions Act 1965
- Statutory Orders (Special Procedure) Act 1965
- Statute Law (Repeals) Act 1969, ss. 2 and 3
- Banking and Financial Dealings Act 1971, ss. 1, 4, 5, Schedules 1 and 2
- Summer Time Act 1972

SUCCESSION (TITLE 68)

- Administration of Estates Act 1925, ss. 30, 55(1) (xxv) and 58(3)
- Administration of Estates (Small Payments) Act 1965
- Administration of Justice Act 1985, ss. 49, 50, 56, 68(1), 69(1), (2), (3)(c), (d), (4)(a), (5) and Schedule 9, para 10
- Family Law Reform Act 1987, ss.1, 18, 21, 33(2), (3), 34(1) to (3) (inclusive), (5) and Schedule 3, paras. 8, 10
- Courts and Legal Services Act 1990, ss. 54 and 55

TAXATION (TITLE 69)

- Inland Revenue Regulation Act 1890
- Stamp Duties Management Act 1891
- Stamp Act 1891
- Finance Act 1895
- Revenue Act 1898, ss. 7, 10, 12 and 20
- Finance Act 1900
- Finance Act 1907
- Finance Act (1909-10) 1910
- Finance Act 1916
- Finance Act 1931
- Finance (No. 2) Act 1931
- Finance Act 1932
- Finance Act 1933
- Finance Act 1938
- Finance Act 1940
- Finance Act 1944

Finance Act 1946
 Finance Act 1948
 Finance Act 1950
 Finance Act 1954, s. 15
 Finance Act 1956
 Income Tax (Repayment of Post-War Credits) Act 1959
 Finance Act 1961
 Finance Act 1964
 Finance Act 1965, ss. 89, 90, Schedule 21 and Schedule 22, Parts II to V (inclusive)
 Finance Act 1966, ss. 45, 47 and 53
 Provisional Collection of Taxes Act 1968
 Finance Act 1969, s. 58
 Post Office Act 1969, ss. 119, 120 and 123
 Taxes Management Act 1970
 Finance Act 1970
 Finance Act 1971
 Finance Act 1972
 Finance Act 1973
 Finance Act 1974
 Finance Act 1975
 Oil Taxation Act 1975
 Finance (No. 2) Act 1975
 Finance Act 1976, ss. 72, 131(1), (2), 132, Schedule 9 and Schedule 15, Parts II to V (inclusive) and
 VII
 Finance Act 1978, ss. 77, 80(1), (2), (3)(c), (4), (5) and Schedule 13, Parts II to V (inclusive)
 Petroleum Revenue Tax Act 1980
 National Heritage Act 1980, ss. 8 to 15 (inclusive), 17, 18 and Schedule 2
 Finance Act 1980, ss. 17, 106 to 109 (inclusive), 118, 122, Schedules 17, 18 and Schedule 20, Parts I
 to XI (inclusive), XIII and XIV
 Finance Act 1981, ss. 111 to 113 (inclusive), 115, 117, 118, 121, 134, 135, 139, Schedule 17 and
 Schedule 19, Parts IV to X (inclusive)
 Finance Act 1982, ss. 27, 129, 130, 134, 135, 137, 139 to 142 (inclusive), 145, 156, 157, Schedules 18,
 19 and Schedule 22, Parts III to VII (inclusive), and IX to XI (inclusive)
 Finance Act 1983
 Car Tax Act 1983
 Value Added Tax Act 1983
 Oil Taxation Act 1983
 Finance Act 1984
 Inheritance Tax Act 1984
 Finance Act 1985, ss. 11 to 23 (inclusive), 25 to 27 (inclusive), 29, 30, 32, 33, 81 to 89 (inclusive), 93
 to 96 (inclusive), 98(1) to (3) (inclusive), (5), (6), Schedules 8, 24, 25 and Schedule 27, Parts IV to XI
 (inclusive)
 Finance Act 1986, ss. 9, 14, 24, 65 to 104 (inclusive), 106 to 109 (inclusive), 114(1) to (6) (inclusive),
 Schedules 6, 18 to 21 (inclusive) and Schedule 23, Parts V to X (inclusive)
 Advance Petroleum Revenue Tax Act 1986

Finance Act 1987, ss. 57 to 59 (inclusive), 61 to 66 (inclusive), 72(1) to (3) (inclusive), (5) to (7) (inclusive), Schedules 10, 12 to 14 (inclusive) and Schedule 16, Parts II, IV to VII (inclusive), IX and X

Finance (No. 2) Act 1987, ss. 82 to 84 (inclusive), 86, 88, 91, 95, 97, 100, 101, 104, Schedules 6, 8 and Schedule 9, Parts I to V (inclusive)

Income and Corporation Taxes Act 1988

Finance Act 1988, ss. 12(1)(d), (5), (6), 13 to 24, (inclusive), 26, 27, 35 to 41 (inclusive), 43, 44, 50, 65 to 68 (inclusive), 73, 77 to 88 (inclusive), 126, 127, 130 to 132 (inclusive), 134, 136, 138, 140 to 149 (inclusive), Schedules 3, 4, 6, 7, 12 and Schedule 14, Parts III to XI (inclusive)

Finance Act 1989, ss. 18 to 30 (inclusive), 32, 34, 35, 38 to 41 (inclusive), 43 to 46 (inclusive), 50 to 52 (inclusive), 54 to 57 (inclusive), 59, 61, 67 to 77 (inclusive), 80, 82 to 90 (inclusive), 92 to 96 (inclusive), 102, 103, 107, 110 to 113 (inclusive), 115, 116, 121, 142, 151, 152, 157, 158, 165, 173 to 180 (inclusive), 182, 182A, 186(1) to (3) (inclusive), 187(1), 188, Schedules 3, 5 to 7 (inclusive), 11, 12 and Schedule 17, Parts III to V (inclusive) and IX

Capital Allowances Act 1990

Finance Act 1990, ss. 10 to 17 (inclusive), 19, 20, 23, 25, 30, 41, 42, 44, 48, 52, 53, 56, 69, 71, 80, 87 to 89 (inclusive), 91, 96 to 100 (inclusive), 102, 103, 107 to 114 (inclusive), 125 to 127 (inclusive), 131(1), (3), 132, 133, Schedules 5 to 7 (inclusive), 10, 12, 17, 18 and Schedule 19, Parts III to VII (inclusive)

Finance Act 1991, ss. 13 to 27 (inclusive), 32, 33, 45, 46, 48 to 54 (inclusive), 57 to 59 (inclusive), 62 to 65 (inclusive), 71 to 73 (inclusive), 76, 78, 80, 103 to 106 (inclusive), 108, 110 to 117 (inclusive), 121 to 124 (inclusive), Schedules 7, 9, 11 and Schedule 19, Parts V to VII (inclusive)

Stamp Duty (Temporary Provisions) Act 1992

Taxation and Chargeable Gains Act 1992

Finance Act 1992, ss. 6 to 8 (inclusive), 10 and 11(1)

Finance (No. 2) Act 1992, ss. 14 to 18 (inclusive), 20 to 22 (inclusive), 24, 28, 33, 34, 41 to 43 (inclusive), 55, 56, 59, 62 to 66 (inclusive), 70, 72 to 77 (inclusive), 81 to 83 (inclusive), Schedules 3, 4, 6, 7, 9, 10, 12 to 14 (inclusive), 16, 17 and Schedule 18, Parts V to X (inclusive)

Car Tax (Abolition) Act 1992

TELECOMMUNICATIONS AND BROADCASTING (TITLE 70)

Telegraph Act 1863

Telegraph Act 1868

Telegraph Act 1899

Imperial Telegraphs Act 1938

Cable and Wireless Act 1946

Commonwealth Telegraphs Act 1949

Commonwealth Telecommunications Act 1968

British Telecommunications Act 1981, ss. 1 to 59 (inclusive), 62, 70, 77, 79 to 90 (inclusive) and Schedules 1 to 6 (inclusive)

Telecommunications Act 1984

Interception of Communications Act 1985, ss. 1 to 11(3) (inclusive), 12 and Schedule 1

Copyright, Designs and Patents Act 1988, ss. 297, to 299 (inclusive), 304(1), (2), (4)(d), (5), (6) and 305(3)

Broadcasting Act 1990, ss. 1 to 161 (inclusive), 171, 174, 177, 178, 180 to 203 (inclusive), 204(1) to (3) (inclusive), (5), (6), Schedules 1 to 14 (inclusive) and 19 to 22 (inclusive)

TORT (TITLE 71)

Libel Act 1792
Criminal Libel Act 1819
Parliamentary Papers Act 1840
Law Reform (Personal Injuries) Act 1948, s. 2
Occupiers' Liability Act 1957
Criminal Law Act 1967, s. 14
Law Reform (Miscellaneous Provisions) Act 1970, s. 5
Defective Premises Act 1972
Congenital Disabilities (Civil Liability) Act 1976
Torts (Interference with Goods) Act 1977
Administration of Justice Act 1982, s. 2
Occupier's Liability Act 1984

TRADE AND INDUSTRY (TITLE 72)

Weights and Measures Act 1824
Hosiery Act 1843
Essential Commodities Reserves Act 1938
Atomic Energy Act 1946
Statistics of Trade Act 1947
Industrial Organisation and Development Act 1947
Radioactive Substances Act 1948
Trading Representations (Disabled Persons) Act 1958
Radioactive Substances Act 1960
Scrap Metal Dealers Act 1964
Trading Stamps Act 1964
Hairdressers (Registration) Act 1964
Industrial Development Act 1966
Development of Inventions Act 1967
Unsolicited Goods and Services Act 1971, ss. 3, 3A, 5 and 6(2)
Fair Trading Act 1973
Prices Act 1974
Prices Act 1975
Industry Act 1975
Restrictive Trade Practices Act 1976
Resale Prices Act 1976
Energy Act 1976
Industrial Common Ownership Act 1976
Competition Act 1980
English Industrial Estates Corporation Act 1981
Energy Conservation Act 1981
Industrial Development Act 1982
Miscellaneous Financial Provisions Act 1983, ss. 1 and 2
Business Names Act 1985
Export and Investment Guarantees Act 1991

TRUSTS AND SETTLEMENTS (TITLE 73)
Settled Land Act 1925

EXPLANATORY NOTE
(not forming part of the above Order)

This Order disapplies a number of English enactments.

SUBSIDIARY LEGISLATION

REVISED EDITION OF THE LAWS

Commencement and Approval of Volume 6 Order 2000

(S. R. & O. No. 6 of 2000)

Made: 10 February 2000

Published: 16 February 2000

Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 4(4) of the Revised Edition of the Laws Ordinance 1991(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Commencement and Approval of Volume 6 Order 2000 and shall come into force on publication.

Coming into operation of Volume 6

2. Volume 6 of the Revised Edition of the Laws of the Falkland Islands is approved and comes into operation seven days after the publication of this Order in the *Gazette*.

Made this tenth day of February 2000

D A Lamont
Governor

(a) No 17 of 1991 (as amended by No 2 of 1998)



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

25th February 2000

No.3

The following are published in this Supplement -

Registration of Medical Practitioners Order 2000, (S.R. & O. No. 7 of 2000);

**Fishery Products (Hygiene) (Designated Vessels) Order 2000,
(S.R. & O. No. 8 of 2000);**

**No Waiting (General) Regulations Order 2000 (Rectification) Order 2000,
(S.R. & O. No. 9 of 2000).**

SUBSIDIARY LEGISLATION

MEDICINE

Registration of Medical Practitioners Order 2000

S. R. & O. No: 7 of 2000

Made: 16 February 2000

Published: 25 February 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 6(1) of the Medical Practitioners, Midwives and Dentists Ordinance 1914(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Registration of Medical Practitioners Order 2000 and comes into force upon publication in the Gazette but with effect from 16th February 2000.

Registration of medical practitioners

2. The qualification set out in the Schedule to this Order is hereby declared to be a qualification which entitles a person so qualified to registration under the Medical Practitioners, Midwives and Dentists Ordinance 1914 as a medical practitioner.

Made this sixteenth day of February 2000

D A Lamont
Governor

SCHEDULE

A licence entitling the holder thereof to practice medicine in the state of New Jersey, United States of America.

SUBSIDIARY LEGISLATION

FISHERIES

Fishery Products (Hygiene) (Designated Vessels) Order 2000

S. R. & O. No. 8 of 2000

Made: 17 February 2000

Published: 25 February 2000

Coming into force: upon publication

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

Citation and commencement

1. This Order may be cited as the Fishery Products (Hygiene)(Designated Vessels) Order 2000 and comes into force on publication in the *Gazette*.

Designation of vessels

2. The vessels named in the first column of the Schedule to this Order are designated as vessels to which the provisions of the Fishery Products (Hygiene) Ordinance 1998 and all regulations thereunder apply and are assigned the approval numbers set against their names respectively in the second column of that Schedule.

Made this seventeenth day of February 2000

D A Lamont
Governor

SCHEDULE

<i>Vessel name</i>	<i>Approval number</i>
Venturer	1020
Castelo	1021
Argos Vigo	1022

EXPLANATORY NOTE

(not forming part of the above Order)

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

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

No Waiting (General) Regulations Order 2000 (Rectification) Order 2000

S. R. & O. No. 9 of 2000

Made: 22 February 2000

Published: 25 February 2000

Coming into force: on publication

IN EXERCISE of my powers under section 101(1) of the Interpretation and General Clauses Ordinance 1977(a), and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the No Waiting (General) Regulations Order 2000 (Rectification) Order 2000 and shall come into force on 1st March 2000.

Rectification of No Waiting (General) Regulations Order 2000

2. Article 2 of the No Waiting (General) Regulations Order 2000(b) is rectified in the interpretation of “motor vehicle” by deleting the number “24” and replacing it with the number “2”.

Made this 22nd day of February 2000

D G Lang
Attorney General

(a) No 14 of 1977

(b) SR&O No 3 of 2000



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

31st March 2000

No. 4

The following are published in this Supplement -

Explanatory Memorandum - Committees (Access to Information) Bill 2000;

Committees (Access to Information) Bill 2000.

EXPLANATORY MEMORANDUM
Committees (Access to Information) Bill 2000

Introductory

1. This Bill, which, if enacted, is intended to come into force on 1st July 2000 forms the first stage in the implementation of the Falkland Islands Government's policy permitting access to all information, except confidential information, in the possession of Government (the policy as to "the public's right to know"). The Bill relates to committee meetings and committee papers and its provisions borrow to some extent from provisions which have for many years applied in respect of committee meetings and papers in local Government in England.

2. The long title of the Bill reads —

To confer upon the public rights of access to meetings and documents of committees and sub-committees established by the Government, the Falkland Islands Development Corporation or any other public body to which this Ordinance has been applied.

indicates its scope.

The provisions of the Bill

3. Clause 2 of the Bill contains important definitions. For example, the definition of "committee" makes it clear that it is only committees of public bodies controlled by the Government which are within the scope of the Bill (that is to say that the Bill, of course, does not apply for example to committees of voluntary organisations, charities, clubs and the like).

4. Clause 3 states that the general principle (subclause (1)) that a meeting of a committee which is not an "excepted committee" is to be open to the public. By way of exception to the general principle, the public are to be excluded from a meeting of a committee during an item of business in which "confidential information" would be disclosed in breach of an obligation of confidence (clause 3(2)) or when the public are excluded by resolution of the committee during an item of business whenever it is likely that "exempt information" would be disclosed to the public, if they were present. "Confidential information" is defined in clause 2 and "exempt information" is information for the time being specified in Part I of Schedule 2 if it is not prevented from being "exempt information" by the provisions of Part II of Schedule 2. A resolution under clause 3(3) must satisfy the requirements of clause 3(4). Under clause 3(5) public notice of the time and place of a committee meeting would have to be given three clear days at least before the meeting.

5. Clause 4 would require (clause 4(1)) that copies of the agenda for the meeting of a committee and of any report for the meeting except (clause 4(2)) reports in relation to a part of the meeting from which the public are likely to be excluded. The agenda and reports open to inspection are to be so open for at least three clear days before the meeting except where the meeting is convened at shorter than three days notice. Clause 4(4) states the important rule that an item not on the agenda open to inspection by members of the public cannot be considered unless "by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency". A report to a committee which is not open to inspection by the public must be marked "not for publication" and must state

the description of the exempt information by virtue of which the public is likely to be excluded from the committee meeting during consideration of the item of business in question.

6. Clause 5 deals with inspection of minutes and other documents after committee meetings. Clause 5 confers rights upon members of the public to inspect at the Secretariat the minutes or a copy of the minutes of a committee meeting (excluding so much of the minutes as relate to a part of the meeting which was not open to the public), a copy of the agenda for the meeting and a copy of any report prepared for the meeting which relates to any item during which the meeting was open to the public.

7. Clause 6 relates to background papers. Background papers to a report or part of a report open for inspection by members of the public, and a list of such papers, are to be open for inspection by the public for a period of four years beginning with the date of the meeting of the committee to which they relate. A background paper which discloses exempt information is not required to be included in the list and a background paper which discloses confidential information is not to be included in the list. A "background paper" in relation to a report are documents relating to the subject matter of the report discloses any fact or matter on which the report or an important part of the report is based and have been relied upon in preparing the report.

8. Clause 7 confers additional rights for members of the Legislative Council to obtain access to committee papers (i.e. greater than those the public would have).

9. Clause 8(2) contains a number of miscellaneous supplemental provisions (including provision as to the hours during which public inspection is to be permitted of documents), provision as to the supply of copies of documents at a charge and provisions making it an offence to obstruct inspection or to refuse provision of copies of any document which a person would, if the Bill were enacted, be entitled to inspect. It also contains provision in relation to any defamatory material included in any document the public has a right to inspect.

10. Clause 9 enacts Schedule 2 and gives power to the Governor to vary that Schedule.

11. Clause 10 enables the Governor to apply the provisions of the Bill, if enacted, to any public body established by Ordinance.

12. Schedule 1 lists "excepted committees" to which the provisions of the Bill would not apply. In addition to those committees which are listed in Schedule 1, any committee or sub-committee of which no elected member of the Legislative Council is a member and any committee or sub-committee of the Executive Council are also "excepted committees".

13. Schedule 2 relates to exempt information. Part I of the Schedule sets out 15 categories of exempt information. The public would not have any right, under the Bill, to be present during any part of a committee meeting from which they are excluded by resolution because exempt information might be disclosed (clause 3(3)) or to inspect or obtain copies of documents under clause 5 to the extent that they would disclose exempt information. Part II of Schedule 2, however, contains qualifications to Part I - ie rules by relation to which information in one of the categories set out in Part I will not be exempt information. Part III of Schedule 2 contains a number of interpretation provisions in relation to the preceding Parts of that Schedule.

Committees (Access to Information) Bill 2000

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Interpretation
3. Admission of meetings of committees
4. Access to agenda and connected reports
5. Inspection of minutes and other documents after meetings
6. Inspection of background papers
7. Additional rights of access for members of the Legislative Council
8. Supplemental provisions and offences
9. Exempt information and power to vary Schedule 2
10. Extension of Ordinance to other public bodies

Schedule 1

Schedule 2

COMMITTEES (ACCESS TO INFORMATION) BILL 2000

(No: of 2000)

A BILL

for

AN ORDINANCE

To confer upon the public rights of access to meetings and documents of committees and sub-committees established by the Government, the Falkland Islands Development Corporation or any other public body to which this Ordinance has been applied.

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

Short title and commencement

1. This Ordinance may be cited as the Committees (Access to Information) Ordinance 2000 and shall come into force on 1st July 2000.

Interpretation

2. In this Ordinance —

“accessible documents” has the meaning given by section 8(6);

“committee” means any committee established by a public body of which an elected member of the Legislative Council is a member and, subject to the foregoing, includes —

(a) any committee, not being an excepted committee, established by Ordinance or by regulations under any Ordinance;

(b) any committee, not being an excepted committee, established by or under the authority of the Governor, the Legislative Council, the Falkland Islands Development Corporation or any public body to which this Ordinance for the time being extends by reason of an Order made under section 10; and

(c) any sub-committee so established except that it does not include a sub-committee or committee which under this Ordinance is an excepted committee;

“confidential information” means —

(a) information furnished to the committee by —

(i) Her Majesty’s Government in the United Kingdom; or

(ii) by or on behalf of the Governor or by or on behalf of the Commander British Forces,

upon terms, (however expressed) which forbid the disclosure of the information to the public;

(b) information the disclosure of which to the public is prohibited by or under any enactment or by order of the court;

and in relation to the foregoing, the reference in section 3(2) to the obligation of confidence is to be construed accordingly;

“copy”, in relation to any document, includes a copy made from a copy;

“excepted committee” means —

(a) any committee or sub-committee of which no elected member of the Legislative Council is a member;

(b) any committee or sub-committee of the Executive Council;

(c) any committee or sub-committee notified by the Governor in the Gazette as being for the purposes of this Ordinance an excepted committee;

“exempt information” means any information for the time being specified in Part I of Schedule 2 to this Ordinance;

“information” includes an expression of opinion, any recommendations and any decision taken;

“proper officer” means —

(a) in relation to any committee established by the Governor on the advice of the Executive Council, the Financial Secretary or such other officer as is for the time being designated by

the Governor in relation to the committee in question, but the Financial Secretary may delegate the exercise of his functions in relation to any committee to such other public officer, being a member of the staff of the Secretariat, as the Financial Secretary may think fit;

(b) in relation to any committee established by a resolution of the Legislative Council, the Clerk of Councils;

(c) in relation to any committee established by the Falkland Islands Development Corporation, the General Manager of the Corporation or such other employee of the Corporation as is designated by resolution of the Board of the Corporation; and

(d) in relation to any committee established by any other public body to which the provisions of this Ordinance have been applied by the provisions of the Ordinance establishing it or by Order under section 10, such person as is designated by that Ordinance or Order, and if no person is so designated, such person as is designated by resolution of the board or managing committee (however described) of that public body;

“public body” means the Crown in right of the Government of the Falkland Islands, the Falkland Islands Development Corporation and any other body established by the Ordinance specified as a public body for the purposes of this Ordinance by the Ordinance establishing it or by Order under section 10.

Admission to meetings of committees (1972 c. 70 s. 100A)

3.—(1) A meeting of a committee, except a meeting of an excepted committee, shall be open to the public except to the extent that the public is excluded (whether during the whole or part of the proceedings) under subsection (2) or by resolution under subsection (3).

(2) The public shall be excluded from a meeting of a committee during an item of business whenever it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence; and nothing in this Ordinance shall be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.

(3) A committee may by resolution exclude the public from a meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information.

(4) A resolution under subsection (3) shall —

(a) identify the proceedings, or part of the proceedings, to which it applies; and

(b) state the description, in terms of Schedule 2 to this Ordinance, of the exempt information giving rise to the exclusion of the public,

and where such a resolution is passed this section does not require the meeting to be open to the public during proceedings to which the resolution applies.

(5) The following provisions apply in relation to a meeting of a committee —

(a) public notice of the time and place of the meeting shall be given by posting it on the notice board in the foyer of the Secretariat Building, Stanley three clear days at least before the meeting or, if the meeting is reconvened at shorter notice, then at the time it is convened;

(b) while the meeting is open to the public, duly accredited representatives of newspapers and public broadcasting stations shall, so far as practicable be afforded reasonable facilities for taking their report.

(6) Nothing in this section shall require a committee to permit the taking of photographs or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report of the proceedings as they take place.

(7) This section has effect without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

Access to agenda and connected report (1972 c. 70 s. 100B)

4.—(1) Copies of the agenda for a meeting of a committee and, subject to subsection (2), copies of any report for the meeting shall be open to inspection by members of the public at the Secretariat Building Stanley in accordance with subsection (3) of this section.

(2) If the proper officer thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) the whole of any report which, or any part which, relates only to items during which, in his opinion, the meeting is not likely to be open to the public.

(3) Any document which is required by subsection (1) to be open to inspection shall be so open at least three clear days before the meeting, except that —

(a) where the meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened; and

(b) where an item is added to an agenda copies of which are open to inspection by the public, copies of the item (or of the revised agenda), and the copies of any report for the meeting relating to the item, shall be open to inspection from the time the item is added to the agenda;

but nothing in this subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the committee.

(4) An item of business may not be considered at a meeting of a committee unless either —

(a) a copy of the agenda including the item (or copy of the item) is open to inspection by members of the public in pursuance of subsection (1) for at least three clear days before the meeting, or where the meeting is convened at shorter notice, from the time the meeting is convened; or

(b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

(5) Where by virtue of subsection (2) the whole or any part of a report for a meeting is not open to inspection by the public under subsection (1) —

(a) every copy of the report or the part shall be marked “Not for publication”; and

(b) there shall be stated on every copy of the whole or any part of the report the description in terms of Schedule 2 to this Ordinance, of the exempt information by virtue of which the committee is likely to exclude the public during the item to which the report relates.

(6) Where a meeting of a committee is required by section 2 to be open to the public during the proceedings or any part of them, there shall be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda, and subject to subsection (8) of this section, of the reports for the meeting.

(7) There shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper or public broadcasting station —

(a) a copy of the agenda for the meeting of the committee and, subject to subsection (8), a copy of each of the reports for the meeting; and

(b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and

(c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the committee in connection with the item.

(8) Subsection (2) applies in relation to copies of reports provided in pursuance of subsection (6) or (7) as it applies in relation to copies of reports provided in pursuance of subsection (1).

Inspection of minutes and other documents after meetings (1972 c. 70 s. 100C)

5.—(1) After a meeting of a committee the following documents shall be open to inspection by members of the public at the Secretariat Building Stanley until the expiration of the period of six years beginning with the date of the meeting —

(a) the minutes, or a copy of the minutes, of the meeting excluding so much of the minutes of the proceedings during which the meeting was not open to the public as discloses exempt information;

(b) where applicable, a summary under subsection (2);

(c) a copy of the agenda for the meeting; and

(d) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.

(2) Where, in consequence of the exclusion of parts of the minutes which disclose exempt information, the document open to inspection under subsection (1)(a) does not provide members of the public with a reasonably fair and coherent record of the whole or part of the proceedings, the proper officer shall make a written summary of the proceedings or the part, as the case may be, which provides such a record without disclosing the exempt information.

Inspection of background papers (1972 c. 70 s. 100D)

6.—(1) Subject, in the case of section 5 to subsection (2) of this section, if and so long as copies of the whole or part of a report for a meeting of the committee are required by section 4(1) or section 5(1) to be open for inspection by members of the public —

(a) copies of a list, compiled by the proper officer, of the background papers for the report or part of the report; and

(b) at least one copy of each of the documents included in that list,

shall also be open to their inspection at the Secretariat, Stanley.

(2) Subsection (1) of this section does not require a copy of the list, or of any document included in the list, to be open to inspection after the expiration of four years beginning with the date of the meeting.

(3) Where a copy of any of the background papers for a report is required by subsection (1) to be open to inspection by members of the public, the copy shall be taken for the purposes of this Ordinance to be so open if arrangements exist for its production to members of the public as soon as is reasonably practicable after the making of a request to inspect the copy.

(4) Nothing in this section —

(a) requires any document which discloses exempt information to be included in the list referred to in subsection (1); or

(b) without prejudice to the generality of section 3, requires or authorises the inclusion in the list of any document which, if open to inspection by the public, would disclose confidential information in breach of the obligation of confidence, within the meaning of that subsection.

(5) For the purposes of this section the background papers for a report are those documents relating to the subject matter of the report which —

(a) disclose any facts or matters which, in the opinion of the proper officer, the report or an important part of the report is based; and

(b) have in his opinion, been relied upon in preparing the report,

but do not include any published works.

Additional rights of access for members of the Legislative Council (1972 c. 70 s. 100F)

7.—(1) Any document which is in the possession or under the control of a committee and contains material relating to any business to be transacted at the committee shall, subject to subsection (2), be open to inspection by any member of the Legislative Council and by the Attorney General.

(2) Where it appears to the proper officer that a document discloses exempt information of a description for the time being falling within any of paragraph 1 to 6, 9, 11, 12 and 14 of Part I of Schedule 2, subsection (1) of this section does not require the document to be open to inspection.

(3) The Governor after consulting the Executive Council may by Order amend subsection (2) of this section —

(a) by adding to the descriptions of exempt information to which that subsection refers for the time being; and

(b) by removing any description of exempt information to which it refers for the time being.

Supplemental provisions and offences (1972 c. 70 s. 100H)

8.—(1) A document directed by any provision of this Ordinance to be open to public inspection shall be so open between the hours of 8.30am to 11.30am and 1.45pm to 4.00pm on business days.

(2) Where a document is open to inspection by a person under any provision of this Ordinance, the person may, subject to subsection (3) —

(a) make copies of or extracts from the document; or

(b) require the person having custody of the document to supply to him a photographic copy of or extract from the document,

upon payment of such reasonable fee as may be required for the facility.

(3) Subsection (2) does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the Crown in right of the Government of the Falkland Islands, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.

(4) If, without reasonable excuse, a person having the custody of a document which is required by section 4 or section 5 to be open to inspection by the public —

(a) intentionally obstructs any person exercising a right conferred by this Ordinance to inspect, or to make a copy of or extracts from, the document; or

(b) refuses to furnish copies to any person entitled to obtain them under any provision of this Ordinance,

he commits an offence and is liable on conviction to that offence to a fine not exceeding the maximum of level 1 on the standard scale.

(5) Where any accessible document for a meeting to which this subsection applies —

(a) is supplied to, or open to inspection by, a member of the public; or

(b) is supplied for the benefit of any newspaper or public broadcasting station in pursuance of section 4(7),

the publication thereby of any defamatory matter contained in the document shall be privileged unless the publication is proved to be made with malice.

(6) Subsection (5) applies to any meeting of a committee; and, for the purposes of that subsection, the “accessible documents” for a meeting are the following —

(a) any copy of the agenda or of any item included in the agenda for the meeting;

(b) any such further statements or particulars for the purpose of indicating the nature of any item included in the agenda as are mentioned in section 4(7)(b);

(c) any copy of a document relating to such an item which is supplied for the benefit of a newspaper in pursuance of section 4(7)(c);

(d) any copy of the whole or part of a report for a meeting; and

(e) any copy of the whole or part of any background papers for a report for the meeting, within the meaning of section 6.

(7) The rights conferred by this Ordinance to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment.

Exempt information and power to vary Schedule 2 (1972 c.70 s.100I)

9.—(1) The descriptions of information which are, for the purposes of this Ordinance, exempt information are those for the time being specified in Part I of Schedule 2 to this Ordinance, but subject to any qualifications contained in Part II of that Schedule, and Part III has effect for the interpretation of that Schedule.

(2) The Governor after consultation with the Executive Council may by Order vary Schedule 2 by adding to it any description or other provision or by deleting from it or varying any description or other provision for the time being specified or contained in it.

(3) The Governor may exercise the power conferred by subsection (2) by amending any Part of Schedule 2, with or without amendment of any other Part.

Extension of Ordinance to other public bodies

10.—(1) The Governor after consultation with the Executive Council may by Order apply the provisions of this Ordinance to any public body established by Ordinance and specified in such Order.

(2) An Order under this section may contain such incidental and consequential provisions as the Governor thinks fit.

SCHEDULE 1

EXCEPTED COMMITTEES

The following committees are excepted committees for the purposes of this Ordinance —

the Executive Council and any sub-committee of the Executive Council;

the General Purposes Committee;

the Legislative Council;

any committee of the Legislative Council which is by resolution of the Legislative Council for the time being specified as a committee to which this Ordinance shall not apply;

the Advisory Committee on the Prerogative of Mercy;

any committee charged with functions under any regulations for the time being in force under any Order made under the Emergency Powers Act 1939.

SCHEDULE 2

ACCESS TO INFORMATION: EXEMPT INFORMATION

Part I

Descriptions of exempt information

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the public body.
2. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by any public body or body in respect of which a public body has the right to appointment.
3. Information relating to any particular occupier or former occupier of, or accommodation provided by or at the expense of the public body.
4. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
5. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
6. Information relating to the adoption, care, fostering, supervision or education of any particular child.
7. Information relating to the financial or business affairs of any particular person (other than the public body).
8. The amount of any expenditure proposed to be incurred by the public body under any particular contract for the acquisition of property or the supply of goods or services.
9. Any terms proposed or to be proposed by or to the public body in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
10. The amount of financial provision included or proposed to be included in the estimates of revenue and expenditure or budget of the public body in relation to —
 - (a) the acquisition of any property;
 - (b) any proposed contract for the supply to or by the public body of any goods or services;
 - (c) the disposition of any property of the public body; or

- (d) the costs of legal proceedings, current or proposed.
11. Information relating to any consultations or negotiations or contemplated consultations or negotiations, in connection with any labour relations matter arising between the public body and employees of, or office-holders under, the public body.
12. Any request for legal advice made or legal advice received whether orally or in writing and whether in relation to any matter arising in connection with any proceedings or not and any action to be taken or refrained from as a result of any legal advice received.
13. Information which, if disclosed to the public, would reveal that the public body or committee proposes —
- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
15. The identity of a protected informant.

Part II

Qualifications

1. Information relating to a person of a description specified in any of paragraphs 1 to 5 of Part I of this Schedule is not exempt information by virtue of that paragraph unless it relates to an individual of that description in the capacity indicated by the description.
2. Information within paragraph 7 of Part I of this Schedule is not exempt information by virtue of that paragraph if it is required to be registered under —
- (a) the Companies Act 1948 in its application to the Falkland Islands;
 - (b) the Banking Ordinance 1987;
 - (c) the Co-operative Societies Ordinance 1987;
 - (d) the Offshore Minerals Ordinance 1994 or a condition of any licence granted under that Ordinance.
3. Information falling within paragraph 8 of Part I of this Schedule is exempt information if and so long as disclosure to the public of the amount there referred to would be likely to give an

advantage to a person entering into, or seeking to enter into, a contract with the public body in respect of the property, goods or services, whether the advantage would arise as against the public body or as against other such persons.

4. Information falling within paragraph 9 of Part I of this Schedule is exempt information if and so long as disclosure to the public of the amount there referred to would prejudice the public body in those or any other negotiations concerning the property or goods or services.

5. Information falling within paragraph 11 of Part I of this Schedule is exempt information if and so long as disclosure to the public of the information would prejudice the public body in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.

6. Information falling within paragraph 13 of Part I of this Schedule is exempt information if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.

Part III

Interpretation

In this Schedule —

“child” has the same meaning as it has under the Children Ordinance 1994;

“disposal” in relation to property, includes the granting of an interest in or right over it;

“employee” means a person engaged under a contract of service;

“financial or business affairs” includes contemplated, as well as past or current activities;

“labour relations matter” means any matter related to the conditions of service of employees of the public body, including, without prejudice to the generality of the foregoing, remuneration, hours of work, holidays, sick leave, pensions, period of notice to be given, redundancy or proposed redundancy, strikes, withdrawals of labour and grievance procedure;

“office-holder” means the holder of a statutory post or, in relation to the Crown in right of its Government of the Falkland Islands, the holder of any office which is an established office or post for the purposes of the Pensions Ordinance;

“protected informant” means a person giving the public body information which tends to show that —

(a) a criminal offence;

(b) a breach of statutory duty;

(c) a breach of planning control, within the meaning of that phrase under the Planning Ordinance 1991; or

(d) a nuisance,

has been or is about to be committed.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

3rd April 2000

No. 5

The following are published in this Supplement -

**Fishing Licences (Applications and Fees) Regulations Order 1999,
(S.R. & O. No. 10 of 2000);**

The Afghanistan (United Nations Sanctions) (Overseas Territories) Order 1999.

SUBSIDIARY LEGISLATION

FISHERIES

Fishing Licences (Applications and Fees) Regulations Order 1999

S. R. & O. No: 10 of 2000

Made: 30 March 2000

Published: 3 April 2000

Coming into force: on publication

IN EXERCISE of my powers under section 20 of the Fisheries (Conservation and Management) Ordinance 1986(a) and of all other powers enabling me in that behalf, I make the following Order —

Commencement and citation

1.—(1) This Order may be cited as the Fishing Licences (Applications and Fees) Regulations Order 2000 and shall come into operation on the date it is first published in the Gazette and cease to have effect on 31st December 2000.

(2) This Order is hereinafter called “these Regulations” and any paragraph of this Order may be cited as (and is hereafter described as) a regulation bearing the same number as that paragraph and every subparagraph of a paragraph of this Order may be cited as (and is hereafter described as) a paragraph of the same number of the regulation in which it appears.

Application

2. Nothing in these Regulations applies to licences for exploratory or scientific purposes or to fishing within the territorial sea or internal waters.

Interpretation

3. In these Regulations —

“exploratory or scientific purposes” means purposes related to the assessment of the commercial or practical viability of fishing for fish generally or for a particular species of fish or to the assessment or quantification of stocks of any species of fish or fish of any age, stage of maturity or size of a species of fish or the locations in which they or any species of fish or fish of any age, stage of maturity or size may be found;

(a) No 11 of 1986

“FICZ” means the interim conservation and management zone as defined in section 2 of the Fisheries (Conservation and Management) Ordinance 1986;

“FOCZ” means the outer conservation zone as defined in Proclamation 2 of 1990 as varied by Proclamation 1 of 1994;

“fishing licence” means a licence to catch or take fish within the fishing waters;

“the fishing season” means —

(a) in relation to an “L” licence the period commencing on 1st July 2000 and ending 31st December 2000;

(b) in relation to an “R” licence the period commencing on 1st July 2000 and ending on 31st December 2000;

(c) in relation to an “S” licence the period commencing on 1st July 2000 and ending 31st December 2000;

(d) in relation to an “X” licence the period commencing on 1st August 2000 and ending on 31st October 2000;

(e) in relation to a “Y” licence the period commencing on 1st July 2000 and ending on 31st December 2000;

(f) in relation to a “Z” licence the period commencing on 1st July 2000 and ending on 31st December 2000;

“the principal regulations” means the Fishing Regulations Order 1987.

Relationship with principal Regulations

4. For so long as these Regulations are in force such of the provisions of the principal Regulations as are inconsistent with these Regulations shall not be in force, but except as aforesaid the provisions of the principal Regulations remain in force and shall be complied with in addition to those of these Regulations.

Types of Licence

5.—(1) For the purpose of these Regulations there shall be the following categories of licence —

(a) an “L” licence;

(b) an “R” licence;

(c) an “S” licence;

- (d) an "X" licence;
- (e) a "Y" licence; and
- (f) a "Z" licence.

(2) An "L" licence issued under these Regulations shall permit the catching of Toothfish (*Dissostichus eleginoides*).

(3) An "R" licence issued under these Regulations shall permit the catching or taking of all species of the family Skate (*Rajidae*) and shall not permit the taking of other species of finfish or squid of any kind.

(4) An "S" licence issued under these Regulations shall permit the catching or taking of Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).

(5) An "X" licence issued under these Regulations shall authorise the catching or taking of squid of the species *Loligo gahi*.

(6) A "Y" licence issued under these Regulations shall permit the catching or taking of any finfish, that is to say vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case include Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*) or squid of any kind.

(7) A "Z" licence issued under these Regulations shall permit the catching or taking of any finfish except Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*) that is to say a vertebrate fish having a dorsal fin, a ventral or pectoral fin and not in any case including Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*), Skate (*Rajidae*) or squid of any kind:

Provided that a "by-catch" which, in the reasonable opinion of the Director of Fisheries could not reasonably be avoided, shall not be deemed to have been caught or taken without the authority of a licence.

Applications for Licences

6.—(1) Applications for licences in respect of the whole or any part of any fishing season shall be made to the Director of Fisheries at the Falkland Islands Fisheries Department, P.O. Box 598, Stanley, Falkland Islands.

(2) Any application to which paragraph (1) of this regulation relates shall be made so as to be received there by Friday 14th April 2000.

(3) The Director of Fisheries in his discretion may consider an application lodged after the date mentioned in paragraph (2) of this regulation but shall not be bound to do so.

The Schedule and its Tables

7.—(1) Table 1 of the Schedule to these Regulations applies in respect of the fees payable for type “L” licences.

(2) Table 2 of the Schedule to these Regulations applies in respect of the fees payable for type “R” licences.

(3) Table 3 of the Schedule to these Regulations applies in respect of the fees payable for type “S” licences.

(4) Table 4 of the Schedule to these Regulations applies in respect of the fees payable for type “X” licences.

(5) Table 5 of the Schedule to these Regulations applies in respect of the fees payable for type “Y” licences.

(6) Table 6 of the Schedule to these Regulations applies in respect of the fees payable for type “Z” licences.

(7) All fees payable under this regulation shall be paid in pounds Sterling and in accordance with the principal Regulations.

(8) The explanatory notes at the commencement of each Table in the Schedule to these Regulations are for guidance only and shall not have legislative effect.

(9) The fees for transshipment and export licences for the period 1st July 2000 to 31st December 2000 shall be £150 per transshipment operation.

Made this thirtieth day of March 2000

D A Lamont
Governor

THE SCHEDULE

Provision as to fishing licences in respect of the fishing season

TABLE 1

Toothfish - Type "L" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to longliners licensed to take Toothfish (*Dissostichus eleginoides*) only.
3. The season for this type of licence commences on 1st July 2000 and ends on 31st December 2000.
4. Fees set out in this table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

- A. A licence is not transferable.

FEE

Fee payable per licensed month is:

£22,040.00

TABLE 2

Skate - Type "R" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take Skate (*Rajidae*) only.
3. The season for this type of licence commences on 1st July 2000 and ends on 31st December 2000 and will be subject to a closed area and provisions of the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "GT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

FORMULA

Fee payable per licence month is the result of:

$$£(2.2 * GT) + 17776$$

TABLE 3

Finfish only -Species restricted - Type "S" Licence

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers equipped with Surimi factories, licensed to take Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).
3. The season for this type of licence commences on 1st July 2000 and ends on 31st December 2000 and will be subject to the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "GT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

FORMULA

Fee payable per licensed month is the result of:

$$£27.09 \times GT$$

TABLE 4
Squid - Type "X" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take squid of the species *Loligo gahi*.
3. The season for this type of licence commences on 1st August 2000 and ends on 31st October 2000 and is exempt from the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are for the full season.)

Effective text (of legislative effect)

A. In the following Formula, "GT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules.

B. A licence is not transferable.

FORMULA

Fee payable is the result of:

$$£(31.752 * GT) + 56274$$

TABLE 5
Finch only - Type "Y" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the formula set in this Table apply to trawlers licensed to take finfish species with the exception of Toothfish (*Dissostichus eleginoides*), Skate (*Rajidae*) or squid.
3. The season for this type of licence commences on the 1st July 2000 and ends on 31st December 2000 and will be subject to a closed area and the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "GT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

FORMULA

The fee payable per licensed month of fishing is calculated by adding £5,000 to the relevant Finfish (Species Restricted) type "Z" licence fee, taking account of the GT of the vessel.

TABLE 6

Finfish Only - Species Restricted - Type "Z" Licences

(Explanatory notes:

1. These notes are not of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to Trawlers licensed to take all finfish species with the exception of Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*) or squid.
3. The season for this type of licence commences on 1st July 2000 and ends on the 31st December 2000 and will be subject to a closed area and the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "GT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

FORMULA

Fee payable per licensed month is the result of:

$$£(5.709 * GT) + 10030$$

1999 No. 3136

UNITED NATIONS

The Afghanistan (United Nations Sanctions)
(Overseas Territories) Order 1999

<i>Made</i> - - - -	24th November 1999
<i>Laid before Parliament</i>	25th November 1999
<i>Coming into force</i> - -	26th November 1999

At the Court of Buckingham Palace, the 24th day of November 1999

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by a resolution adopted on 15th October 1999, called upon Her Majesty's Government in the United Kingdom and all other States to apply certain measures to give effect to a decision of that Council in relation to Afghanistan:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement, operation and extent

1.—(1) This Order may be cited as the Afghanistan (United Nations Sanctions) (Overseas Territories) Order 1999 and shall come into force on 26th November 1999.

(2) If, after the making of this Order, the Security Council of the United Nations takes a decision which has the effect of cancelling, amending or suspending the operation of the resolution adopted by it on 15th October 1999, this Order shall be amended, cease to have effect or its operation shall be suspended, as the case may be, in accordance with that decision; and particulars of that decision shall be published by the Governor in a notice in the official gazette of the Territory.

(3)(a) This Order shall extend to the territories listed in Schedule 2 to this Order.

(b) In the application of this Order to any of the said territories the expression "the Territory" in this Order means that territory.

Interpretation

2.—(1) In this Order the following expressions have, except where otherwise expressly provided, the meanings hereby respectively assigned to them, that is to say—

"commander", in relation to an aircraft, means the member of the flight crew designated as commander of the aircraft by the operator thereof, or, failing such a person, the person who is for the time being the pilot in command of the aircraft;

“funds” means financial assets and economic benefits of any kind, including, but not necessarily limited to, cash, cheques, claims on money, drafts, money orders and other payment instruments; deposits with financial institutions or other entities, balances on accounts, debts and debt obligations; publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, derivatives contracts; interest, dividends or other income on or value accruing from or generated by assets; credit, right of set-off, guarantees, performance bonds or other financial commitments; letters of credit, bills of lading, bills of sale; documents evidencing an interest in funds or financial resources, and any other instrument of export-financing;

“operator”, in relation to an aircraft, means the person for the time being having the management of the aircraft;

“the Sanctions Committee” means the Committee of the Security Council of the United Nations established by paragraph 6 of the resolution mentioned above;

“the Taliban” means the Afghan political faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan.

Prohibition of Flights

3.—(1) Except under the authority of a written licence granted by the Governor under this article no aircraft, wherever registered, shall take off from or land in the Territory if it is owned, leased or operated by or on behalf of the Taliban.

(2) This article applies to any aircraft owned, leased or operated by or on behalf of the Taliban as designated by the Sanctions Committee; and particulars of any such designation shall be published by the Governor in the official gazette of the Territory.

(3) If any aircraft is used in contravention of the provisions of this article, then the operator and the commander of the aircraft shall be guilty of an offence against this Order.

Assets of the Taliban

4.—(1) Except under the authority of a written licence granted by or on behalf of the Governor under this article, no person shall make any funds to which this article applies available to or for the benefit of the Taliban or any such undertaking.

(2) This article applies to any funds owned or controlled directly or indirectly by the Taliban, or by an undertaking owned or controlled by the Taliban, as designated by the Sanctions Committee; and particulars of any such designation shall be published by the Governor in the official gazette of the Territory.

Application of article 4

5.—(1) The provisions of article 4 of this Order shall apply to any person within the Territory and to any person elsewhere who—

(a) is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British protected person or a British National (Overseas), and is ordinarily resident in the Territory; or

(b) is a body incorporated or constituted under the law of any part of the Territory.

(2) Any person specified in paragraph (1) of this article who contravenes the provisions of article 4 of this Order shall be guilty of an offence under this Order.

Offences in connection with applications for licences, conditions attaching to licences, etc.

6.—(1) If for the purposes of obtaining any licence under this Order any person makes any statement or furnishes any document or information which to his knowledge is false in a material particular or recklessly makes any statement or furnishes any document or information which is false in a material particular he shall be guilty of an offence under this Order.

(2) Any person who has done any act under the authority of a licence granted by the Governor under this Order and who fails to comply with any condition attaching to that licence shall be guilty of an offence under this Order:

Provided that no person shall be guilty of an offence under this paragraph where he proves that the condition with which he failed to comply was modified, otherwise than with his consent, by the Governor after the doing of the act authorised by the licence.

Obtaining of evidence and information

7. The provisions of Schedule 1 to this Order shall have effect in order to facilitate the obtaining, by or on behalf of the Governor, of information for the purpose of securing compliance with or detecting evasion of this Order.

Penalties and Proceedings

8.—(1) Any person guilty of an offence under article 3(2) of this Order shall be liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both; or
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(2) Any person guilty of an offence under article 5(2) of this Order shall be liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding seven years or to a fine or to both; or
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(3) Any person guilty of an offence under article 6(1) or 6(2) of this Order shall be liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or both;
- (b) on summary conviction to a fine not exceeding £5,000 or its equivalent.

(4) Any person guilty of an offence under paragraph 3(a) of Schedule 1 to this Order shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(5) Any person guilty of an offence under paragraph 3(b) or (c) of Schedule 1 to this order shall be liable:

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both;
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.

(6) Where any body corporate is guilty of an offence under this Order, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(7) Summary proceedings for an offence under this Order, being an offence alleged to have been committed outside the Territory, may be instituted at any time not later than 12 months from the date on which the person charged first enters the Territory after committing the offence.

(8) Proceedings against any person for an offence under this Order may be taken before the appropriate court in the Territory having jurisdiction in the place where that person is for the time being.

(9) No proceedings for an offence under this Order shall be instituted in the Territory except by or with the consent of the principal public officer of the Territory having responsibility for criminal prosecutions:

Provided that this paragraph shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remand in custody or on bail of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained.

Excise of Powers of the Governor

9.—(1) The Governor may to such extent and subject to such restrictions and conditions as he may think proper, delegate or authorise the delegation of any of his powers under this Order to any person, or class or description of persons, approved by him, and references in this Order to the Governor shall be construed accordingly.

(2) Any licences granted under this Order may be either general or special, may be subject to or without conditions, may be limited so as to expire on a specified date unless renewed and may be varied or revoked by the authority that granted them.

Miscellaneous

10.—(1) Any provision of this Order which prohibits the doing of a thing except under the authority of a licence granted by the Governor shall not have effect in relation to any such thing done anywhere other than the Territory provided that it is duly authorised.

(2) A thing is duly authorised for the purpose of paragraph (1) of this article if it is done under the authority of a licence granted in accordance with any law in force in the place where it is done (being a law substantially corresponding to the relevant provisions of this Order) by the authority competent in that behalf under that law.

A. K. Galloway
Clerk of the Privy Council

EVIDENCE AND INFORMATION

1.—(1) Without prejudice to any other provision of this Order, or any provision of any other law, the Governor may request any person in or resident in the Territory to furnish to him any information in his possession or control, or to produce to him any document in his possession or control, which he may require for the purpose of securing compliance with or detecting evasion of this Order: and any person to whom such a request is made shall comply with it within such time and in such manner as may be specified in the request.

(2) Nothing in the foregoing sub-paragraph shall be taken to require any person who has acted as counsel or solicitor for any person to disclose any privileged communication made to him in that capacity.

(3) Where a person is convicted of failing to furnish information or produce a document when requested so to do under this paragraph, the court may make an order requiring him, within such period as may be specified in the order, to furnish the information or produce the document.

(4) The power conferred by this paragraph to request any person to produce documents shall include power to take copies of or extracts from any document so produced and to request that person, or, where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of any of them.

2. No information furnished or document produced (including any copy of, or extract from, any document produced) by any person in pursuance of a request made under this Schedule shall be disclosed except—

- (a) with the consent of the person by whom the information was furnished or the document was produced or the person from whom the document was seized: provided that a person who has obtained information or is in possession of a document only in his capacity as servant or agent of another person may not give consent for the purposes of this sub-paragraph but such consent may instead be given by any person who is entitled to that information or to the possession of that document in his own right; or
- (b) to any person who would have been empowered under this Schedule to request that it be furnished or produced or any person holding or acting in any office under or in the service of the Crown in respect of the Government of the United Kingdom or under or in the services of the Government of any territory to which this Order extends; or
- (c) on the authority of the Secretary of State, to any organ of the United Nations or to any person in the service of the United Nations or to the Government of any other country for the purpose of assisting the United Nations or that Government in securing compliance with or detecting evasion of measures in relation to Afghanistan decided upon by the Security Council of the United Nations; or
- (d) with a view to the institution of, or otherwise for the purposes of, any proceedings for an offence under this Order.

3. Any person who—

- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request made under this Schedule by any person who is empowered to make it; or
- (b) wilfully furnishes false information or a false explanation to any person exercising his powers under this Schedule; or
- (c) with intent to evade the provisions of this Schedule, destroys, mutilates, defaces, secretes or removes any document,

shall be guilty of an offence under this Order.

SCHEDULE 2

Article 1(3)(a)

TERRITORIES TO WHICH THE ORDER EXTENDS

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
British Virgin Islands
Cayman Islands
Falkland Islands
Gibraltar
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St Helena
St Helena Dependencies
South Georgia and the South Sandwich Islands
Turks and Caicos Islands
The UK Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under the United Nations Act 1946, imposes restrictions pursuant to a decision of the Security Council of the United Nations in resolution 1267 of 15th October 1999 by prohibiting any aircraft from taking off from or landing in the territories specified in Schedule 2 if it is owned, leased or operated by or on behalf of the Taliban. It also freezes assets of the Taliban or any undertaking owned or controlled by the Taliban.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

1st May 2000

No. 6

The following are published in this Supplement -

Appropriation Ordinance 2000;

Finance Ordinance 2000;

Supplementary Appropriation (1999-2000) Ordinance 2000;

Committees (Access to Information) Ordinance 2000;

Crimes (Amendment) Ordinance 2000;

Police Ordinance 2000.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Appropriation Ordinance 2000

(No: 1 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of £45,252,570 for the service of the year 2000/2001

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

APPROPRIATION ORDINANCE 2000

(No. 1 of 2000)

(assented to: 25 April 2000)

(commencement: upon publication)

(published: 1 May 2000)

AN ORDINANCE

To provide for the service of the financial year commencing on 1 July 2000 and ending on 30 June 2001.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Appropriation Ordinance 2000.

Appropriation of £45,252,570 for the service of the year 2000/2001

2. The Financial Secretary may cause to be issued out of the Consolidated Fund and applied to the service of the year commencing on 1 July 2000 and ending on 30 June 2001 (“the financial year”), sums not exceeding in aggregate the sum of FORTY FIVE MILLION TWO HUNDRED AND FIFTY TWO THOUSAND FIVE HUNDRED AND SEVENTY POUNDS (£45,252,570) which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto and which will come in course of payment during the financial year.

SCHEDULE

NUMBER	HEAD OF SERVICE	Total Operating Budget	<u>Less</u> Internal Charges	Operating Budget net of Internal Charges
		£	£	£
PART I OPERATING BUDGET				
100	Aviation	1,826,400	25,500	1,800,900
150	Posts & Telecommunications	368,300	14,000	354,300
200	Health & Social Services	3,028,800	146,400	2,882,400
250	Education & Training	3,443,200	113,400	3,329,800
300	Customs & Immigration	241,100	700	240,400
320	Fisheries	6,313,600	676,600	5,637,000
350	Public Works Department	6,529,000	266,400	6,262,600
390	Fox Bay Village	136,000	600	135,400
400	Agriculture	1,103,000	27,800	1,075,200
450	Justice	523,800	2,500	521,300
453	Court Services	162,600	500	162,100
500	Falkland Islands Defence Force	410,600	16,900	393,700
551	Police & Prisons	562,100	12,200	549,900
552	Fire & Rescue Service	180,800	12,800	168,000
600	Central Administration & Current Reserves	3,758,100	87,939	3,670,161
603	Investment Income & Public Debt	283,300	0	283,300
609	Taxation	536,300	2,300	534,000
620	Department of Mineral Resources	567,600	3,100	564,500
750	The Governor	155,800	4,200	151,600
800	Legislature	295,500	4,600	290,900
850	Falkland Islands Government Office - London	495,600	0	495,600
TOTAL OPERATING BUDGET		30,921,500	1,418,439	29,503,061
PART II CAPITAL BUDGET				
950	Programmed Expenditure for 2000/2001	12,887,499		
	Underspend from 1999/2000	2,862,010		15,749,509
TOTAL EXPENDITURE				45,252,570

Passed by the Legislature of the Falkland Islands this 14th day of April 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Finance Ordinance 2000

(No. 2 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of Road Traffic Ordinance
3. Amendment of Family Allowances Ordinance 1960
4. Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996
5. Amendment of Harbour Regulations
6. Amendment of Cruise Ships Ordinance 1998
7. Amendment of Post Office Order 1981

Schedule

- Part I - Section 3 of the Family Allowances Ordinance 1960
- Part II - First Schedule to the Post Office Order 1981
- Part III - Third Schedule to the Post Office Order 1981

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FINANCE ORDINANCE 2000

(No. 2 of 2000)

(assented to: 25 April 2000)
(commencement: upon publication)
(published: 1 May 2000)

AN ORDINANCE

To amend the Cruise Ships Ordinance 1998, the Family Allowances Ordinance 1960, the Road Traffic Ordinance, the Harbours Regulations, the Retirement Pensions (Prescribed Rates) Regulations 1996 and the Post Office Order 1981.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Finance Ordinance 2000.

Amendment of Road Traffic Ordinance

2. The Road Traffic Ordinance(a) is amended with effect from 1 July 2000 —

- (a) in section 4(1)(a) by replacing “£26” with “£30”;
- (b) in section 4(1)(b) by replacing “£60” with “£70”;
- (c) in section 4(1)(c) by replacing “£95” with “£110”; and
- (d) in section 4(1)(d) by replacing “£22” with “£25”.

(a) Laws of the Falkland Islands Cap. 60

Amendment of Family Allowances Ordinance 1960

3.—(1) Section 3 of the Family Allowances Ordinance 1960(b) is repealed and replaced with the section set out in Part I of the Schedule to this Ordinance.

(2) Subsections (1) and (2) of the section set out in Part I of the Schedule to this Ordinance shall come into force upon publication.

(3) The remaining subsections of the section set out in Part I of the Schedule to this Ordinance shall be deemed to have come into force on 1 July 1995.

Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996

4. The Retirement Pensions (Prescribed Rates) Regulations 1996(c) are amended with effect from 1st January 2001 —

(a) in regulation 3(a), by replacing “£86.00” with “£90.00” (standard weekly rate of pension);

(b) in regulation 3(b), by replacing “£48.50” with “£50.50” (married couple’s weekly supplement);

(c) in regulation 5(1)(a), by replacing “£6.00” with “£7.00” (weekly contribution by employee);

(d) in regulation 5(1)(b), by replacing “£12.00” with “£14.00” (weekly contribution by self-employed person);

(e) in regulation 5(2), by replacing “£6.00” with “£7.00” (weekly contribution by employer);

(f) in regulation 5(3)(a), by replacing “£12.00” with “£14.00” (weekly voluntary contribution by resident);

(g) in regulation 5(3)(b), by replacing “£18.30” with “£19.20” (weekly voluntary contribution by non-resident);

(h) in regulation 5(4), by replacing “£12.00” with “£14.00” (weekly assisted contribution payable by the Government); and

(i) in regulation 6, by replacing “£60.00” with “£70.00” (weekly earnings limit).

Amendment of Harbour Regulations

5. The Harbour Regulations(d) are amended with effect from 1 January 2001 by replacing paragraph (1) of Schedule III of the Harbour Regulations as follows —

(b) No 9 of 1960

(c) SR&O No 39 of 1996

(d) Laws of the Falkland Islands Cap. 30

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

	£
Yachts	50
Vessels under 15 tons	55
Vessels of 15 tons and up to 30 tons	90
Vessels of over 30 tons and up to 50 tons	175
Vessels of over 50 tons and up to 800 tons	250
Vessels of over 800 tons and up to 1000 tons	325
Vessels of over 1000 tons and up to 1500 tons	375
Vessels of over 1500 tons and up to 2000 tons	450
Vessels of over 2000 tons and up to 5000 tons	550
Vessels of over 5000 tons and up to 7000 tons	675
Vessels of over 7000 tons and up to 10000 tons	1000
Vessels of over 10000 tons and up to 15000 tons	1250
Vessels of over 15000 tons and up to 20000 tons	1450
Vessels of over 20000 tons	1700

but notwithstanding the foregoing, locally registered vessels normally employed in trading shall be exempt from payment of the foregoing dues.”

Amendment of Cruise Ships Ordinance 1998

6. With effect from 1 October 2000, section 3(2) of the Cruise Ships Ordinance 1998(e) is repealed.

Amendment of Post Office Order 1981

7.—(1) The First Schedule to the Post Office Order 1981(f) is replaced with the Schedule set out in Part II of the Schedule to this Ordinance.

(2) The Third Schedule to the Post Office Order 1981 is replaced with the Schedule set out in Part III of the Schedule to this Ordinance

(3) This section comes into force on 1 July 2000.

(e) No 23 of 1998

(f) SR&O No 1 of 1981 as amended by SR&O No 12 of 1999

SCHEDULE

Part I

Section 3 of the Family Allowances Ordinance 1960

(section 3)

“Direction for payment and amount, of allowance

3.—(1) The Financial Secretary shall from time to time pay to the Superintendent out of the Consolidated Fund such sums as may be necessary to enable the Superintendent to pay the allowances directed by this Ordinance to be paid by him.

(2) The Superintendent shall pay for each child of a family an allowance at the rate of £52.00 per month.

(3) Subject to the following provisions of this section, no allowance shall be payable under the foregoing provisions of this section in respect of any child who has not been ordinarily resident in the Falkland Islands during the six months immediately preceding the payment in question.

(4) For the purposes of subsection (3) —

(a) a child born in the Falkland Islands shall be deemed to have been ordinarily resident in the Falkland Islands for the period of six months immediately preceding his birth; and

(b) a child born outside the Falkland Islands shall be deemed to have been ordinarily resident in the Falkland Islands for the period of six months immediately preceding his birth if at the time of his birth his mother was ordinarily resident in the Falkland Islands.

(5) Where, in respect of any child, an allowance is by reason only of subsection (3) not payable in relation to any period, an allowance shall be payable in respect of that period as soon as the child has been ordinarily resident in the Falkland Islands for six months.

(6) Notwithstanding any foregoing provision of this section, no allowance shall be payable under this section in respect of a child living as part of a household in respect of which any income of any member of that household is, by reason of —

(a) a provision of any law of the Falkland Islands (other than in relation to the amount), or

(b) any extra statutory concession granted by the Commissioner of Taxation,

exempted from liability to pay Falkland Islands income tax.”

Part II
First Schedule to Post Office Order 1981

(section 7(1))

“FIRST SCHEDULE

AIRMAIL RATES - TO ALL COUNTRIES

Letters	43p first 20gm 25p each additional 10gm
Small Packets and Printed Papers	33p first 20gm 15p each additional 10gm
Printed Papers (Registered with Post Office)	30p first 20gm 15p each additional 10gm
Postcard	37p
Aerograms (Plain)	40p
Aerograms (Illustrated)	52p.”

Part III
Third Schedule to Post Office Order 1981

(section 7(2))

“THIRD SCHEDULE

INLAND RATES

Letters	20p first 20gm 15p each additional 50gm
Printed Papers/Small Packets	10p first 20gm 7p each additional 50gm
Postcard	15p

FIGAS freight rates and conditions will be applied to parcels accepted for internal air mail, the minimum charge being £1.00.”

Passed by the Legislature of the Falkland Islands this 14th day of April 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Supplementary Appropriation (1999-2000) Ordinance 2000

(No. 3 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum
3. Replenishment of Contingencies Fund

Schedule 1

Schedule 2

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (1999-2000) ORDINANCE 2000

(No. 3 of 2000)

(assented to: 25 April 2000)
(commencement: upon publication)
(published: 1 May 2000)

AN ORDINANCE

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £1,125,180 for the service of the financial year ending on 30 June 2000.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Supplementary Appropriation (1999-2000) Ordinance 2000.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedules cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 1999 and ending on 30 June 2000 (“the financial year”) the further sum of £1,125,180 in addition to sums already appropriated by Ordinance.

Replenishment of Contingencies Fund

3. The Financial Secretary shall out of the sum appropriated by section 2 replenish the Contingencies Fund to the extent that sums specified in Schedule 1, prior to the commencement of this Ordinance, have been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant Numbers 7 to 9 of 1999-2000 (the authority of which lapses on the commencement of this Ordinance).

SCHEDULE 1

PART I OPERATING EXPENDITURE

	£
200 Health & Social Services	48,000
320 Fisheries	18,000
350 Public Works Department	135,000
390 Fox Bay Village	40,000
450 Justice	19,000
600 Central Administration	37,940
800 Legislature	2,500
TOTAL OPERATING EXPENDITURE	300,440

PART II CAPITAL EXPENDITURE

950 Capital	646,740
TOTAL SUPPLEMENTARY EXPENDITURE	947,180

SCHEDULE 2

PART I OPERATING EXPENDITURE

	£
200 Health & Social Services	70,000
800 Legislature	5,000
TOTAL OPERATING EXPENDITURE	75,000

PART II CAPITAL EXPENDITURE

950 Capital	103,000
TOTAL SUPPLEMENTARY EXPENDITURE	178,000

Passed by the Legislature of the Falkland Islands this 14th day of April 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Committees (Access to Information) Ordinance 2000

(No. 4 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Interpretation
3. Admission of meetings of committees
4. Access to agenda and connected reports
5. Inspection of minutes and other documents after meetings
6. Inspection of background papers
7. Additional rights of access for members of the Legislative Council
8. Supplemental provisions and offences
9. Exempt information and power to vary Schedule 2
10. Extension of Ordinance to other public bodies

Schedule 1

Schedule 2

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

COMMITTEES (ACCESS TO INFORMATION) ORDINANCE 2000

(No: 4 of 2000)

(assented to: 25 April 2000)
(commencement: 1 July 2000)
(published: 1 May 2000)

AN ORDINANCE

To confer upon the public rights of access to meetings and documents of committees and sub-committees established by the Government, the Falkland Islands Development Corporation or any other public body to which this Ordinance has been applied.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Committees (Access to Information) Ordinance 2000 and shall come into force on 1st July 2000.

Interpretation

2. In this Ordinance —

“accessible documents” has the meaning given by section 8(6);

“committee” means any committee established by a public body of which an elected member of the Legislative Council is a member and, subject to the foregoing, includes —

(a) any committee, not being an excepted committee, established by Ordinance or by regulations under any Ordinance;

(b) any committee, not being an excepted committee, established by or under the authority of the Governor, the Legislative Council, the Falkland Islands Development Corporation or any public body to which this Ordinance for the time being extends by reason of an Order made under section 10; and

(c) any sub-committee so established except that it does not include a sub-committee or committee which under this Ordinance is an excepted committee;

“confidential information” means —

(a) information furnished to the committee by —

(i) Her Majesty’s Government in the United Kingdom; or

(ii) by or on behalf of the Governor or by or on behalf of the Commander British Forces, upon terms, (however expressed) which forbid the disclosure of the information to the public;

(b) information the disclosure of which to the public is prohibited by or under any enactment or by order of the court;

and in relation to the foregoing, the reference in section 3(2) to the obligation of confidence is to be construed accordingly;

“copy”, in relation to any document, includes a copy made from a copy;

“excepted committee” means —

(a) any committee or sub-committee of which no elected member of the Legislative Council is a member;

(b) any committee or sub-committee of the Executive Council;

(c) any committee or sub-committee notified by the Governor in the Gazette as being for the purposes of this Ordinance an excepted committee;

“exempt information” means any information for the time being specified in Part I of Schedule 2 to this Ordinance;

“information” includes an expression of opinion, any recommendations and any decision taken;

“proper officer” means —

(a) in relation to any committee established by the Governor on the advice of the Executive Council, the Chief Executive or such other officer as is for the time being designated by the

Governor in relation to the committee in question, but the Chief Executive may delegate the exercise of his functions in relation to any committee to such other public officer, being a member of the staff of the Secretariat, as the Chief Executive may think fit;

(b) in relation to any committee established by a resolution of the Legislative Council, the Clerk of Councils;

(c) in relation to any committee established by the Falkland Islands Development Corporation, the General Manager of the Corporation or such other employee of the Corporation as is designated by resolution of the Board of the Corporation; and

(d) in relation to any committee established by any other public body to which the provisions of this Ordinance have been applied by the provisions of the Ordinance establishing it or by Order under section 10, such person as is designated by that Ordinance or Order, and if no person is so designated, such person as is designated by resolution of the board or managing committee (however described) of that public body;

“public body” means the Crown in right of the Government of the Falkland Islands, the Falkland Islands Development Corporation and any other body established by the Ordinance specified as a public body for the purposes of this Ordinance by the Ordinance establishing it or by Order under section 10.

Admission to meetings of committees (1972 c.70 s.100A)

3.—(1) A meeting of a committee, except a meeting of an excepted committee, shall be open to the public except to the extent that the public is excluded (whether during the whole or part of the proceedings) under subsection (2) or by resolution under subsection (3).

(2) The public shall be excluded from a meeting of a committee during an item of business whenever it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence; and nothing in this Ordinance shall be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.

(3) A committee may by resolution exclude the public from a meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information.

(4) A resolution under subsection (3) shall —

(a) identify the proceedings, or part of the proceedings, to which it applies; and

(b) state the description, in terms of Schedule 2 to this Ordinance, of the exempt information giving rise to the exclusion of the public,

and where such a resolution is passed this section does not require the meeting to be open to the public during proceedings to which the resolution applies.

(5) The following provisions apply in relation to a meeting of a committee —

(a) public notice of the time and place of the meeting shall be given by posting it on the notice board in the foyer of the Secretariat Building, Stanley three clear days at least before the meeting or, if the meeting is reconvened at shorter notice, then at the time it is convened;

(b) while the meeting is open to the public, duly accredited representatives of newspapers and public broadcasting stations shall, so far as practicable be afforded reasonable facilities for taking their report.

(6) Nothing in this section shall require a committee to permit the taking of photographs or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report of the proceedings as they take place.

(7) This section has effect without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

Access to agenda and connected report (1972 c.70 s.100B)

4.—(1) Copies of the agenda for a meeting of a committee and, subject to subsection (2), copies of any report for the meeting shall be open to inspection by members of the public at the Secretariat Building Stanley in accordance with subsection (3) of this section.

(2) If the proper officer thinks fit, there may be excluded from the copies of reports provided in pursuance of subsection (1) the whole of any report which, or any part which, relates only to items during which, in his opinion, the meeting is not likely to be open to the public.

(3) Any document which is required by subsection (1) to be open to inspection shall be so open at least three clear days before the meeting, except that —

(a) where the meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened; and

(b) where an item is added to an agenda copies of which are open to inspection by the public, copies of the item (or of the revised agenda), and the copies of any report for the meeting relating to the item, shall be open to inspection from the time the item is added to the agenda;

but nothing in this subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the committee.

(4) An item of business may not be considered at a meeting of a committee unless either —

(a) a copy of the agenda including the item (or copy of the item) is open to inspection by members of the public in pursuance of subsection (1) for at least three clear days before the meeting, or where the meeting is convened at shorter notice, from the time the meeting is convened; or

(b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

(5) Where by virtue of subsection (2) the whole or any part of a report for a meeting is not open to inspection by the public under subsection (1) —

(a) every copy of the report or the part shall be marked “Not for publication”; and

(b) there shall be stated on every copy of the whole or any part of the report the description in terms of Schedule 2 to this Ordinance, of the exempt information by virtue of which the committee is likely to exclude the public during the item to which the report relates.

(6) Where a meeting of a committee is required by section 2 to be open to the public during the proceedings or any part of them, there shall be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda, and subject to subsection (8) of this section, of the reports for the meeting.

(7) There shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper or public broadcasting station —

(a) a copy of the agenda for the meeting of the committee and, subject to subsection (8), a copy of each of the reports for the meeting; and

(b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda; and

(c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the committee in connection with the item.

(8) Subsection (2) applies in relation to copies of reports provided in pursuance of subsection (6) or (7) as it applies in relation to copies of reports provided in pursuance of subsection (1).

Inspection of minutes and other documents after meetings (1972 c.70 s.100C)

5.—(1) After a meeting of a committee the following documents shall be open to inspection by members of the public at the Secretariat Building Stanley until the expiration of the period of six years beginning with the date of the meeting —

(a) the minutes, or a copy of the minutes, of the meeting excluding so much of the minutes of the proceedings during which the meeting was not open to the public as discloses exempt information;

(b) where applicable, a summary under subsection (2);

(c) a copy of the agenda for the meeting; and

(d) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.

(2) Where, in consequence of the exclusion of parts of the minutes which disclose exempt information, the document open to inspection under subsection (1)(a) does not provide members of the public with a reasonably fair and coherent record of the whole or part of the proceedings, the proper officer shall make a written summary of the proceedings or the part, as the case may be, which provides such a record without disclosing the exempt information.

Inspection of background papers (1972 c. 70 s. 100D)

6.—(1) Subject, in the case of section 5 to subsection (2) of this section, if and so long as copies of the whole or part of a report for a meeting of the committee are required by section 4(1) or section 5(1) to be open for inspection by members of the public —

(a) copies of a list, compiled by the proper officer, of the background papers for the report or part of the report; and

(b) at least one copy of each of the documents included in that list,

shall also be open to their inspection at the Secretariat, Stanley.

(2) Subsection (1) of this section does not require a copy of the list, or of any document included in the list, to be open to inspection after the expiration of four years beginning with the date of the meeting.

(3) Where a copy of any of the background papers for a report is required by subsection (1) to be open to inspection by members of the public, the copy shall be taken for the purposes of this Ordinance to be so open if arrangements exist for its production to members of the public as soon as is reasonably practicable after the making of a request to inspect the copy.

(4) Nothing in this section —

(a) requires any document which discloses exempt information to be included in the list referred to in subsection (1); or

(b) without prejudice to the generality of section 3, requires or authorises the inclusion in the list of any document which, if open to inspection by the public, would disclose confidential information in breach of the obligation of confidence, within the meaning of that subsection.

(5) For the purposes of this section the background papers for a report are those documents relating to the subject matter of the report which —

(a) disclose any facts or matters which, in the opinion of the proper officer, the report or an important part of the report is based; and

(b) have in his opinion, been relied upon in preparing the report,

but do not include any published works.

Additional rights of access for members of the Legislative Council (1972 c.70 s.100F)

7.—(1) Any document which is in the possession or under the control of a committee and contains material relating to any business to be transacted at the committee shall, subject to subsection (2), be open to inspection by any member of the Legislative Council and by the Attorney General.

(2) Where it appears to the proper officer that a document discloses exempt information of a description for the time being falling within any of paragraph 1 to 6, 9, 11, 12 and 14 of Part I of Schedule 2, subsection (1) of this section does not require the document to be open to inspection.

(3) The Governor after consulting the Executive Council may by Order amend subsection (2) of this section —

(a) by adding to the descriptions of exempt information to which that subsection refers for the time being; and

(b) by removing any description of exempt information to which it refers for the time being.

Supplemental provisions and offences (1972 c.70 s.100H)

8.—(1) A document directed by any provision of this Ordinance to be open to public inspection shall be so open between the hours of 8.30am to 11.30am and 1.45pm to 4.00pm on business days.

(2) Where a document is open to inspection by a person under any provision of this Ordinance, the person may, subject to subsection (3) —

(a) make copies of or extracts from the document; or

(b) require the person having custody of the document to supply to him a photographic copy of or extract from the document,

upon payment of such reasonable fee as may be required for the facility.

(3) Subsection (2) does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the Crown in right of the Government of the Falkland Islands, nothing done in pursuance of that subsection shall constitute an infringement of the copyright.

(4) If, without reasonable excuse, a person having the custody of a document which is required by section 4 or section 5 to be open to inspection by the public —

(a) intentionally obstructs any person exercising a right conferred by this Ordinance to inspect, or to make a copy of or extracts from, the document; or

(b) refuses to furnish copies to any person entitled to obtain them under any provision of this Ordinance,

he commits an offence and is liable on conviction to that offence to a fine not exceeding the maximum of level 1 on the standard scale.

(5) Where any accessible document for a meeting to which this subsection applies —

(a) is supplied to, or open to inspection by, a member of the public; or

(b) is supplied for the benefit of any newspaper or public broadcasting station in pursuance of section 4(7),

the publication thereby of any defamatory matter contained in the document shall be privileged unless the publication is proved to be made with malice.

(6) Subsection (5) applies to any meeting of a committee; and, for the purposes of that subsection, the “accessible documents” for a meeting are the following —

(a) any copy of the agenda or of any item included in the agenda for the meeting;

(b) any such further statements or particulars for the purpose of indicating the nature of any item included in the agenda as are mentioned in section 4(7)(b);

(c) any copy of a document relating to such an item which is supplied for the benefit of a newspaper in pursuance of section 4(7)(c);

(d) any copy of the whole or part of a report for a meeting; and

(e) any copy of the whole or part of any background papers for a report for the meeting, within the meaning of section 6.

(7) The rights conferred by this Ordinance to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment.

Exempt information and power to vary Schedule 2 (1972 c.70 s.100J)

9.—(1) The descriptions of information which are, for the purposes of this Ordinance, exempt information are those for the time being specified in Part I of Schedule 2 to this Ordinance, but subject to any qualifications contained in Part II of that Schedule, and Part III has effect for the interpretation of that Schedule.

(2) The Governor after consultation with the Executive Council may by Order vary Schedule 2 by adding to it any description or other provision or by deleting from it or varying any description or other provision for the time being specified or contained in it.

(3) The Governor may exercise the power conferred by subsection (2) by amending any Part of Schedule 2, with or without amendment of any other Part.

Extension of Ordinance to other public bodies

10.—(1) The Governor after consultation with the Executive Council may by Order apply the provisions of this Ordinance to any public body established by Ordinance and specified in such Order.

(2) An Order under this section may contain such incidental and consequential provisions as the Governor thinks fit.

SCHEDULE 1

EXCEPTED COMMITTEES

The following committees are excepted committees for the purposes of this Ordinance —

the Executive Council and any sub-committee of the Executive Council;

the General Purposes Committee;

the Legislative Council;

any committee of the Legislative Council which is by resolution of the Legislative Council for the time being specified as a committee to which this Ordinance shall not apply;

the Advisory Committee on the Prerogative of Mercy;

any committee charged with functions under any regulations for the time being in force under any Order made under the Emergency Powers Act 1939.

SCHEDULE 2

ACCESS TO INFORMATION: EXEMPT INFORMATION

Part I

Descriptions of exempt information

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the public body.
2. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by any public body or body in respect of which a public body has the right to appointment.
3. Information relating to any particular occupier or former occupier of, or accommodation provided by or at the expense of the public body.
4. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
5. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
6. Information relating to the adoption, care, fostering, supervision or education of any particular child.
7. Information relating to the financial or business affairs of any particular person (other than the public body).
8. The amount of any expenditure proposed to be incurred by the public body under any particular contract for the acquisition of property or the supply of goods or services.
9. Any terms proposed or to be proposed by or to the public body in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
10. The amount of financial provision included or proposed to be included in the estimates of revenue and expenditure or budget of the public body in relation to —
 - (a) the acquisition of any property;
 - (b) any proposed contract for the supply to or by the public body of any goods or services;
 - (c) the disposition of any property of the public body; or

(d) the costs of legal proceedings, current or proposed.

11. Information relating to any consultations or negotiations or contemplated consultations or negotiations, in connection with any labour relations matter arising between the public body and employees of, or office-holders under, the public body.

12. Any request for legal advice made or legal advice received whether orally or in writing and whether in relation to any matter arising in connection with any proceedings or not and any action to be taken or refrained from as a result of any legal advice received.

13. Information which, if disclosed to the public, would reveal that the public body or committee proposes —

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or

(b) to make an order or direction under any enactment.

14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

15. The identity of a protected informant.

Part II Qualifications

1. Information relating to a person of a description specified in any of paragraphs 1 to 5 of Part I of this Schedule is not exempt information by virtue of that paragraph unless it relates to an individual of that description in the capacity indicated by the description.

2. Information within paragraph 7 of Part I of this Schedule is not exempt information by virtue of that paragraph if it is required to be registered under —

(a) the Companies Act 1948 in its application to the Falkland Islands;

(b) the Banking Ordinance 1987;

(c) the Co-operative Societies Ordinance 1987;

(d) the Offshore Minerals Ordinance 1994 or a condition of any licence granted under that Ordinance.

3. Information falling within paragraph 8 of Part I of this Schedule is exempt information if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the public body in

respect of the property, goods or services, whether the advantage would arise as against the public body or as against other such persons.

4. Information falling within paragraph 9 of Part I of this Schedule is exempt information if and so long as disclosure to the public of the amount there referred to would prejudice the public body in those or any other negotiations concerning the property or goods or services.

5. Information falling within paragraph 11 of Part I of this Schedule is exempt information if and so long as disclosure to the public of the information would prejudice the public body in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.

6. Information falling within paragraph 13 of Part I of this Schedule is exempt information if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.

Part III Interpretation

In this Schedule —

“child” has the same meaning as it has under the Children Ordinance 1994;

“disposal” in relation to property, includes the granting of an interest in or right over it;

“employee” means a person engaged under a contract of service or serving under an engagement of service to the Crown;

“financial or business affairs” includes contemplated, as well as past or current activities;

“labour relations matter” means any matter related to the conditions of service of employees of the public body, including, without prejudice to the generality of the foregoing, remuneration, hours of work, holidays, sick leave, pensions, period of notice to be given, redundancy or proposed redundancy, strikes, withdrawals of labour and grievance procedure;

“office-holder” means the holder of a statutory post or, in relation to the Crown in right of its Government of the Falkland Islands, the holder of any office which is an established office or post for the purposes of the Pensions Ordinance;

“protected informant” means a person giving the public body information which tends to show that —

(a) a criminal offence;

(b) a breach of statutory duty;

(c) a breach of planning control, within the meaning of that phrase under the Planning Ordinance 1991; or

(d) a nuisance,

has been or is about to be committed.

Passed by the Legislature of the Falkland Islands this 14th day of April 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Crimes (Amendment) Ordinance 2000

(No: 5 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of Schedule 1 to the Crimes Ordinance 1989

Passed by the Legislature of the Falkland Islands this 14th day of April 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Police Ordinance 2000

(No: 6 of 2000)

ARRANGEMENT OF PROVISIONS

Section

PART I
PRELIMINARY
Introductory

1. Short title and commencement
2. Interpretation and general
3. Continuation of the police and functions of the police

PART II
ADMINISTRATION OF THE POLICE
Membership of the police service

4. Chief Police Officer
5. Composition of the Royal Falkland Islands Police
6. Duties of police officers
7. Business interests incompatible with being a police officer
8. Business interests precluding appointment as a police officer

Reserve

9. Continuation of Royal Falkland Islands Police Reserve

Establishment of the Police Committee

10. Police Committee

Functions of the Committee

11. General functions of the Committee

Policing objectives, policing plan and performance targets

- 12. Policing objectives
- 13. Performance targets

PART III
COMPLAINTS, DISCIPLINARY PROCEEDINGS ETC

CHAPTER 1
COMPLAINTS

Introductory provisions

- 14. Interpretation of Chapter 1

Handling of complaints etc

- 15. To whom complaints to be made etc
- 16. Procedure on complaints: preliminary provisions
- 17. Complaints: further provisions

CHAPTER 2
DISCIPLINARY PROCEEDINGS

- 18. Application
- 19. Suspension
- 20. Conduct of investigations where there are outstanding criminal proceedings
- 21. Investigation procedure
- 22. Notice of investigation
- 23. Investigating officer's report
- 24. Procedure on receipt of investigating officer's report
- 25. Withdrawal of case
- 26. Notice of decision to refer case to a hearing
- 27. Limitation on sanctions
- 28. Notice of hearing
- 29. Legal representation
- 30. Procedure on receipt of notice
- 31. Officers conducting the hearing
- 32. Documents to be supplied to the police officer concerned
- 33. Documents to be supplied to officers conducting the hearing
- 34. Representation
- 35. Conduct of hearing
- 36. Procedure at hearing
- 37. Attendance of police officer concerned at hearing
- 38. Attendance of complainant at hearing
- 39. Attendance of others at hearing
- 40. Exclusion of public from hearing
- 41. Statements in lieu of oral evidence
- 42. Record of hearing
- 43. Sanctions
- 44. Person record to be considered before sanction imposed

45. Notification of finding
46. Record of conduct proceedings
47. Special cases
48. Disciplinary proceedings - chief police officer

PART IV
MISCELLANEOUS AND GENERAL

CHAPTER 1

Further provisions in relation to the police reserve

49. Powers, etc of police reservists
50. Regulations for police officers of the reserve

CHAPTER 2

Disposal of property

51. Disposal of property
52. Unclaimed property
53. Disposal of valueless unclaimed goods and chattels and of perishable articles and livestock

CHAPTER 3

Civil and criminal liability

54. Liability for wrongful acts of police officers
55. Assaults on police officers
56. Impersonation etc
57. Causing disaffection
58. Membership of prohibited associations
59. Prohibition against membership of trade unions etc

CHAPTER 4

General administration

60. General administration
61. Attestation of police officers

CHAPTER 5

Repeal and transitional

62. Repeal and transitional

Schedule 1 - Code of Conduct

Schedule 2 - Special Cases

Schedule 3 - Form of Declaration

Schedule 4 - Transitional provisions, savings etc

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

POLICE ORDINANCE 2000

(No: 6 of 2000)

(assented to: 25 April 2000)
(commencement: in accordance with section 1)
(published: 1 May 2000)

AN ORDINANCE

To make further and better provision in relation to the Royal Falkland Islands Police and matters connected therewith.

ENACTED by the Legislature of the Falkland Islands as follows —

PART I
PRELIMINARY
Introductory

Short title and commencement

1. This Ordinance may be cited as the Police Ordinance 2000 and comes into force on such date as may be notified by the Governor by notice published in the *Gazette*.

Interpretation and general

2.—(1) In this Ordinance —

“the chief police officer” means the person for the time being occupying the post of chief police officer and, so far as the context admits, includes any person for the time being acting in that post;

“the Committee” means the Police Committee established by section 10;

“disciplinary proceedings” means proceedings to which Chapter 2 of Part III applies;

“document” means anything in which any information of any kind is recorded;

“Falkland Islands” includes Falkland Islands waters;

“Falkland Islands waters” means the sea and other waters within the seaward limits of the territorial sea of the Falkland Islands;

“Governor”, in relation to the appointment, promotion or discipline of any police officer, including the chief police officer, means the Governor acting in his discretion;

“the police” means the Royal Falkland Islands Police;

“police officer” means any member of the police;

“police reserve” means the Royal Falkland Islands Police Reserve;

“the repealed Ordinance” means the Police Ordinance 1967; and

“standing orders” means all orders issued by the chief police officer for the instruction and guidance of the police.

(2) Every appointment of a person under any provision of this Ordinance shall be made in writing.

Continuation and functions of Royal Falkland Islands Police

3.—(1) There shall continue to be a police force for the Falkland Islands which shall be known as the Royal Falkland Islands Police. The Royal Falkland Islands Police shall continue to be a disciplined force.

(2) The police shall be employed in and throughout the Falkland Islands for —

- (a) the preservation of the peace;
- (b) the maintenance of law and order;
- (c) the apprehension and guarding of offenders;
- (d) the protection of life and property.

(3) In such circumstances, and subject to such arrangements for control, as may have been approved by the Governor police officers may for or in connection with the performance of their duties bear and use arms.

PART II
ADMINISTRATION OF THE POLICE
Membership of the police

Chief police officer

4.—(1) The Governor acting in his discretion shall appoint a person to be the chief police officer, provided that the person holding that post at the commencement of this Ordinance shall continue to hold it until he ceases, in accordance with the provisions of this Ordinance, to hold it.

(2) In the absence of the chief police officer from the Falkland Islands, or if he is by illness or for any reason incapable of carrying out his duties or unavailable to carry out his duties, the Governor, acting in his discretion, may designate in writing another police officer to carry out the duties of the chief police officer or such of them as the Governor may so designate him to carry out.

(3) The chief police officer shall hold such rank as the Governor may determine.

(4) The chief police officer shall, subject to such orders and directions as the Governor may lawfully give him, have the command, superintendence and direction of the police.

(5) In discharging his functions, the chief police officer shall have regard to the policing plan approved and issued under section 12.

Composition of the Royal Falkland Islands Police

5.—(1) In addition to the post of chief police officer, there shall be such number of other posts of such ranks, below the rank held by the chief police officer, in the police as the Governor may determine, provided that it the Governor may direct that a post, other than that of chief police officer, notwithstanding that it is for the time being vacant, shall not be filled either by appointment from outside the police or by promotion from within the police.

(2) The Governor acting in his discretion may appoint any person to any vacant post in the police or promote any police officer serving in a post in the police of subordinate rank to that post.

(3) All persons who were immediately prior to the commencement of this Ordinance serving in a post in the Royal Falkland Islands Police shall, subject to this Ordinance, continue to be police officers until in accordance with this Ordinance they cease to be police officers.

(4) The Governor may make regulations making provision in relation to the retirement and resignation and conditions of service of police officers.

(5) This section, and section 4, have effect without prejudice to the provisions of section 76 of the Constitution.

Duties of police officers

6.—(1) It is the duty of every police officer —

(a) so far as in accord with the law to preserve the peace and prevent and detect crime;

(b) to abstain from any activity likely either to interfere with the impartial discharge of his duties or give to the public the impression that it might so interfere;

(c) to carry out all lawful orders;

(d) at all times punctually and promptly to perform all his appointed duties and attend to all matters within the scope of his office as a police officer;

(2) A member of the police shall not wilfully refuse or neglect to discharge any lawful debt.

Business interests incompatible with being a police officer

7.—(1) The Governor may make regulations —

(a) requiring a police officer to give written notice to the chief police officer of any business interest of a kind specified in those regulations he or a relative included in his family proposes to have, or has, unless that business interest was disclosed at the time of his appointment as a police officer;

(b) requiring the chief police officer to notify him in writing of any written notice given in accordance with paragraph (a);

(c) enabling the Governor, acting in his discretion, to permit, subject to such conditions as the Governor may determine, the retention or acquisition of the business interest concerned;

(d) enabling the Governor, acting in his discretion, to require the police officer to dispose within such time as the Governor may permit of any such business interest belonging to him within such time as the Governor may permit or not to acquire that business interest;

(e) enabling the Governor, acting in his discretion, where the business interest is held, or is proposed to be acquired, by a relative of the police officer, to require the police officer to resign as a police officer if the interest is acquired, is not disposed of within such time as the Governor or such conditions as the Governor may notify in relation to the retention or acquisition of the business interest are not complied with.

(2) Before the Governor makes any requirement or imposes any condition of a kind referred to in subsection (1) —

(a) he shall notify the police officer in writing of his intention to make that requirement or to impose that condition and of the police officer's right to make representations in writing in relation thereto (and a notification to a police officer under this paragraph shall be accompanied by a copy of any document submitted to the Governor by the chief police officer in connection with the Governor's consideration of the matter);

(b) he shall afford to the officer a sufficient opportunity to make such representations;

(c) he shall take any such representations into account before making the requirement or imposing the condition in question.

(3) For the purposes of regulations under subsection (1), a police officer or, as the case may be, a relative included in his family, has a business interest if —

(a) the police officer holds any office or employment for gain (otherwise than as a police officer) or carries on any business;

(b) a shop is kept or a like business carried on by the police officer's spouse (not being separated from him) or is carried on by any member of his family at the premises at which he resides; or

(c) the police officer, his spouse (not being separated from him) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in subsection (4).

(4) For the purposes of regulations made under subsection (1), a police officer, or, as the case may be, a relative included in his family, has a business interest if —

(a) the police officer holds any office or employment for hire or gain (other than as a police officer);

(b) a shop is kept or a like business carried on by the police officer's spouse (not being separated from him) at any premises or by any relative included in his family at the premises at which he resides; or

(c) the police officer, his spouse (not being separated from him) or any member of his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in subsection (5);

and a reference to a relative included in a police officer's family includes a reference to his spouse, parent, son, daughter, brother or sister.

(5) The licence or permit referred to in subsection (4) is a licence or permit granted in pursuance of the law relating to liquor licensing or any other licence or permit specified for the purposes of subsection (4) by regulations made by the Governor under this subsection.

Business interests precluding appointment as a police officer

8. Save in so far as the Governor acting in his discretion may allow at the request of the candidate concerned, a person is not eligible for appointment as a police officer if he or a relative included in his family has a business interest within the meaning of section 7; and subsections (3) and (4) of that section apply for the purposes of the interpretation of this section as they apply for the purposes of that section.

Police Reserve

Continuation of Royal Falkland Islands Police Reserve

9.— (1) The Royal Falkland Islands Police Reserve (formerly known as the Falkland Islands Police Reserve) established pursuant to section 34 of the repealed Ordinance shall continue to be part of the Royal Falkland Islands Police.

(2) The chief police officer may with the approval of the Governor enlist as many fit and proper persons as members of the police reserve as the Governor may from time to time authorise.

(3) Persons who immediately prior to the commencement of this Ordinance were police reserve officers shall continue to be police reserve officers until they cease pursuant to this Ordinance to be police reserve officers.

Establishment of the Police Committee

Police Committee

10.—(1) There shall be a Police Committee for the Falkland Islands.

(2) The Governor shall be the Chairman of the Police Committee which in addition to the Chairman shall consist of four other members appointed by the Governor in writing, two of whom shall be elected members of the Legislative Council, nominated by Legislative Councillors from among their number, two of whom shall be justices of the peace elected by justices of the peace from among their number, and in addition the Chief Executive and the Attorney General shall be *ex officio* members of the Committee.

(3) The chief police officer shall be entitled to attend at any meeting of the Committee and may speak in relation to any matter coming before the Committee at that meeting.

(4) An appointed member of the Committee shall hold office as such for the period specified in his appointment (which shall not exceed three years) or until he earlier resigns, or, as the case may be, he ceases to be an elected member of the Legislative Council or a justice of the peace or is removed by the Governor from membership of the Committee.

(5) The Committee shall have the functions conferred on it by this Ordinance.

Functions of the Committee

General functions of the Committee

11.—(1) The principal function of the Committee is to advise the Governor in relation to all matters relevant to the maintenance of an efficient and effective police service in the Falkland Islands.

(2) In discharging its principal function, the Committee shall have regard to —

(a) any objectives determined by the Governor under section 12;

(b) any performance targets established by the Governor under section 13; and

(c) any policing plan issued by the Governor.

Policing objectives, policing plan and performance targets

Policing objectives

12.—(1) The Committee shall, before the end of January in each calendar year, consider what the objectives for the policing of the Falkland Islands should be in the financial year beginning on the following 1st July and how those objectives should be implemented and shall report thereon in writing to the Governor with a view to its report being considered by the Governor with the advice of Executive Council.

(2) Before exercising its functions under subsection (1), the Committee shall seek and take into account the written views of the chief police officer.

(3) The Governor shall cause the Committee's report to be considered by the Executive Council as soon as conveniently may be after it is received and shall when he has received the views of the Executive Council thereon approve the report with or without amendments and notify the chief police officer of such approval. The objectives for the policing of the Falkland Islands contained in the approved report shall constitute the policing plan for the following financial year.

(4) In preparing the draft estimates of the expenditure of the police for any financial year the chief police officer shall pay particular regard to the policing plan.

Performance targets

13. The Governor after consulting the chief police officer and the Committee, may direct the chief police officer to establish levels of performance ("performance targets") to be aimed at in seeking to achieve the objectives contained in the policing plan.

PART III
COMPLAINTS, DISCIPLINARY PROCEEDINGS ETC

CHAPTER 1
COMPLAINTS

Introductory provisions

Interpretation of Chapter 1

14.—(1) In this Part —

"appropriate standard" means the standard set out in the Code of Conduct;

"Code of Conduct" means the Code of Conduct set out in Schedule 1;

"complaint" means a complaint about the conduct of a police officer which is submitted—

(a) by a member of the public, or

(b) on behalf of a member of the public and with his written consent;

“criminal investigation” means an investigation into alleged conduct with a view to a decision being taken in accordance with law as to whether criminal proceedings should be instigated against the person the subject of the complaint;

“disciplinary proceedings” means proceedings to which Chapter 2 applies;

“Governor” means the Governor acting in his discretion;

“serious injury” means a fracture, damage to an internal organ, impairment of bodily function, a deep cut or laceration;

Handling of Complaints etc

To whom complaints to be made etc

15.—(1) Subject to subsection (2), unless the Governor on the application of a person who wishes to complain about the conduct of a police officer, otherwise determines, every complaint about the conduct of a police officer shall be made to the chief police officer.

(2) A complaint about the conduct of the chief police officer or about a police officer of the rank of inspector or above shall be made to the Governor who, subject to subsections (3) and (4), shall appoint some person appearing to him to be a fit and proper person to consider and decide upon the complaint.

(3) Where the Governor is minded to determine, on an application to which subsection (1) relates, that a complaint should be made to a person other than the chief police officer, or he receives a complaint to which subsection (2) relates, he shall seek the advice of the Attorney General as to whether the subject matter of the complaint should first be dealt with by way of disciplinary proceedings or a criminal investigation, and shall deal with the matter in the light of the advice which the Attorney General gives to him.

(4) If the Governor is advised by the Attorney General that the subject matter of the complaint should first be dealt with by way of disciplinary proceedings, then unless the complaint relates to the chief police officer or a police officer of the rank of inspector or above, he shall require the chief police officer to deal with the matter in accordance with Chapter 2. If the subject matter of the complaint relates to the chief police officer, and the Governor is advised by the Attorney General that the subject matter of the complaint should first be dealt with by way of disciplinary proceedings, he shall require the Chief Executive to deal with the matter in accordance with section 48.

(5) If the Governor is advised by the Attorney General that the subject matter of the complaint should first be dealt with by way of a criminal investigation, he shall refer the matter to the chief police officer for such an investigation, unless the subject matter of the complaint relates to the chief police officer when the Governor shall require such person as appears to him to be appropriate to conduct such an investigation.

(6) The Governor shall notify a person making an application to which subsection (1) relates and the chief police officer of the Governor’s decision under the preceding provisions of this section as

to how the subject matter of the complaint is to be dealt with and, unless he directs that the complaint should be made to the chief police officer, shall inform the applicant of the identity of the person he has appointed under subsection (2) to investigate the complaint or that the matter is first to be dealt with by way of disciplinary proceedings and of the effect of section 38.

(7) Whenever the Governor determines that a complaint is to be dealt with other than by the chief police officer or receives a complaint to which subsection (2) relates, he shall require the chief police officer to take such steps as may be necessary for the purpose of preserving evidence relating to the conduct complained of and, except where the complaint relates to the conduct of the chief police officer, may at the same time or at any subsequent time direct the chief police officer to take such steps as the Governor may see fit as to the obtaining of evidence in relation to the complaint, and to forward that evidence to the person appointed to consider the complaint. The chief police officer shall comply with any requirement made by or direction given by the Governor in accordance with this subsection.

Procedure on complaints: preliminary provisions

16.—(1) Where a complaint is submitted to or received by the chief police officer or any other person pursuant to section 15(1) or (2) he shall —

(a) if it was made orally, record or cause to be recorded particulars of it in writing;

(b) if it relates to a police officer of the rank of inspector or above, send the complaint or, if it was submitted orally, particulars of it, to the Governor for him to deal with in accordance with section 15(2) and notify the person by or on whose behalf the complaint was submitted that he has done so and shall take such steps that appear to him to be desirable for the purpose of preserving evidence in relation to the complaint and if he considers that the matter should be dealt with by way of disciplinary proceedings shall institute those proceedings in accordance with Chapter 2; but otherwise

(c) take such action in relation to the complaint as is required by the subsequent provisions of this section.

(2) Paragraph (c) of subsection (1) also applies to complaints which the Governor, on an application made to him under section 15(1), decides should be dealt with by the chief police officer and forwards to him.

(3) Subject to paragraph (b) of subsection (1), the chief police officer shall consider whether the complaint is suitable for informal resolution and may appoint a police officer to assist him.

(4) A complaint is not suitable for informal resolution unless —

(a) the member of the public concerned gives his consent, and

(b) the chief police officer is satisfied that the conduct complained of, even if proved, would not justify criminal or disciplinary proceedings.

(5) If the complaint alleges that the conduct complained of —

(a) resulted in the death of, or serious injury to, some other person;

(b) is of a description mentioned in subsection 15(2); or

(c) is of a kind which the chief police officer believes should be referred to the Governor,

the chief police officer shall refer the complaint to the Governor who shall deal with it as if a complaint had been made to him under section 15(2) in relation to the subject matter of that complaint.

(6) Subject to subsection (5), the chief police officer shall, if he has jurisdiction to deal with it, investigate the complaint formally if it appears to him that the complaint is not suitable for informal resolution.

(7) Subject to subsection (8), no statement made by a person for the purpose of the informal resolution of a complaint shall be admissible in any subsequent criminal, civil or disciplinary proceedings.

(8) A statement is not rendered inadmissible by subsection (7) if it consists of or includes an admission relating to a matter which does not fall to be resolved informally.

Complaints: further provisions

17.—(1) Every police officer, and every public officer employed to assist the police, shall answer any questions, produce any documents in his possession or control and provide such information as to matters within his knowledge and belief as he may be requested to do in or in connection with the investigation of a complaint, and whether the investigation is conducted by the chief police officer or a person appointed by the Governor under section 15(2) or subsection (7) of this section.

(2) Where the chief police officer resolves a complaint informally or investigates a complaint, he shall inform the complainant and the Governor in writing of the result.

(3) Where a person appointed under section 15(2) investigates a complaint he shall inform the complainant, the Governor and the chief police officer in writing of the result of that investigation.

(4) If a complainant is dissatisfied with the manner in which his complaint has been dealt with, he may request the Governor to review the matter and the Governor on receiving such a request may himself determine whether the complaint has been satisfactorily dealt with, or refer it to the Committee for its advice, but the Committee shall have no power itself to investigate the complaint.

(5) No information received by any person (including the person investigating a complaint and a member of the Committee on a reference pursuant to subsection (4)) in connection with any complaint or prospective complaint shall be disclosed by him except —

(a) to the Governor;

(b) for the purpose of any criminal, civil or disciplinary proceedings;

(c) in the form of a summary or other general statement made by the Governor, the Committee or the chief police officer which does not identify the person from whom the information was received or any person to whom it relates.

(6) A person who discloses information in contravention of subsection (5) commits an offence and is liable to a fine not exceeding the maximum of level 5 on the standard scale.

(7) If the Governor on reviewing a complaint under subsection (4) or having received the advice of the Committee under subsection (5) determines that a complaint has been unsatisfactorily dealt with he may appoint any legally qualified public officer to further investigate the complaint or investigate it afresh and any person so appointed shall further investigate or investigate afresh the complaint and shall inform the Governor, the chief police officer and the complainant in writing of the result thereof.

(8) Subsection (7) has effect without prejudice to the Governor's powers under the Commissions of Inquiry Ordinance.

CHAPTER 2 DISCIPLINARY PROCEEDINGS

Application

18. This Chapter, other than section 48, does not apply to disciplinary proceedings against the chief police officer.

Suspension

19.—(1) Where there has been a report, complaint or allegation which indicates that the conduct of a police officer does not meet the appropriate standard the chief police officer may in accordance with subsection (2) suspend the police officer from the police and from his office of constable whether or not the matter has been investigated.

(2) The chief police officer concerned may exercise the power to suspend the police officer concerned under this section at any time from the time of the receipt of the report, complaint or allegation until the earliest of—

(a) a direction by the Governor to determine the suspension;

(b) a finding in disciplinary proceedings that the conduct of the police officer concerned did not fail to meet the appropriate standard;

(c) the notification to the police officer of the sanction imposed on him as a result of the disciplinary proceedings, if that is not dismissal from the police or a requirement to resign from the police.

(3) Where the police officer concerned is suspended under this section, he shall be suspended until there occurs any of the events mentioned in subsection (2)(a) to (d), or until the chief police officer decides he shall cease to be suspended, whichever first occurs.

(4) Where the police officer concerned who is suspended is required to resign under section 43, he shall remain suspended during the period of his notice.

Conduct of investigations where there are outstanding criminal proceedings

20. Where there are criminal proceedings outstanding against the police officer concerned, proceedings under this Chapter other than exercise of the power to suspend under section 19, shall not take place unless the Governor directs to the contrary.

Investigation procedure

21.—(1) Subject to Chapter 1 and to subsection (2) of this section, where a report, complaint or allegation is received by the chief police officer which indicates that the conduct of a police officer did not meet the appropriate standard he shall supervise the investigation of the case.

(2) The chief police officer may appoint an investigating officer to investigate the case.

(3) The investigation officer shall be —

(a) of at least the rank of sergeant;

(b) of at least the same rank as the police officer concerned; and

(c) not an interested party.

Notice of investigation

22. The investigating officer shall as soon as is practicable (without prejudicing his or any other investigation of the matter) cause the police officer concerned to be given written notice —

(a) that there is to be an investigation into the case;

(b) of the nature of the report, complaint or allegation;

(c) informing him that he is not obliged to say anything concerning the matter, but that he may, if he so desires, make a written or oral statement concerning the matter to the investigating officer or to the chief police officer;

(d) informing him that if he makes such a statement it may be used in any subsequent proceedings under this Chapter;

(e) informing him that he has the right to seek advice from his staff association; and

(f) informing him that he has the right to be accompanied by a police officer, who shall not be an interested party, to any meeting, interview or hearing.

Investigating officer's report

23.—(1) At the end of his investigation an investigating officer other than the chief police officer shall submit a written report on the case to the chief police officer.

(2) If at any time during his investigation it appears to the investigating officer that the case is one in respect of which the conditions specified in Part I of Schedule 2 are likely to be satisfied, he shall, whether or not the investigation is at an end, submit to the chief police officer and to the Attorney General or, if the investigating officer is the chief police officer, to the Attorney General—

(a) a statement of his belief that the case may be one to which section 47 applies and the grounds for that belief; and

(b) a written report on the case so far as it has then been investigated.

Procedure on receipt of investigating officer's report

24.—(1) Subject to subsections (2) and (3), on receipt of the investigating officer's report the chief police officer may refer the case to a hearing or may do so if he is himself the investigating officer.

(2) Where the police officer concerned has received two written warnings about his conduct within the previous twelve months and has in a statement made under section 22 admitted that his conduct failed to meet the appropriate standard, the chief police officer shall refer the case to a hearing.

(3) Where the chief police officer, on receipt of a report submitted by the investigating officer under paragraph (2) of section 23 or otherwise is of the opinion that the case is one in respect of which the conditions specified in Part I of Schedule 2 are likely to be satisfied, he shall seek the advice of the Attorney General who shall —

(a) if the conditions specified in Part I of Schedule 2 are not satisfied, return the case to the chief police officer;

(b) if the conditions specified in Part I of Schedule 2 are satisfied —

(i) certify the case as a special case and advise the chief police officer to refer it to a hearing after bringing criminal proceedings; or

(ii) if the circumstances are such as, in his opinion, make such certification inappropriate, return the case to the chief police officer to bring disciplinary proceedings under the special case provisions.

(4) In a case where the chief police officer is the investigating officer and the Attorney General has received a report under section 23(2), the Attorney General shall proceed in accordance with paragraph (a) or (b) of subsection (3).

(5) Where a case is not referred to a hearing no reference to it shall be made on the police officer concerned's personal record.

(6) Proceedings at or in connection with a hearing to which a case is referred under this section shall, for the purposes of this Ordinance be disciplinary proceedings.

Withdrawal of case

25.—(1) At any time before the beginning of the hearing the chief police officer may direct that the case be withdrawn, except that he may not do so without the consent of the Governor in a case to which section 47 applies.

(2) Where a case is withdrawn it shall be treated as if the chief police officer had decided not to refer it to a hearing.

Notice of decision to refer case to a hearing

26.—(1) The chief police officer shall ensure that, as soon as practicable, the police officer concerned is given written notice of a decision to refer the case to a hearing and that, not less than 21 days before the date of hearing, he is supplied with copies of —

(a) any statement he may have made to the investigating officer; and

(b) any relevant statement, document or other material obtained during the course of the investigation.

(2) The notice given under subsection (1) shall specify the conduct of the police officer concerned which it is alleged failed to meet the appropriate standard and the paragraph of the Code of Conduct in respect of which the appropriate standard is alleged not to have been met.

(3) In this section any reference to a copy of a statement shall, where it was not made in writing, be construed as a reference to a copy of an account thereof.

(4) Before giving written notice pursuant to this section the chief police officer shall consult the Governor as to the sanctions which should be available.

Limitation on sanctions

27. No sanction may be imposed under section 43 unless the case has been referred to a hearing.

Notice of hearing

28.—(1) The chief police officer shall ensure that at least 21 days in advance the police officer concerned is notified of the time, date and place of the hearing.

(2) In a case to which this paragraph applies the hearing may, if the chief police officer considers it appropriate in the circumstances, take place before the expiry of 21 days referred to in subsection (1).

(3) Subsection (2) applies where the police officer concerned is given a written notice under section 26(1) of a decision to refer the case to a hearing and —

(a) at the time he receives such a notice he is detained in pursuance of the sentence of a court in a prison or other institution or has received a suspended sentence of imprisonment; and

(b) having been supplied under section 26 with the documents therein mentioned he does not elect to be legally represented at the hearing.

Legal representation

29. If the chief police officer after consulting the Governor pursuant to section 26(4) is of the opinion that the sanctions of dismissal, requirement to resign or reduction in rank should be available, he shall cause the police officer concerned to be given notice in writing, at the same time as he is given notice of the hearing under section 28, of the opportunity to elect to be legally represented at the hearing.

Procedure on receipt of notice

30.—(1) The police officer concerned shall be invited to state in writing, within 14 days of the date on which he is notified that the last of the documents required by section 26(1) to be supplied to him have been so supplied —

(a) whether or not he accepts that his conduct did not meet the appropriate standard;

(b) in a case where section 29 applies, whether he wishes to be legally represented at the hearing;

(c) whether he proposes to call any witnesses to relevant facts at the hearing and the names and addresses of any such witnesses whose attendance he wishes the chief police officer to take steps to secure.

(2) Any witness whose attendance the police officer concerned wishes the chief police officer to take steps to secure who is a police officer shall be ordered to attend at the hearing of the case, and the chief police officer, where so requested, shall cause any other such witnesses to be given due notice that their attendance is desired and of the time and place of the hearing.

(3) Nothing in this section shall require a hearing to be adjourned where a witness is unable or unwilling to attend the hearing.

Officers conducting the hearing

31. Where a case is referred to a hearing it shall be heard by the chief police officer or some other person appointed by the Governor for the purpose but shall not be conducted by the chief police officer if he was the investigating officer.

Documents to be supplied to the police officer concerned

32.—(1) Where the police officer concerned accepts, in accordance with section 30, that his conduct fell short of the appropriate standard, a summary of the facts of the case shall be prepared,

a copy of which shall be supplied to the police officer concerned at least 14 days before the hearing.

(2) If the police officer concerned does not agree with the summary of facts he may submit a response within 7 days of receipt of the summary.

(3) Where the police officer concerned does not accept that his conduct fell short of the appropriate standard no summary of facts shall be prepared.

Documents to be supplied to officers conducting the hearing

33. There shall be supplied to the person conducting the hearing —

(a) a copy of the notice given under section 26; and

(b) where a summary of facts has been prepared under section 32, a copy of that summary and of any response from the police officer concerned.

Representation

34.—(1) Unless the police officer concerned has given notice in accordance with section 30 that he wishes to be legally represented, the chief police officer shall appoint a police officer to present the case but in a case in which the police officer concerned has given such notice, the chief police officer may arrange for a legally qualified public officer to present the case.

(2) The police officer concerned may conduct his case either in person or by a police officer selected by him or, if he has given notice in accordance with section 30 that he wishes to be legally represented, by a legal practitioner.

Conduct of hearing

35. The person conducting the hearing may from time to time adjourn if it appears to him to be necessary or expedient to do so for the due hearing of the case.

Procedure at hearing

36.—(1) Subject to the provisions of this Chapter, the person conducting the hearing shall determine his own procedure.

(2) The person conducting the hearing shall review the facts of the case and decide whether or not the conduct of the police officer concerned met the appropriate standard.

(3) The person conducting the hearing shall not find that the conduct of the police officer concerned failed to meet the appropriate standard unless the conduct is —

(a) admitted by the police officer concerned; or

(b) proved by the person presenting the case on the balance of probabilities,

to have failed to meet that standard.

Attendance of police officer concerned at hearing

37.—(1) The police officer concerned shall be ordered to attend the hearing.

(2) If the police officer concerned fails to attend the hearing, it may be proceeded with and concluded in his absence.

(3) Where the police officer concerned informs the person conducting the hearing in advance that he is unable to attend due to ill-health or some other unavoidable reason, the hearing may be adjourned.

(4) Where, owing to the absence of the police officer concerned, it is impossible to comply with any of the procedures set out in this Chapter, that procedure shall be dispensed with.

Attendance of complainant at hearing

38.—(1) This section shall apply where there has been a complaint against the police officer concerned.

(2) Notwithstanding anything in section 39, but subject to subsections (3) and (5), the complainant shall be allowed to attend the hearing while witnesses are being examined, or cross-examined, and may at the discretion of the person conducting the hearing be accompanied by a friend or relative.

(3) Where the complainant or any person allowed to accompany him is to be called as a witness at the hearing, he and any person allowed to accompany him shall not be allowed to attend before he gives his evidence.

(4) Where the police officer concerned gives evidence, then, after the presenting officer has had an opportunity of cross-examining him, the person conducting the hearing shall put to him any questions which the complainant requests should be so put and might have been properly so put by the presenting officer or, at the person conducting the hearing's discretion, may allow the complainant to put such questions to the police officer concerned.

(5) Subject to the foregoing, the complainant and any person allowed to accompany him shall neither intervene in, nor interrupt, the hearing; and if he or such a person shall behave in a disorderly or abusive manner, or otherwise misconduct himself, the person conducting the hearing may exclude him from the remainder of the hearing.

(6) In this section a reference to the complainant is a reference to the originator of the complaint.

Attendance of others at hearing

39.—(1) Subject to section 38 and subsections (2) and (3), the hearing shall be in private:

Provided that it is within the discretion of the person conducting the hearing to allow any legal practitioner or any such other person as he considers desirable to attend the whole or such part of the hearing as he may think fit, subject to the consent of all parties to the hearing.

(2) Any member of the Committee shall be entitled to attend the hearing in a case to which section 38 applies.

(3) The police officer concerned may be accompanied at the hearing by a police officer.

(4) The person conducting the hearing may allow the witnesses to be accompanied at the hearing by a friend or relative.

Exclusion of public from hearing

40. Where it appears to the person conducting the hearing that a witness may, in giving evidence, disclose information which, in the public interest, ought not to be disclosed to a police officer or to the public he shall require any member of the public including the complainant and any person allowed to accompany the complainant or any witness to withdraw while the evidence is given.

Statements in lieu of oral evidence

41.—(1) Any question as to whether any evidence is admissible, or whether any question should or should not be put to a witness, shall be determined by the person conducting the hearing.

(2) With the consent of the police officer concerned the person conducting the hearing may allow any document to be adduced in evidence during the hearing notwithstanding that a copy thereof has not been supplied to the police officer concerned in accordance with section 26(1).

Record of hearing

42. Sufficient record of the proceedings at the hearing shall be taken and, if the police officer concerned so requests a transcript of the record or a copy thereof shall be supplied to him by the person conducting the hearing.

Sanctions

43.—(1) A copy of the record of the hearing shall be submitted to the Governor who on consideration thereof shall decide whether to accept or reject any finding that the police officer concerned failed to meet the appropriate standard and who, if he accepts any such finding, may impose any of the following sanctions namely —

(a) dismissal from the police;

(b) requirement to resign as a police officer as an alternative to dismissal taking effect either forthwith or on such date as may be specified in the decision;

(c) reduction in rank;

(d) fine;

(e) reprimand;

(f) caution; or

(g) find the allegation not proved.

(2) Any sanction imposed under subsection (1), except a requirement to resign, shall have immediate effect.

(3) A fine imposed under subsection (1) shall be such that, if it were recovered by way of deductions from the pay of the police officer concerned during the period of thirteen weeks following the imposition of the sanction, the aggregate sum which might be so deducted in respect of any one week (whether on account of one or more fines) would not exceed one seventh of his weekly pay.

Personal record to be considered before sanction imposed

44. Where the question of the sanction to be imposed is being considered, the Governor —

(a) shall have regard to the record of police service of the officer concerned as shown on his personal record; and

(b) the police officer concerned, or his representative, shall be afforded an opportunity to make written representations to the Governor as respects the question.

Notification of finding

45. The police officer concerned shall be informed in writing of the finding and of any sanction imposed within seven days of the Governor's decision in relation thereto.

Record of conduct proceedings

46. The chief police officer shall cause a book of record to be kept in which shall be entered every case brought against a police officer of the police force, together with the finding thereon and a record of the decision in any further proceedings in connection therewith.

Special cases

47.—(1) This section applies to any case in which a report, complaint or allegation is made which indicates that the conduct of a police officer did not meet the appropriate standard and in respect of which the conditions specified in Part I of Schedule 2 are satisfied and the Attorney General has issued a certificate under section 24(3)(b)(i).

(2) In the application of this Chapter to a case to which this section applies, this Chapter shall, subject to subsection (3), have effect subject to the modifications specified in Part II of Schedule 2.

(3) Where the case is one to which this section applies but has been returned to the chief police officer in pursuance of any provision of this Chapter as modified by Part II of Schedule 2, the provisions referred to in subsection (2) shall thereafter have effect in relation to the case without modifications.

(4) In Part II of Schedule 2, any reference to a provision in this Chapter shall, unless the contrary intention appears, be construed as a reference to that provision as modified by that Part.

Disciplinary proceedings - chief police officer

48.—(1) Nothing in the preceding provisions in this Chapter shall apply in respect of any disciplinary offence by the chief police officer except that he shall be subject to the Code of Conduct.

(2) Any breach of the Code of Conduct by the chief police officer shall constitute a matter in respect of which he shall be dealt with under the provisions for the time being in force in relation to public officers who are heads of department.

PART IV
MISCELLANEOUS AND GENERAL

CHAPTER 1

Further provisions in relation to the police reserve

Powers, etc of police reservists

49. Members of the police reserve when on duty as such shall be deemed to be police officers and shall have all the powers, privileges, liabilities and immunities which are conferred or imposed upon police officers or constables by any law.

Regulations for police officers of the reserve

50.—(1) The Governor may make regulations as to the government, administration and conditions of service of police officers of the reserve.

(2) Without prejudice to the generality of subsection (1), regulations under this section may make provision with respect to —

- (a) the qualifications for appointment as a police officer of the reserve;
- (b) the retirement of police officers of the reserve;
- (c) the suspension of police officers of the reserve;
- (d) the allowances payable to police officers of the reserve;
- (e) the application to police officers of the reserve, subject to such modifications as may be prescribed by the regulations, of any provisions made by or under any enactment relating to the pensions payable to or in respect of police officers;
- (f) the training and administration of the police reserve;
- (g) the duties and responsibilities of police officers of the reserve;
- (h) the uniform and equipment of police officers of the reserve; and
- (i) the application of this Ordinance and Standing Orders to police officers of the reserve.

CHAPTER 2
Disposal of property

Disposal of property

51.—(1) Where any property has come into the possession of the police in connection with their investigation of a suspected offence, the Magistrate's Court or the Summary Court may, on the application either of a police officer or of a claimant of the property, make an order for the delivery of the property to the person appearing to the Magistrate's Court to be the owner thereof, or, if the owner cannot be ascertained, make such order with respect to the property as the Court may think fit.

(2) An order under this section shall not affect the right of any person to take within six months from the date of the order legal proceedings against any person in possession of the property delivered by virtue of the order for the recovery of the property, but on the expiration of those six months the right shall cease.

Unclaimed property

52.—(1) Subject to the provisions of any written law of the contrary, it is the duty of every police officer to take charge of all unclaimed property and to furnish an inventory or description of it to the Magistrate's Court or the Summary Court.

(2) The court to which a description of property is furnished pursuant to subsection (1) shall cause public notice to be given describing the property to which the notice relates and calling upon any person who may have a claim to the property to lodge a claim in writing thereto within six months from the date on which the notice is first published in the Gazette.

(3) The court may make such order as to such property as it thinks fit, including an order for the detention, sale by auction or private treaty for the benefit of any person who may claim the property or an order for the destruction of the property.

(4) At the expiration of three months from the date of first publication of the notice under subsection (2) in the Gazette, the property or the proceeds of sale of the property shall, after deduction of any expenses incurred in connection with it, be paid or returned to the finder of the property, provided he claims it from the chief police officer within three months after the expiration of such period of three months.

(5) If at the expiration of such a period of three months, no claim has been made to the property or, as the case may be, its proceeds of sale, by the finder of the property, the chief police officer shall make application to the Magistrate's Court for an order under subsection (6).

(6) An order under this subsection is an order —

(a) in the case of money, for it to be paid into the Consolidated Fund;

(b) in the case of property other than money, an order that the property be —

(i) destroyed;

(ii) sold by auction; or

(iii) sold by tender.

(c) where any property is sold by order under this subsection the proceeds of sale, less any expenses of the sale shall be paid into the Consolidated Fund.

Disposal of valueless unclaimed goods and chattels and of perishable articles and livestock

53.—(1) If any property to which section 51 or 52 would otherwise apply is, in the opinion of the chief police officer, of no appreciable value or a value so small as to render impracticable the sale of the property, the chief police officer may order that the property be destroyed or otherwise disposed of as he thinks fit.

(2) Where property to which section 51 or 52 would otherwise apply is perishable or consists of livestock and the custody of or preservation of the property would, in the opinion of the chief police officer, be unreasonably expensive or inconvenient he may at any time (provided no order of a court has been made in relation to thereto), order it to be sold forthwith and shall pay the proceeds of such sale, less any expenses of sale, into the Consolidated Fund.

(3) Where a person establishes to the satisfaction of the Financial Secretary that he was the owner of any perishable article or livestock sold pursuant to this section, the Financial Secretary shall pay to that person the proceeds of its sale less any expense incurred by the police in relation to the preservation of the property prior to sale and the expenses of the sale.

CHAPTER 3

Civil and criminal liability

Liability for wrongful acts of police officers

54.—(1) The Crown is liable in respect of torts committed by police officers in the performance or purported performance in their functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and accordingly shall in respect of any such tort be treated for all purposes as a joint tortfeasor.

(2) Any proceedings in respect of a claim made by virtue of this section shall be brought in accordance with the Crown Proceedings Act 1947 in its application to the Falkland Islands.

Assaults on police officers

55. A person commits an offence who assaults a police officer in the execution of his duty or assaults a person assisting a police officer in the execution of his duty and is liable to conviction of that offence to imprisonment for a term not exceeding six months or to a fine not exceeding the maximum of level 5 on the standard scale.

Impersonation etc

56.—(1) A person commits an offence who with intent to deceive impersonates a police officer or who makes any statement or does any act calculated falsely to suggest that he is a police officer and a person convicted of such an offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the maximum of level 5 on the standard scale.

(2) A person commits an offence who, not being a police officer, wears any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of a member of the Royal Falkland Islands Police or of any police force in the United Kingdom as to be calculated to deceive and a person convicted of such an offence is liable to a fine not exceeding the maximum of level 3 on the standard scale.

(3) Unless he proves that he obtained possession of the article in question lawfully and that his possession of it is for a legal purpose, a person commits an offence who, not being a police officer, has in his possession any article of police uniform.

(4) A person convicted of an offence under subsection (3) is liable on conviction to a fine not exceeding the maximum of level 3 on the standard scale.

(5) In this section —

(a) “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification issued to police officers of the Royal Falkland Islands Police or to members of any police force in the United Kingdom or which has the appearance of any such article, badge, mark or document; and

(b) “police officer” includes, as well as persons who belong to the Royal Falkland Islands Police and members of the police reserve any member of any police force in the United Kingdom.

Causing disaffection

57.—(1) A person commits an offence who causes, or attempts to cause, or does any act calculated to cause, disaffection among police officers, or induces or attempts to induce, or does any act calculated to induce, any police officer to withhold his services.

(2) A person who commits an offence on subsection (1) is liable on conviction to an imprisonment for a term not exceeding 2 years or to a fine not exceeding the maximum of level 8 on the standard scale.

(3) For the sake of avoidance of doubt, it is hereby declared that this section applies to police officers of the police reserve as it applies in respect of police officers of the police.

Membership of prohibited associations

58.—(1) For the purposes of this section “prohibited association” means —

(a) any league or association or body of persons which has for its objects or one of its objects the promotion of feelings of ill-will and hostility between different classes of the community of between persons of different origin or nationality or race; and

(b) any league or association or body of persons any of the objects of which, in the opinion of the Governor, are subversive of good discipline on the part of a police officer and which the Governor declares to be a prohibited association.

(2) A police officer of the police commits an offence if he continues to be or becomes a member of any prohibited association and he is liable on conviction of such an offence to imprisonment for a term not exceeding 12 months and to a fine not exceeding the maximum of level 5 on the standard scale.

(3) It is unlawful for any prohibited association to permit any police officer to continue to be or to become a member of the association or to receive any benefit, financial or otherwise, from the association or for any such association to receive any money or other property from a police officer. Every officer or member of the supervising body or committee of a prohibited association, as well as the police officer, commits an offence if the provisions of subsection (3) are contravened unless he shows that the contravention occurred without any negligence on his part.

Prohibition against membership of trade unions etc

59.—(1) A police officer shall not become a member of any trade union or of any association having for its objects, or one of its objects, the controlling or influencing of the pay, pensions or conditions of service of police officers except any trade union or association approved by the Governor. Any police officer who contravenes the foregoing provisions of this subsection commits an offence and is liable on conviction of that offence to a fine not exceeding the maximum of level 4 on the standard scale.

(2) Without prejudice to his possible prosecution for an offence any police officer who contravenes subsection (1) is liable to disciplinary proceedings.

CHAPTER 4

General administration

General administration

60.—(1) The chief police officer may from time to time issue standing orders, not inconsistent with this Ordinance, in relation to the following —

(a) the duties to be performed by police officers;

(b) the description and issue of uniforms, equipment and any other article necessary for the use of the Royal Falkland Islands Police;

(c) the training of police officers;

(d) in so far as is not inconsistent with any financial regulations or stores regulations issued by the Financial Secretary under the provisions of the Finance and Audit Ordinance 1988, the management and good government of all police buildings, accommodation, stores and furniture;

(e) the posting of police officers and the duties to be performed by them;

(f) the welfare of police officers; and

(g) such other matters as may be necessary for preventing abuse or neglect of duty, for rendering the police more efficient in the discharge of its duties and for carrying out the objects of this Ordinance.

(2) Every such standing order —

(a) shall be subject to the prior approval of the Governor; and

(b) shall be brought to the notice of every police officer, but need not be published in the Gazette.

Attestation of police officers

61. Every police officer shall, on appointment, be attested by making a declaration in the form set out in Schedule 3 before a Justice of the Peace.

CHAPTER 5

Repeal and transitional

Repeal and transitional

62.—(1) The Police Ordinance (Title 56) is repealed.

(2) Schedule 4 (which contains transitional and transitory provisions, savings etc) shall have effect.

SCHEDULE 1

section 14(1)

CODE OF CONDUCT

Honesty and integrity

1. It is of paramount importance that the public has faith in the honesty and integrity of police officers. Officers should therefore be open and truthful in their dealings; avoid being improperly beholden to any person or institution; and discharge their duties with integrity.

Fairness and impartiality

2. Police officers have a particular responsibility to act with fairness and impartiality in all their dealings with the public and their colleagues.

Politeness and tolerance

3. Officers should treat members of the public and colleagues with courtesy and respect, avoiding abusive or deriding attitudes or behaviour. In particular, officers must avoid: favouritism of an individual or group; all forms of harassment, victimisation or unreasonable discrimination; and overbearing conduct to a colleague, particularly to one junior in rank or service.

Use of force and abuse of authority

4. Officers must never knowingly use more force than is reasonable, nor should they abuse their authority.

Performance of duties

5. Officers should be conscientious and diligent in the performance of their duties. Officers should attend work promptly when rostered for duty. If absent through sickness or injury, they should avoid activities likely to retard their return to duty.

Lawful orders

6. The Royal Falkland Islands Police is a disciplined body. Unless there is good and sufficient cause to do otherwise, officers must obey all lawful orders and abide by the provisions of Police Regulations. Officers should support their colleagues in the execution of their lawful duties, and oppose any improper behaviour, reporting it where appropriate.

Confidentiality

7. Information which comes into the possession of the police should be treated as confidential. It should not be used for personal benefit and nor should it be divulged to other parties except in the proper course of police duty. Similarly, officers should respect, as confidential, information about police policy and operations unless authorised to disclose it in the course of their duties.

Criminal offences

8. Officers must report any proceedings for a criminal offence taken against them. Conviction of a criminal offence may of itself result in further action being taken.

Property

9. Officers must exercise reasonable care to prevent loss or damage to property (excluding their own personal property but including police property).

Sobriety

10. Whilst on duty officers must be sober. Officers should not consume alcohol when on duty unless specifically authorised to do so or it becomes necessary for the proper discharge of police duty.

Appearance

11. Unless on duties which dictate otherwise, officers should always be well turned out, clean and tidy whilst on duty in uniform or in plain clothes.

General conduct

12. Whether on or off duty, police officers should not behave in a way which is likely to bring discredit upon the police service.

Notes

(a) The primary duties of those who hold the office of constable are the protection of life and property, the preservation of the Queen's peace, and the prevention and detection of criminal offences. To fulfil these duties they are granted extraordinary powers; the public and the Royal Falkland Islands Police therefore have the right to expect the highest standards of conduct from them.

(b) This Code sets out the principles which guide police officers' conduct. It does not seek to restrict officers' discretion: rather it aims to define the parameters of conduct within which that discretion should be exercised. However, it is important to note that any breach of the principles in this Code may result in action being taken by the organisation, which, in serious cases, could involve dismissal.

(c) This Code applies to the conduct of police officers in all ranks whilst on duty, or whilst off duty if the conduct is serious enough to indicate that an officer is not fit to be a police officer. It will be applied in a reasonable and objective manner. Due regard will be paid to the degree of negligence or deliberate fault and to the nature and circumstances of an officer's conduct. Where off duty conduct is in question, this will be measured against the generally accepted standards of the day.

SCHEDULE 2

SPECIAL CASES

PART 1 –

CONDITIONS

1.—(1) The conditions referred to in section 47 are —

(a) the report, complaint or allegation indicates that the conduct of the police officer concerned is of a serious nature and that an imprisonable offence may have been committed by him; and

(b) the conduct is such that, were the case to be referred to a hearing under section 24 and the Governor were to find that the conduct failed to meet the appropriate standard, he would in the opinion of the Attorney General be likely to consider imposing the sanction specified in section 43(1)(a) (dismissal from the police); and

(c) the report, complaint or allegation is supported by written statements, documents or other material which is, in the opinion of the Attorney General sufficient without further evidence to establish on the balance of probabilities that the conduct of the police officer concerned did not meet the appropriate standard; and

(d) the Attorney General is of the opinion that it is in the public interest for the police officer concerned to cease to be a police officer without delay.

(2) In this paragraph and “imprisonable offence” means an offence which is punishable with imprisonment in the case of a person aged 21 or over.

PART II –

MODIFICATIONS

2. For sections 25 and 26 there shall be substituted the following sections —

“25. At any time before the beginning of the hearing the chief police officer may direct that the question of disciplinary proceedings be deferred until after the conclusion of the criminal proceedings and, in the meantime, suspend the police officer from duty.

26.—(1) The chief police officer shall ensure that, as soon as practicable, the police officer concerned is invited to an interview with him at which he shall be given written notice of the decision to refer the case to a hearing and supplied with copies of —

(a) the certificate issued under section 24(3)(b)(i);

(b) any statement he may have made to the investigating officer; and

(c) any relevant statement, document or other material obtained during the course of the investigation.

(2) The notice given under subsection (1) shall specify the conduct of the police officer concerned which it is alleged failed to meet the appropriate standard and the paragraph of the Code of Conduct in respect of which the appropriate standard is alleged not to have been met.

(3) In this regulation any reference to a copy of a statement shall, where it was not made in writing, be construed as a reference to a copy of an account thereof.

(4) Where the police officer concerned fails or is unable to attend the interview referred to in subsection (1), the notice and copy document referred to in that subsection shall be —

(a) delivered to the police officer concerned personally; or

(b) left with some person at, or sent by recorded delivery to, the address at which he is, with the approval of the chief police officer, residing.”

3. For sections 28 and 29 there shall be substituted the following sections —

“28. The chief police officer shall fix a date for the hearing which shall be not less than 21 and not more than 28 days from the date on which notice is given under section 26 and shall ensure that the police officer concerned is forthwith notified of the time, date and place of the hearing provided that if criminal proceedings are to be instituted against the him the hearing shall not be until after the conclusion of those proceedings.

29. The chief police officer shall cause the police officer concerned to be given notice in writing, at the same time as he is given notice of the hearing under section 28, of the opportunity to elect to be legally represented at the hearing.”

4. In section 30 (procedure on receipt) —

(a) in subsection (1), for the words from “on which he is notified” to the end there shall be substituted the words “on which he receives the documents referred to in section 26 —

(i) whether or not he accepts that his conduct did not meet the appropriate standard; and

(ii) whether he wishes to be legally represented at the hearing;” and

(b) subsections (2) and (3) shall be omitted.

5. For section 31 there shall be substituted the following section —

“31. Subject to subsection (2), a case which is referred to a hearing under section 24(3)(b)(i) shall be heard by a public officer who is a legal practitioner.”

6. Section 32 shall be omitted.

7. In section 33 for subsections (a) and (b) there shall be substituted the words “copy of the notice given, and of any documents provided to the police officer concerned, under section 26”.

8. For section 35 (conduct of hearing) there shall be substituted the following section —

“35. The person conducting the hearing may adjourn if it appears to him to be necessary or expedient to do so; but —

(a) shall not exercise the power to adjourn more than once; and

(b) shall not adjourn for longer than a period of one week or, on application by the police officer concerned, 4 weeks.”

9. In section 38 (attendance of complainant at hearing) —

(a) in subsection (2) for the words “subsection (3) and (5)” there shall be substituted “subsection (5)” and the words “while witnesses are being examined, or cross-examined,” shall be omitted;

(b) subsections (3) and (4) and, in subsection (5), the words “subject as aforesaid,” shall be omitted.

10. In section 39 (attendance of others at hearing), subsection (4) shall be omitted.

11. Section 40 shall be omitted.

12. In section 41 (statements in lieu of oral evidence) —

(a) in subsection (1), the words “, or whether any question should or should not be put to a witness,” shall be omitted;

(b) in subsection (2), for “13(1)” there shall be substituted “13(1) or (4)”; and

(c) at the end there shall be added the following subsection —

“(3) No witnesses shall be called by either party to the case.”

SCHEDULE 3

FORM OF DECLARATION

I, _____ of _____ do solemnly and sincerely declare and affirm that I will well and truly serve Our Sovereign Lady the Queen in the office of constable, without favour or affection, malice or ill-will; and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty’s subjects; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.

SCHEDULE 4

TRANSITIONAL PROVISIONS, SAVINGS ETC

Continuity of the law

1.—(1) The repeal and re-enactment of provisions in this Ordinance does not affect the continuity of the law.

(2) Any subsidiary legislation made or other things done, or having effect as if done, under or for the purposes of any provision repealed and re-enacted by this Ordinance shall, if in force or effective immediately before the commencement of the corresponding provision of this Ordinance, have effect thereafter as if made or done under or for the purposes of that corresponding provision.

(3) Any reference (express or implied) in this Ordinance or any other enactment or in any instrument or document —

(a) to any provision of this Ordinance, or

(b) to things done or falling to be done under or for the purposes of any provision of this Ordinance,

shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision repealed by this Ordinance had effect, a reference —

(i) to that corresponding provision, or

(ii) to things done or falling to be done under or for the purposes of that corresponding provision,

as the case may be.

(4) Sub-paragraphs (1) to (4) have effect instead of section 25(2) of the Interpretation and General Clauses Ordinance (but are without prejudice to any other provision of that Ordinance).

General saving for old transitional provisions of savings

2. The repeal by this Ordinance of any transitional provision or saving relating to the coming into force of a provision reproduced in this Ordinance does not affect the operation of the transitional provision or saving insofar as it is not specifically reproduced in this Ordinance but remains capable of having effect in relation to the corresponding provision of this Ordinance or otherwise.

Use of existing forms etc

3. Any reference to the repealed Ordinance which is contained in a document made, served or issued on or after the commencement of that repeal shall be construed, except insofar as a contrary intention appears, as a reference or, as the context may require, as including a reference to the corresponding provision of this Ordinance.

Passed by the Legislature of the Falkland Islands this 14th day of April 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

3rd May 2000

No. 7

The following are published in this Supplement -

Carriage by Air (Sterling Equivalents) Order 2000, (S.R. & O. No. 12 of 2000);

**Crozier Place, John Street and Reservoir Road No Waiting Regulations Order 2000,
(S.R. & O. No. 13 of 2000);**

Customs Resolution of the Legislative Council, (Resolution No. 1 of 2000).

SUBSIDIARY LEGISLATION

CIVIL AVIATION

Carriage by Air (Sterling Equivalents) Order 2000

S. R. & O. No: 12 of 2000

Made: 17 April 2000

Published: 3 May 2000

Coming into force: upon publication

IN EXERCISE of my powers conferred by section 4(4) of the Carriage by Air Act 1961(a) as applied to the Falkland Islands by article 7 of the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967(b) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Carriage by Air (Sterling Equivalents) Order 2000 and shall come into force upon publication in the Gazette.

Specified amounts

2. The amounts shown in column 2 of the following Table are hereby specified as amounts to be taken, for the purposes of article 22 in the First Schedule to the Carriage by Air Act 1961 and that article as applied by article 5 of the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967 as equivalent to the sums respectively expressed in francs in column 1 of that Table:

TABLE

<i>Column 1</i> <i>Amount in francs</i>	<i>Column 2</i> <i>Equivalent amount in Sterling and Falkland Islands pounds</i>
250	14.08
5,000	281.56
125,000	7,038.97
250,000	14,077.95

(a) 1961 c.27

(b) SI 1967/810 (as amended by SI 1984/701)

Made this seventeenth day of April 2000

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Order/Regulations)

This Order provides sterling equivalents to the amount of francs which are sued in Article 22 of the Warsaw Convention which deals with limitation of liability as applied by the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967.

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Crozier Place, John Street and Reservoir Road No Waiting Regulations Order 2000

S. R. & O. No: 13 of 2000

Made: 28 April 2000

Published: 3 May 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 18 of the Road Traffic Ordinance^(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Crozier Place, John Street and Reservoir Road No Waiting Regulations Order 2000 and comes into force upon its publication in the Gazette.

Interpretation

2.—(1) Each numbered article of this Order may be referred to and described for all purposes as a regulation of the same number.

(2) In these Regulations —

“Crozier Place” means both sides of the western part of the carriageway at Crozier Place being the length of that carriageway between the junction with Philomel Hill and the first side-road on the southern side of the carriageway leading onto property currently owned by the Falkland Islands Company Limited;

“John Street” means both sides of the western part of the carriageway at John Street being the length of that carriageway between (but not including) the section of carriageway fronted on the north side by the Infant and Junior School and the section of carriageway fronted on the north side by the Falkland Islands Broadcasting Station;

“relevant lengths of road” means Crozier Place, John Street and Reservoir Road;

“Reservoir Road” means both sides of Reservoir Road being its whole length from the junction with Ross Road to the point where a fence marks the Stanley boundary;

^(a) Cap 60 Laws of the Falkland Islands 1950 Edition

“Schedule” means the Schedule to these Regulations; and

“wait” in respect of a motor vehicle means to cause it to stop, stand or park for any reason and for any period of time, however short.

Prohibition of waiting

3.—(1) Subject to regulation 4, a person who causes or permits a motor vehicle to wait in any part of the relevant lengths of road, commits an offence.

(2) A person who is convicted of an offence under this regulation is liable on conviction to a fine not exceeding £100.

(3) An offence under this regulation can only be committed by the driver of, or other person for the time being in charge of, the motor vehicle in question.

Defences and exceptions

4.—(1) It is not an offence under regulation 3 to cause a motor vehicle to wait in any part of the relevant lengths of road —

(a) where the driver or other person for the time being in charge of the motor vehicle is —

(i) required by law to stop it;

(ii) obliged to stop it in order to avoid an accident; or

(iii) prevented from proceeding in it by reason or circumstances beyond his control,

if in any of the foregoing cases the driver or other person in charge of the motor vehicle drives it or causes it to be moved to a place not within any part of the relevant lengths of road as soon as is reasonably practicable; or

(b) for so long as is reasonably necessary to enable it to be used to remove another vehicle or an obstruction; or

(c) for so long only as is reasonably necessary to effect from or to the motor vehicle a delivery of goods or materials of any kind to or from premises adjoining or nearby any part of the relevant lengths of road, where the goods and materials are of a kind or quantity and the other circumstances are such that the delivery cannot reasonably be effected other than from a motor vehicle which is waiting in any part of the relevant lengths of road; or

(d) for so long as is reasonably necessary in or in connection with the repair and maintenance of any part of the relevant lengths of road or any other public highway; or

(e) with the permission of a police officer in uniform; or

(f) for police, fire service or ambulance purposes; or

(g) where the motor vehicle is a taxi which has been hired for the purpose and there is no place not in the relevant lengths of road where the taxi may conveniently wait for the purpose, for so long as may be reasonably necessary to pick up or set down passengers and their luggage.

(2) It is not an offence under regulation 3 for the driver or other person for the time being in charge of the motor vehicle in question to cause the motor vehicle to wait in any part of the relevant lengths of road which are also part of John Street, where the motor vehicle belongs to —

(a) a person who ordinarily resides at one of the properties set out in Part 1 of the Schedule; or

(b) the Crown and, in the case of a motor vehicle belonging to the Crown, it is a motor vehicle described in Part 2 of the Schedule.

Power to erect signs etc

5. The Chief Police Officer may cause such signs and notices to be erected as may, in his opinion, be convenient to draw attention to the effect of these Regulations, but the absence of any such sign or notice, or the removal of any sign or notice erected or placed in position pursuant to this regulation shall not afford a defence in a prosecution for an offence under paragraph (1) of regulation 3.

Revocation

6. The Crozier Place, John Street and Reservoir Waiting Regulations Order 2000(b) is revoked.

Made this twenty-eighth day of April 2000

D A Lamont
Governor

SCHEDULE

Part 1

3, 5, 6, 7, 8, 10 and 14 John Street.

Part 2

<i>Vehicle Type</i>	<i>Registration Number</i>
Landrover 90	F1618
Landrover 110	F1355
Landrover 110	F1578
Landrover 110	F1621
Landrover 110	F1627
Landrover 130	F1624
Bedford 4 Ton	F1463
Bedford 4 Ton	F1671
Quad Bike 4x4	F1601
Quad Bike 4x4	F1630
Quad Bike 4x4	F1653
Quad Bike 4x4	F1654
Quad Bike 4x4	F1721
Quad Bike 4x4	F1722
Quad Bike 4x4	F1723
Quad Bike 4x4	F1724

EXPLANATORY NOTE

(not forming part of the above Order)

This Order is enacted for the purpose of imposing no waiting restrictions on both sides of Crozier Place to the west of the Homecare exit and the imposition of no waiting restrictions on both sides of Reservoir Road. There is also contained within the Order an imposition of no waiting restrictions on both sides of John Street between the Infant and Junior School and the Falkland Islands Broadcasting Station. Exceptions are made so as to permit vehicles owned by residents of certain properties on John Street and official FIDF vehicles to be parked on John Street. The Order revokes the Crozier Place, John Street and Reservoir Road Waiting Regulations Order 2000 which, prior to publication was discovered to contain some omissions.

LEGISLATIVE COUNCIL OF THE FALKLAND ISLANDS

Customs Ordinance (Cap. 16)
(section 5)

CUSTOMS RESOLUTION OF THE LEGISLATIVE COUNCIL

No: 1 of 2000

RESOLVED(a) by the Legislative Council, under section 5 of the Customs Ordinance(b) on the 14th day of April 2000, as follows –

“That from midnight tonight, customs duties payable on tobacco products under the provisions of the Customs Ordinance are increased as follows:

On cigars from £113.48 per kilo to £124.83 per kilo
On cigarettes from £82.08 per kilo to £90.29 per kilo
On tobacco from £74.59 per kilo to £82.05 per kilo”

C ANDERSON
Clerk of Councils

Ref: CUS/10/2

EXPLANATORY NOTE
(not forming part of the Resolution)

This Resolution has the effect of amending Item 6 of paragraph 2 of the Customs Order (number 6 of 1948) such that customs duties on tobacco products are increased in accordance with the terms of the Resolution with effect on and from 15 April 2000

(a) Motion No. 2/00 by the Honourable the Financial Secretary
(b) Title 26



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

5th June 2000

No. 8

The following are published in this Supplement -

**Zimbabwe (Exports of Goods and Technology) (Prohibition) Proclamation 2000,
(Proclamation No. 1 of 2000);**

Importation of Animals etc Proclamation 2000, (Proclamation No. 2 of 2000);

14 Brandon Road Direction 2000, (S.R. & O. No. 14 of 2000);

11 McKay Close Direction 2000, (S.R. & O. No. 15 of 2000);

Electoral (Amendment) Bill 2000;

Livestock (Amendment) Bill 2000.

PROCLAMATION

CUSTOMS

Zimbabwe (Exports of Goods and Technology)(Prohibition) Proclamation 2000

(Proclamation No. 1 of 2000)

PURSUANT to section 35 of the Customs Ordinance (Title 26.1), I Russell Thomas Jarvis, Acting Governor of the Falkland Islands, by this Proclamation **PROHIBIT** the exportation to Zimbabwe or to any other destination for the purpose of re-exportation to Zimbabwe or with knowledge of the likely re-exportation thereof to Zimbabwe of any goods technology or thing whatsoever of a description falling within any entry in Part III of Schedule 1 to the Export of Goods (Control) Order 1994(a).

MADE at Stanley this 26th day of May 2000

R T Jarvis
Acting Governor

(a) SI 1191/1994. A copy of the Export of Goods (Control) Order 1994 of the United Kingdom may be inspected at the Attorney General's office at Cable Cottage, Stanley.

PROCLAMATION

CUSTOMS

Importation of Animals etc Proclamation 2000

(Proclamation No. 2 of 2000)

WHEREAS it appears to me to be desirable to control the importation of animals into the Falkland Islands

AND WHEREAS section 35 of the Customs Ordinance provides that it shall be lawful for the Governor from time to time by Proclamation to prohibit the importation, carriage coastwise or exportation of any goods whatsoever, and any such Proclamation may prohibit importation, carriage coastwise or exportation until the revocation thereof, or during such time as may be specified therein, and either absolutely prohibit importation, carriage coastwise or exportation, or may prohibit importation, carriage coastwise or exportation except on compliance with any conditions which may be specified in the Proclamation, or importation from or exportation to any particular place named in the Proclamation

NOW THEREFORE, I, Donald Alexander Lamont, GOVERNOR of the Falkland Islands **IN EXERCISE** of my powers under section 35 of the Customs Ordinance **PROHIBIT** the importation except under a licence of any animal, embryo, hatching egg, semen or ovum of any animal

AND in the foregoing paragraph—

(a) “animal” includes any bird, reptile, fish and any animate creature whatsoever and whether vertebrate or invertebrate and “hatching egg” means any fertilised egg of any non-viviparous animal which is capable of being hatched; and

(b) “under a licence” means under and in accordance with a licence, and any conditions of a licence, granted by the Director of Agriculture or, on appeal to the Governor from the Director of Agriculture, by the Governor upon the advice of the Executive Council;

GIVEN under my hand and the Public Seal of the Falkland Islands at Government House, Stanley, Falkland Islands, this second day of June in the year of Our Lord Two thousand

D A Lamont
Governor

SUBSIDIARY LEGISLATION

**PLANNING AND BUILDING
General Development Order 1991**

14 Brandon Road Direction 2000

S. R. & O. No. 14 of 2000

Given: 24 May 2000

Published: 5 June 2000

Coming into force: 1 November 1998

IN EXERCISE of my powers under Article 6 of the General Development Order 1991(a), I give the following Direction —

Citation and commencement

1. This Direction may be cited as the 14 Brandon Road Direction 2000 and shall be deemed to have come into force on 1 November 1998.

Requirement to obtain planning permission

2. The planning permission granted by Article 5 of and Part 1 of Schedule 2 to the General Development Order 1991 does not apply to all or any development (except such as may fall within Class N in the said Part 1) of the land shown double cross-hatched on the plan attached to planning application reference 90/98/PB (being land having a frontage to the south side of Brandon Road and lying to the north of the house known as 14 Brandon Road).

Given this twenty-fourth day of May 2000

R T Jarvis
Acting Governor

(a) S.R. &O. No. 6 of 1991

EXPLANATORY NOTE

(not forming part of the above Direction)

The effect of a Direction under Article 6 of the General Development Order 1991 is to require the specific grant of planning permission for a number of categories of development which would otherwise have been granted planning permission under Article 5 of the Order.

The reason for this Direction is that the land to which it relates at the date of the grant of the planning permission under reference 90/98/PB formed a part of the front garden of 14 Brandon Road and is a smaller piece of land than a house would otherwise have been permitted to be built upon and further development of the plot might result in over-intensive site coverage.

SUBSIDIARY LEGISLATION

**PLANNING AND BUILDING
General Development Order 1991**

11 McKay Close Direction 2000

S. R. & O. No. 15 of 2000

Given: 24 May 2000

Published: 5 June 2000

Coming into force: on publication

IN EXERCISE of my powers under Article 6 of the General Development Order 1991(a), I give the following Direction —

Citation and commencement

1. This Direction may be cited as the 11 McKay Close Direction 2000 and shall come into force on publication in the Gazette.

Requirement to obtain planning permission

2. The planning permission granted by Article 5 of and Part 1 of Schedule 2 to the General Development Order 1991 does not apply to all or any development (except such as may fall within Class N in the said Part 1) of the land shown double cross-hatched on the plan attached to planning application reference 37/00/PB.

Given this twenty-fourth day of May 2000

R T Jarvis
Acting Governor

(a) S. R. & O. No. 6 of 1991

EXPLANATORY NOTE

(not forming part of the above Direction)

The effect of a Direction under Article 6 of the General Development Order 1991 is to require the specific grant of planning permission for a number of categories of development which would otherwise have been granted planning permission under Article 5 of the Order.

The reason for this Direction is that the land to which it relates is a smaller piece of land than a house would otherwise have been permitted to be built upon and further development of the plot might result in over-intensive site coverage.

Electoral (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Amendment of Electoral Ordinance 1988

ELECTORAL (AMENDMENT) BILL 2000

(No: of 2000)

A BILL

for

AN ORDINANCE

To amend the Electoral Ordinance 1988.

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

Short title

1. This Ordinance may be cited as the Electoral (Amendment) Ordinance 2000.

Amendment of Electoral Ordinance 1988

2. The Electoral Ordinance 1988(a) is amended —

(a) in section 5(1) by replacing the words “15th May” with the words “15th March”;

(b) in section 12(3)(a) by replacing the words “15th day of May” with the words “15th March”;

(c) in section 12(3)(b), by replacing the words “15th day of June” with the words “15th April”;

(d) in section 12(3)(c), by replacing the words “15th day of August” with the words “15th June”;

(a) No 21 of 1988

(e) in section 15(1), by replacing the words “1st day of September” with the words “1st July” and by replacing the words “31st day of August” with the words “30th June”; and

(f) in section 53(2) by inserting the words “Principal Crown Counsel”, immediately after the words “Principal Auditor” and by deleting the words “Senior Solicitor”.

OBJECTS AND REASONS

This Bill seeks to amend the qualifying date for entry of names upon the electoral register, the date of commencement of preparation of the preliminary list, the date of publication of the preliminary list of voters, the date of publication of the electoral register and the date of coming into force of the electoral register: in each case by bringing the date forward by two months.

The reason for the amendments is so as to allow a General Election to be held, on the basis of a new electoral register, in August or September and so avoid a clash with overseas commitments of Councillors. Two minor amendments would be made to the list of public officers disqualified from standing for election and contained in section 53(2).

Livestock (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Amendment to the Livestock Ordinance (Cap 40)

Schedule

LIVESTOCK (AMENDMENT) BILL 2000

A BILL

for

AN ORDINANCE

(No: of 2000)

(assented to: 2000)

(commencement: 2000)

(published: 2000)

To amend the Livestock Ordinance.

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

Short title and commencement

1. This Ordinance may be cited as the Livestock (Amendment) Ordinance 2000 and shall come into force on the date of its first publication in the Gazette.

Amendment of the Livestock Ordinance

2. The Livestock Ordinance(a) is amended by replacing Form 4 in the First Schedule with the new Form 4 set out in the Schedule to this Ordinance.

SCHEDULE

"FORM 4 (section 40)

Annual return for the year ending 31st May

GENERAL

Farm Name	
Brand for horses and cattle	

Owner	
Earmark for sheep	

SHEEP

No. of MATURE RAMS	
No. of RAM HOGGETS	
Total No. of RAMS	

No. of BREEDING EWES	
No. of MATURE EWES (not mated)	

No. of MATURE WETHERS	
No. of SHEARLING WETHERS	
No. of WETHER HOGGETS	
Total No. of WETHERS	

No. of EWE HOGGETS	
No. of SHEARLING EWES	

Total No. of EWES	
--------------------------	--

No. of CAST SHEEP (stock to be disposed of before next shearing)	
---	--

TOTAL NO. OF SHEEP on the farm at 31.05.	
--	--

No. of Ewes mated in previous year to produce this year's lambs	
--	--

LAMBS MARKED

No. of RAM LAMBS	
No. of EWE LAMBS	
No. of WETHER LAMBS	
TOTAL	

Lambing Percentage	
---------------------------	--

(No. of lambs divided by no. of ewes mated multiplied by 100 = lambing percentage)

SHEARING

No. of SHEEP SHORN at main shearing(s)	
Hoggets	
Shearlings	
Wethers	
Ewes	
Rams	
TOTAL	

WOOL CLIP

Main shearing(s) wool clip (greasy Kg's)	
Other wool	
TOTAL	
Wool Shipped (greasy Kg's)	
No. of Bales Shipped	
Wool held on farm (greasy Kg's)	

No. of other sheep shorn throughout the year that contribute to the "other wool" category	
--	--

GROSS WOOL SALES FOR LAST CALENDAR YEAR

TOTAL WEIGHT OF WOOL SOLD BETWEEN 01.01. AND 31.12. (Kg's greasy)	
TOTAL WEIGHT OF WOOL SOLD BETWEEN 01.01. AND 31.12. (Kg's clean)	
TOTAL NET VALUE OF WOOL SOLD BETWEEN 01.01. AND 31.12. (STERLING)	

CATTLE

CATTLE (DAIRY)	No. of animals
Bulls	
Cows (over 2 years)	
Cows (under 2 years)	
Steers (over 2 years)	
Steers (under 2 years)	
Calves	
Total at 31.05.	

CATTLE (BEEF)	No. of animals
Bulls	
Cows (over 2 years)	
Cows (under 2 years)	
Steers (over 2 years)	
Steers (under 2 years)	
Calves	
Total at 31.05.	

TOTAL NO. OF CATTLE AT 31.05.	
---	--

NO. OF COWS MATED IN PREVIOUS YEAR TO PRODUCE THIS YEAR'S CALVES	
---	--

WORKING HORSES	No. of animals
Stallions	
Geldings	
Mares	
Yearlings	
Foals	
Total HORSES at 31.05.	

DOGS	No. of animals
Adult Bitches	
Bitch pups (under one year)	
Adult Dogs	
Dog pups (under one year)	
Total DOGS at 31.05.	

POULTRY and FOWL	No. of birds
Cockerels	
Hens	
Pullets	
Total of above	
Geese	
Ducks	
Turkeys	
Other	

PIGS	No. of animals
Breeding stock: Boars	
Sows	
Gilts	
Total breeding stock	
Finishers: Not weaned	
Weaned	
Total Finishing Stock	
Total PIGS at 31.05.	

OTHER LIVESTOCK Please use the blank tables below to detail any other farming livestock as at 31.05.

FARM POPULATION as at 31.05.

Adult Males	Adult Females	Under 18's	Labour

STOCK MOVEMENT Animals disposed of to the abattoir between 01.06. and 31.05.

SHEEP		No. of animals	CATTLE		No. of animals
Lambs			Bulls (over 2 years)		
Mutton			Cows (over 2 years)		
Culls			Cows (under 2 years)		
TOTAL			Steers (over 2 years)		
			Steers (under 2 years)		
			Calves (any cattle under 1 year)		
			Culls		
			TOTAL		

OTHER (please specify)	Number of animals
TOTAL	

PIGS	Number of animals
Finished animals	
Culls	
TOTAL	

OTHER DISPOSALS

SHEEP	Number of animals	Purpose: (mutton/dogs meat, sold for sheep replacement, culled for age or breeding selection, etc.)	Destination (if any)
Lambs			
Mutton			
Hoggets			
Shearlings			
Over 3 years			
Culls			
TOTAL			

CATTLE	Number of animals	Purpose: (beef/dogs meat, weaners, culled for age or breeding selection, etc.)	Destination (if any)
Bulls (over 2 years)			
Cows (over 2 years)			
Cows (under 2 years)			
Steers (over 2 years)			
Steers (under 2 years)			
Calves (any cattle under 1 year)			
TOTAL			

PIGS	Number of animals	Purpose: (pork, weaners, culled for age or breeding selection, etc.)	Destination (if any)
Finished animals			
Culls			
TOTAL			

OTHER (please specify)	Number of animals	Purpose: (beef/dogs meat, weaners, culled for age or breeding selection, etc.)	Destination (if any)
TOTAL			

ANIMALS ACQUIRED/PURCHASED BETWEEN 01.06. AND 31.05.

SHEEP	Number of animals	Purpose: (breeding ewes, replacement wethers, etc.)	Origins
Rams			
Hoggets			
Shearlings			
between 3 and 6 years of age			
over 6 years of age			
TOTAL			

CATTLE	Number of animals	Purpose: (breeding stock, finishing, etc.)	Origins
Bulls (over 2 years)			
Cows (over 2 years)			
Cows (under 2 years)			
Steers (over 2 years)			
Steers (under 2 years)			
Calves (any cattle under 1 year)			
TOTAL			

OTHER (please specify)	Number of animals	Purpose	Origins
TOTAL			

LAND UNDER CULTIVATION

HORTICULTURAL		Indoor Production (glass house or polyhouse)	
Outdoor Production			
Crop Type	Annual Yield (approx. Kg's)	Crop Type	Annual Yield (approx. Kg's)

AGRICULTURAL

PERENNIAL CROP (pasture)	Number of hectares
Sown in the last 12 months	
Sown between 12 months and 5 years ago	
Sown between 5 and 10 years ago	
TOTAL hectares sown in the last 10 years	

ANNUAL CROP (forage/root)	Hectares
Crop Type	
TOTAL sown this year	

SERVICEABLE TRACTORS	
-----------------------------	--

Please attach on a separate sheet any additional information that you have regarding any section of this form.

I solemnly declare that the foregoing is, to the best of my knowledge and belief, a correct and accurate statement.

(Signature)

This return must be made to the Department of Agriculture on or before 30th June 20__.

OBJECTS AND REASONS

To replace the format of the Annual Stock Return form required to be submitted by farmers to the Department of Agriculture under section 40 of the Livestock Ordinance. The new Form 4 makes provision for more detail on the types of livestock on farms and other matters to be submitted.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

27th June 2000

No. 9

The following are published in this Supplement -

Merchant shipping (Radio) (Fishing Vessels) Regulations (Amendment) Order 2000

(S. R. & O. No. 16 of 2000)

Fishery Products (Hygiene) (Designated Vessels) (No2) Order 2000

(S. R. & O. No. 17 of 2000)

SUBSIDIARY LEGISLATION

MERCHANT SHIPPING

Merchant Shipping (Radio) (Fishing Vessels) Regulations (Amendment) Order 2000

(S. R. & O. No. 16 of 2000)

Made: 16 June 2000

Published: 27 June 2000

Coming into force: on publication

IN EXERCISE of my powers under section 11(1) of the Merchant Shipping (Adoption of Legislation) Ordinance 1992(a) I make the following Order —

Citation and commencement

1. This Order may be cited as the Merchant Shipping (Radio) (Fishing Vessels) Regulations (Amendment) Order 2000 and shall come into force upon its first publication in the *Gazette*.

Amendment of Schedule 2 to the Merchant Shipping (Adoption of Legislation) Ordinance 1992

2. Part II of Schedule 2 to the Merchant Shipping (Adoption of Legislation) Ordinance 1992 is amended by the insertion of the following text at the end of Title F “Fishing Vessels” —

“THE MERCHANT SHIPPING (RADIO) (FISHING VESSELS) REGULATIONS 1999

(SI 1999 No. 3210)

Modifications

Regulation 5 shall apply subject to the following modification —

1. For paragraph (1) of regulation 5 substitute the following —

“5(1) Regulations 7 to 9 and, subject to paragraphs (3) and (4), Part II apply to Directive fishing vessels which are registered in the Falkland Islands.”.

2. For paragraph (3) of regulation 5 substitute the following —

“(3) Before the date referred to in paragraph (4), Directive fishing vessels or non-Directive fishing vessels which are registered in the Falkland Islands may, instead of complying with—

(a) in the case of Directive fishing vessels the requirements of Part II; and

(b) in the case of non-Directive fishing vessels the requirements of Part III,

of these Regulations, comply with the provisions contained in Parts II and III of the Merchant Shipping (Radio)(Fishing Vessels) Rules 1974 (as amended by the Merchant Shipping (Radio)(Fishing Vessels) Amendment Rules 1982 and the Merchant Shipping (Radio)(Fishing Vessel) Amendment Rules 1994) irrespective of the revocation made by regulation 2.”.

Made this sixteenth day of June 2000

D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of this Order)

The Merchant Shipping (Radio) (Fishing Vessels) Regulations 1999 are applicable to the Falkland Islands as a result of regulation 10 of the Merchant Shipping (Adoption of Legislation) Ordinance 1992. Those Regulations came into force on 1st January 2000.

Regulation 5 of the Merchant Shipping (Radio) (Fishing Vessels) Regulations 1999, at paragraph (3) enables non-Directive Falkland Islands fishing vessels (i.e. new fishing vessels less than 24 metres in length and existing vessels less than 45 metres in length) to comply with the provisions contained in Parts II and III of the Merchant Shipping (Radio) (Fishing Vessels) Rules 1974 instead of complying with the requirements of Part III of the 1999 Regulations until the earlier of the dates set out in regulation 5(4).

This Order has the effect of enabling Directive Falkland Islands fishing vessels (i.e. new fishing vessels of 24 metres or more in length and existing vessels of 45 metres or more in length) to comply with the same radio rules until the prescribed date, after which all Falkland Islands registered fishing vessels must comply with the provisions of the 1999 Regulations.

SUBSIDIARY LEGISLATION

FISHERIES

Fishery Products (Hygiene) (Designated Vessels) (No 2) Order 2000

S. R. & O. No. 17 of 2000

Made: 22 June 2000

Published: 27 June 2000

Coming into force: upon publication

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

Citation and commencement

1. This Order may be cited as the Fishery Products (Hygiene)(Designated Vessels)(No 2) Order 2000 and comes into force on publication in the *Gazette*.

Designation of vessel

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

Made this twenty-seventh day of June 2000

D A Lamont
Governor

SCHEDULE

<i>Vessel name</i>	<i>Approval number</i>
Mila	1023

EXPLANATORY NOTE

(not forming part of the above Order)

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



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

10th July 2000

No. 10

The following are published in this Supplement -

**Crozier Place, John Street and Reservoir Road No Waiting Regulations
(Amendment) Order 2000 (S. R. & O. No. 18 of 2000);**

**Coins (Various Commemorative Coins) (No.2) Order 2000
(S. R. & O. No. 19 of 2000);**

Stanley Common (Amendment) Bill 2000;

Agricultural Incentives and Subsidies (Land Charges) (Amendment) Bill 2000.

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

**Crozier Place, John Street and Reservoir Road No Waiting Regulations (Amendment)
Order 2000**

S. R. & O. No: 18 of 2000

Made: 28 June 2000
Published: 10 July 2000
Coming into force: on publication

IN EXERCISE of my powers under section 18 of the Road Traffic Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Crozier Place, John Street and Reservoir Road No Waiting Regulations (Amendment) Order 2000 and comes into force forthwith.

Interpretation

2. In this Order, “the principal Order” means the Crozier Place, John Street and Reservoir Road No Waiting Regulations Order 2000(b).

Amendment of the principal Order

3. The principal Order is amended —

(a) in regulation 2(2) by inserting after the definition of “Schedule” the following definition—

““school hours” means the period 9 in the morning until 4 in the afternoon on days when the Infant and Junior School is used for education of pupils of that school; and”

and by deleting the word “and” first following the definition of “Schedule”;

(b) in regulation 3 by the addition of the following paragraph —

“(4) Insofar as paragraph (1) of this regulation applies to John Street, it only applies during school hours.”

(a) Cap 60 Laws of the Falkland Islands 1950 Edition

(b) SR&O No 13 of 2000

(c) by deleting sub-paragraph (b) of regulation 4(2) and Part 2 of the Schedule.

(d) by inserting a new paragraph (3) in regulation 4 —

“(3) It is not an offence for the licensee or licensees for the time being of the Globe Tavern to cause one motor vehicle belonging to him, them or one of them to wait on the south side of Crozier Place east of a point which is fifteen metres from the junction of Crozier Place with Philomel Street.”

Made this twenty-eighth day of June 2000

R T Jarvis
Acting Governor

EXPLANATORY NOTE
(not forming part of the above Order)

This Order amends the principal Order —

(a) by reducing its application to John Street to school hours;

(b) by removing the exemption in John Street for FIDF vehicles; and

(c) by inserting an exemption, in relation to Crozier Place for the licensee or licensees of the Globe Tavern.

SUBSIDIARY LEGISLATION

CURRENCY

Coins (Various Commemorative Coins) (No 2) Order 2000

S. R. & O. No. 19 of 2000

Made: 1 July 2000

Published: 10 July 2000

Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 22 of the Currency Ordinance 1987(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Coins (Various Commemorative Coins) (No 2) Order 2000 and the provisions of article 2 in their application to Schedule 1 of this Order shall be deemed to have come into force on 10 May 1995 and the provisions of article 2 in their application to Schedule 2 of this Order shall be deemed to have come into force on 30 November 1997 and the provisions of article 2 in their application to Schedule 3 of this Order shall come into force upon publication.

New coins

2.—(1) The minting and issue of the coins described and specified in the Schedules to this Order are hereby authorised.

(2) The Schedules to this Order shall have effect so as to specify the denomination, fineness, weight, diameter, quality, shape, edge and number of the coins authorised by paragraph (1) of this article, the tolerance or remedy which may be permitted in respect of variations from the standard weight, diameter and fineness of the coins and the design of the obverse and reverse of the coins.

Made this first day of July 2000

R T Jarvis
Acting Governor

SCHEDULE 1
*Specifications of Falkland Islands coins to commemorate
the life and times of Her Majesty the Queen Mother*

1.	Denomination	Fifty pence
2.	Fineness	0.925 Sterling Silver
3.	Weight(grams)	28.28
4.	Diameter (mm)	38.61
5.	Quality	Proof with frosted relief
6.	Shape	Round
7.	Edge	Milled
8.	Edition limit	30,000 pieces
9.	Tolerance or Remedy	Variations from the standard weight, diameter and fineness specified above to be allowed of the amount permitted by the British Royal Mint
10.	Designs	<p>Obverse: Uncouped portrait of HM the Queen by Raphael Maklouf surrounded by the inscriptions: "QUEEN ELIZABETH II" to the left of the portrait, "FALKLAND ISLANDS" to the right of the portrait and "1995" below the portrait.</p> <p>Reverse: A portrait of Her Majesty the Queen Mother holding Princess Elizabeth in her arms with the inscriptions: "QUEEN ELIZABETH THE QUEEN MOTHER" and "BIRTH OF PRINCESS ELIZABETH" above the portrait and "1926" and "FIFTY PENCE" below the portrait.</p>

SCHEDULE 2
*Specifications of Falkland Islands coins to commemorate
 Her Majesty the Queen's Golden Wedding Anniversary*

- | | | |
|-----|----------------------------|---|
| 1. | Denomination | Five pounds |
| 2. | Fineness | |
| | (a) The Silver Coin: | 0.925 Sterling Silver
22 carat Gold cameo |
| | (b) The Cupro-nickel Coin: | Alloy: 75 percent Copper,
25 per cent Nickel. |
| 3. | Weight(grams) | 28.28 |
| 4. | Diameter (mm) | 38.61 |
| 5. | Quality | |
| | (a) The Silver Coin: | Proof with frosted relief |
| | (b) The Cupro-nickel Coin: | Brilliant Uncirculated |
| 6. | Shape | Round |
| 7. | Edge | Milled |
| 8. | Edition limit | |
| | (a) The Silver Coin: | 30,000 pieces |
| | (b) The Cupro-nickel Coin: | Unlimited |
| 9. | Tolerance or Remedy | Variations from the standard weight, diameter and fineness specified above to be allowed of the amount permitted by the British Royal Mint |
| 10. | Designs | Obverse: Uncouped portrait of HM the Queen by Raphael Maklouf surrounded by the inscription: "QUEEN ELIZABETH II 1997 FALKLAND ISLANDS 5 POUNDS"

Reverse: The Queen and Prince Philip on the day of their wedding, with an outline of Westminster Abbey (place of marriage) in the background and a cameo shield containing the crowns of the Princess Elizabeth and, as he was then, Philip, Duke of Edinburgh, surrounded by the inscription: "ELIZABETH AND PHILIP 1947 1997" |

SCHEDULE 3

Specifications of the Falkland Islands coins to commemorate the involvement of the barque "Vicar of Bray" in the Californian Gold Rush

Type	Cupro-Nickel	Silver	Gold
Denomination	2 POUNDS	2 POUNDS	20 POUNDS
Weight (grams)	28.28	28.28	6.22
Diameter (millimetres)	38.60	38.60	22.00
Fineness	75% Copper 25% Nickel	.925	.999
Quality	Uncirculated	Proof	Proof
Shape	Round	Round	Round
Edge	Milled	Milled	Milled
Edition Limit	Unlimited	10,000	1,000
 Obverse Design	 The uncouped portrait of Her Majesty the Queen by Raphael Maklouf with the circumferential inscription "QUEEN ELIZABETH II · FALKLAND ISLANDS · 2000"		
 Reverse Design	 The 'Vicar of Bray' in the centre, other ships in the background and a wharf in the foreground, with the circumferential inscription "THE GOLD RUSH" on the left surround, "VICAR OF BRAY" on the right surround, and the denomination "2 POUNDS" at the bottom.		
	The 'Vicar of Bray' in the centre, other ships in the background and a wharf in the foreground, with the circumferential inscription "THE GOLD RUSH" on the left surround, "VICAR OF BRAY" on the right surround, and the denomination "20 POUNDS" at the bottom.		

Stanley Common (Amendment) Bill 2000

(No of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Amendment of Part II of Second Schedule

STANLEY COMMON (AMENDMENT) BILL 2000

A BILL

for

AN ORDINANCE

To amend the Stanley Common Ordinance 1999.

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

Short title and commencement

1. This Ordinance may be cited as the Stanley Common (Amendment) Ordinance 2000 and shall come into force upon the date of its publication in the Gazette.

Amendment of Part II of Second Schedule

2. Part II of the Second Schedule to the Stanley Common Ordinance 1999(a) is amended by the addition of the following matters at the foot thereof as follows —

Column 1-	Column 2-	Column 3-
Ammunition Store	Approximately 320 square metres to the south of the new FIDF HQ	The Crown

OBJECTS AND REASONS

To permit the lawful development of part of Stanley Common for the siting of an ammunition store.

(a) No 9 of 1999

Agricultural Incentives and Subsidies (Land Charges) (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. **Short title and commencement**
2. **Interpretation**
3. **Amendment of section 3 of the principal Ordinance**

**AGRICULTURAL INCENTIVES AND SUBSIDIES (LAND CHARGES)
(AMENDMENT) BILL 2000**

A BILL

for

AN ORDINANCE

(assented to: 2000)
(commencement: in accordance with section 1)
(published: 2000)

To amend the Agricultural Incentives and Subsidies (Land Charges) Ordinance 1998.

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

Short title and commencement

1. This Ordinance may be cited as the Agricultural Incentives and Subsidies (Land Charges) (Amendment) Ordinance 2000 and shall be deemed to have come into force on 9 December 1998.

Interpretation

2. In this Ordinance, “the principal Ordinance” means the Agricultural Incentives and Subsidies (Land Charges) Ordinance 1998(a).

Amendment of section 3 of the principal Ordinance

3.—(1) Subsection (2) of section 3 of the principal Ordinance is replaced by the following —

(a) No 28 of 1998



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

21st August 2000

No. 11

The following are published in this Supplement -

Agricultural Incentives and Subsidies (Land Charges) (Amendment) Bill 2000;

Taxes (Amendment) Bill 2000;

Taxes (Amendment) (No. 2) Bill 2000;

Explanatory Memorandum, Criminal Justice (Evidence) Bill 2000;

Criminal Justice (Evidence) Bill 2000.

Agricultural Incentives and Subsidies (Land Charges) (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Interpretation
3. Amendment of section 3 of the principal Ordinance
4. Repeal of section 4 of the principal Ordinance

**AGRICULTURAL INCENTIVES AND SUBSIDIES (LAND CHARGES)
(AMENDMENT) BILL 2000**

A BILL

for

AN ORDINANCE

(assented to: 2000)
(commencement: in accordance with section 1)
(published: 2000)

To amend the Agricultural Incentives and Subsidies (Land Charges) Ordinance 1998.

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

Short title and commencement

1. This Ordinance may be cited as the Agricultural Incentives and Subsidies (Land Charges) (Amendment) Ordinance 2000 and shall be deemed to have come into force on 9 December 1998.

Interpretation

2. In this Ordinance, “the principal Ordinance” means the Agricultural Incentives and Subsidies (Land Charges) Ordinance 1998(a).

Amendment of section 3 of the principal Ordinance

3.—(1) Subsection (2) of section 3 of the principal Ordinance is replaced by the following —

(a) No 28 of 1998

“(2) Except as provided by subsection (2A), no sum shall be repayable under this section unless a surplus is realised on the sale of the whole or part of the land within five years of the receipt by the owner of the incentive payment.”

(2) The following subsection is inserted in section 3 of the principal Ordinance, immediately following subsection (2) —

“(2A) Where on the disposal of the whole or any part of the land otherwise than by will or on intestacy any sum paid by way of incentive payment to the owner of the land has not been fully expended for the purposes of the Programme, that sum shall, to the extent that it remains not so expended, shall, if the Crown so requires, be forthwith repayable by the owner to the Crown.”

(3) Subsection (3) of section 3 of the principal Ordinance is amended by the insertion, at the commencement of the subsection, of the words “Where a surplus arises on the sale of the land or part of the land,”.

(4) Section 3 of the principal Ordinance is further amended by the insertion of the following subsection, immediately after subsection (4) —

“(5) For the purposes of subsection (2A), the owner of the land is deemed to have disposed of it if he ceases to carry on business in agriculture upon that land.”

Repeal of section 4 of the principal Ordinance

4. Section 4 of the principal Ordinance is repealed.

OBJECTS AND REASONS

The purposes of this Bill are to amend the principal Ordinance so as to provide for a liability to repay the unexpended portion of any incentive payment in certain circumstances.

Taxes (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Amendment to Taxes Ordinance 1997

TAXES (AMENDMENT) BILL 2000

(No: of 2000)

A BILL

for

AN ORDINANCE

(assented to: 2000)

(commencement: 1 January 2001)

(published: 2000)

To amend the Taxes Ordinance 1997.

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

Short title and commencement

1. This Ordinance may be cited as the Taxes (Amendment) Ordinance 2000 and comes into force on 1 January 2001.

Amendment to Taxes Ordinance 1997

2.—(1) The Taxes Ordinance 1997 is amended by replacing section 16(1) with the following —

“16.—(1) In computing the chargeable income of an individual there shall be allowed —

(a) in respect of any year of assessment beginning on or after 1 January 1997 up to and including the year of assessment beginning on 1 January 2001, a deduction of £5,500; and

(b) in relation to any year of assessment beginning on or after 1 January 2002 a deduction of £6,500.”; and

(2) by replacing section 17(2) with the following —

“(2) in ascertaining the chargeable income for a year of assessment of a husband, in any case where he is assessed jointly with his wife who has earned income arising during the year immediately preceding that year of assessment then, subject to sub-section (3), a deduction shall be made in respect of any year of assessment beginning on or after 1 January 1997 up to and including the year of assessment beginning on 1 January 2001 of £5,500 or the amount of the wife’s earned income, whichever is the less, but in respect of any year of assessment beginning on or after 1 January 2002, the deduction to be made shall be £6,500 or the amount of the wife’s earned income, whichever is the less.”

Taxes (Amendment) (No 2) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title, commencement and interpretation
2. Taxation of bunkering services

TAXES (AMENDMENT) (NO 2) BILL 2000

(No: of 2000)

A BILL

for

AN ORDINANCE

(assented to: 2000)

(commencement: 2000)

(published: 2000)

To amend the Taxes Ordinance 1997.

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

Short title, commencement and interpretation

- 1.—(1) This Ordinance may be cited as the Taxes (Amendment) (No.2) Ordinance 2000.
- (2) This Ordinance shall come into force on 1st January 2001.
- (3) In this Ordinance “the 1997 Ordinance” means the Taxes Ordinance 1997(a).

Taxation of bunkering services

- 2.—(1) The following section shall be inserted in the 1997 Ordinance after section 104 —

(a) No 14 of 1997

“Bunkering activities in Falkland Islands waters

104A. Any person who provides bunkering services in the internal waters or territorial sea of the Falkland Islands shall be deemed to be carrying on a business in the Falkland Islands, and any profits and losses which arise therefrom shall be deemed to arise from a source in the Falkland Islands.”

This subsection shall not apply in relation to the provision of bunkering services before 1st January 2001 but shall apply in relation to the provision of bunkering services on or after that date.

(2) In this section —

“bunkering services” means the supply to boats or oil platforms of any petroleum product within the meaning of the Petroleum Ordinance 1973 under the authority of a licence granted under the Ordinance;

“exemption certificate” means a certificate granted under subsection (5) below;

“licensee” means the person to whom a licence under the Petroleum Products Ordinance 1973 has been granted;

“oil platform” means a structure whether intended to be fixed to the seabed or not and designed to support the equipment and stores required for drilling or for exploiting oil or gas by means of wells already drilled and connected or to be connected to the platform; and

“supplier” means any person providing bunkering services, other than the licensee.

(3) Subject to the following provisions of this section, the Commissioner may by notice require the licensee to pay an amount of tax which has been assessed on any supplier in respect of profits or gains of any business or providing bunkering services, if the tax remains unpaid later than 30 days after it has become due and payable.

(4) An amount of unpaid tax may not be included in a notice under this section if the tax —

(a) was assessed in respect of profits or gains arising or accruing to a person as respects whom an exemption certificate has been issued (“an exempt person”) at a time when such a certificate is in force as respects that person; or

(b) is payable by an exempt person and became due at a time when an exemption certificate is in force as respects that person; or

(c) was assessed in respect of the emoluments of any employment; or

(d) was assessed in respect of the profits or gains of an accounting period beginning before 1st January 2001

and such fair and reasonable apportionments of unpaid tax shall be made as may be necessary to give effect his subsection.

(5) The licensee shall pay the amount of unpaid tax stated in the notice, together with any interest due thereon under this Ordinance, within 30 days of the service of the notice.

(6) A notice under this section shall state particulars of the assessment, the amount remaining unpaid, the date when it became payable and the amount of interest due, and where it is based on an apportionment under subsection (4) above, the notice shall include particulars of the manner in which the amount required to be paid was determined.

(7) Any amount which a licensee is required to pay by a notice under this section may be recovered from him as if it were tax due and duly demanded from him; and he may recover any such amount paid by him from the person on whom the assessment was made.

(8) A payment in pursuance of a notice under this section shall not be allowed as a deduction in computing any income, profits or losses for any tax purposes.

(9) Where, on an application made by a supplier, the Commissioner is satisfied that the applicant will comply with any obligations imposed on him by his Ordinance, he may issue a certificate to the licensee exempting him from the provisions of this section with respect of any tax payable by the applicant.

(10) The Commissioner may, by notice in writing to the holder of a certificate issued under this section, cancel the certificate from such date, not earlier than 30 days after the service of the notice, as may be specified in the notice.”

EXPLANATORY MEMORANDUM
Criminal Justice (Evidence) Bill 2000

Introductory

1. In an interdepartmental review of Government departments in the United Kingdom on the treatment of vulnerable or intimidated witnesses in the criminal justice system, published in June 1998, various measures were proposed intended to help witnesses, other than the defendant, who are vulnerable through immaturity, mental or physical disorder, or disability or impairment likely to affect their evidence. The Bill would introduce protective provision for witnesses, such as the victims of sexual offences, whose evidence is likely to be affected by their fear or distress at giving evidence in the proceedings. Amendments would also be made to the law governing the competence of witnesses to give evidence, the admission of unsworn evidence at trial, and the publication of reports of court proceedings.

Part I of the Bill

2. Part I of the Bill (clauses 1 to 3) are introductory. Power would be given by clause 1 to bring the provisions of the Bill, if enacted, into force by stages. Clauses 2 and 3 contain a number of definitions necessary for the purposes of the Bill. Clause 2(2) contains a statement that the Bill, if enacted, would not in any way affect any power of a court to exclude evidence at its discretion which a court has apart from the provisions of the Bill.

Part II of the Bill

3. Part II of the Bill is divided into five chapters. Chapter I deals with special measures and directions in the case of vulnerable and intimidated witnesses. It consists of clauses 4 to 21. Clause 4 would provide for witnesses in certain categories to be eligible for assistance under the later provisions of the Bill. The clause applies only to criminal proceedings and does not apply to the accused. Clause 4(1)(a) provides that any witness under 17 at the time of the hearing is eligible for assistance. The relevant date for determining age is when the court decides whether or not to offer assistance (see subclause (3)). Under clause 9(8) and (9), any order made under clause 4 will normally, unless the witness has already started to give evidence, cease to have effect when the witness becomes 17. A witness aged 17 or above is eligible for assistance where the quality of the witness's evidence is likely to be diminished for one of the reasons specified in clause 4(2). While any diminution for one of those reasons will qualify the witness for assistance, the extent of diminution will have an effect on the nature of the assistance made available. The court would be required to take account of any views expressed by the witness when assessing whether the witness falls within clause 4(2)(b). Clause 4(5) defines what is meant by the expression of "quality of evidence" used in clause 4(1)(b) - the completeness, coherence and accuracy of the witness's evidence. "Coherence", in respect of the witness, is the witness's ability to answer the questions put to him or her in a way that can be understood both in relation to the particular question and to the evidence of that witness generally.

4. Clause 5 would enable the court to give assistance to a witness in criminal proceedings if the court is satisfied that the quality of the witness's evidence is likely to be diminished by reason of fear or distress on the part of the witness in connection with testifying in the proceedings. It does not apply to the accused. Apart from that, a witness of any age becomes eligible for assistance if the court is satisfied that the quality of the witness's evidence is likely to be diminished by reason of fear or distress on the part of the witness in connection with testifying in the proceedings. The "fear or distress" must be the fear or distress of the witness himself or herself and must be in connection with

testifying in the proceedings. Clause 5(2) sets out the factors which the court would be required, in particular, to take into account. Clause 5(3) would require the court in addition to consider any views expressed by the witness. Clause 5(4) says that where the complainant in respect of a sexual offence is a witness in proceedings relating to that offence he or she would be eligible for assistance in relation to those proceedings unless he or she has informed the court of the witness wish not to be so eligible.

5. Clause 6 would apply the special measures described in later sections depending on whether the witness becomes eligible as a result of clause 4 or as a result of clause 5.

6. By virtue of clause 7, the court would have power to make a special measures direction either on the application of a party to the proceedings (prosecution or defence) or of its own motion (i.e. without any application having been made to the court to make such a direction). Under clause 7(2), where a court determines that a witness is eligible for assistance, the next stage would be for the court to determine whether any of the special measures would be likely to improve the quality of the evidence, either singly or in combination. Having done so, the court would then decide which measures and apply them to the witness. In reaching its decision, the court must take account both of the views of the witness and the extent to which the measure or measures adopted might intend to inhibit the evidence being effectively tested by a party to the proceedings.

7. Clause 8 would provide for the length of an order and the means by which an order is made. Under subclause (1) an order would normally last from the time it is made until the proceedings conclude. However, under subclause (2), the court would be able to vary or discharge an order either of its own motion or, if there has been a material change of circumstances since the "relevant time", on application of a party to the proceedings. "Relevant time" is defined in subclause (3) as meaning the time when the direction was given or, if a previous application has been made under subclause (2) the time when the application (or last application) was made. Subclause (5) would require that any decision regarding a special measures direction must be accompanied by reasons given in open court which, in the case of a court of summary jurisdiction (the Summary Court and the Magistrate's Court) would be required to be entered in the court register. Subclause (6) would confer powers to make rules. The powers include power to enable straightforward dealing with unopposed applications and for safeguards for confidential information.

8. Clause 9 contains special provisions in relation to child witnesses in criminal proceedings (other than the accused). A child witness is any witness who is under the age of 17. Under the provisions of clause 23(3) a child witness in proceedings including a sexual offence or certain other offences of violence, abduction or neglect would be "in need of special protection". Clause 9(2) would require that a court dealing with a child witness must first consider the provisions of subclauses (3) to (8) of clause 9 before going on to consider the more general provisions in clause 7(2).

9. It is a primary rule by virtue of clause 9(3) to (5) for any child witness that evidence in chief will be given either by a video recording or by live link and any other evidence will be given by live link. However the rule may be disapplied where the interests of justice so require (see clause 15(2)). However, unless the witness is in need of special protection, the primary rule does not apply where the court is satisfied that the quality of the witness's evidence would not be maximised. Where a child witness is in need of special protection because the proceedings include a sexual offence, a special measures direction which includes the requirement for evidence in chief to be given by video

recording would also have to provide for video recorded cross-examination and re-examination unless the accused is representing himself, or the witness does not wish the measure to apply. Having applied these measures, the court must then go back to clause 7 and consider whether any further measures are necessary.

10. Where a special measure is applied only because the witness is a child witness, it would cease when the witness becomes 17 unless it is a video recording made while the witness was under that age or the witness has already started to give evidence (see clause 9(8) and (9)).

11. Clause 10 would have the effect that where a video recording was made of an interview with a person under 17 with a view to its admission as evidence in chief, and that witness is 17 or over at the time of the hearing, the witness would be a "qualifying witness" and would be entitled to have the provisions of section 9(2) to (7) applied in the manner set out in clause 10(2).

12. Clause 11 would authorise measures preventing witnesses from seeing the accused whilst giving evidence or being sworn. It would be available to witnesses eligible under both sections 5 and 6. It should be noted that the protection is not described as being protection to prevent sight of the accused whilst the witness is entering or leaving court, and that it does not provide for the witness to be prevented from seeing persons in the public gallery. A screen is a measure specifically mentioned in the clause, but any other arrangement could be authorised. The arrangements would, however, be required not to prevent the witness seeing the persons listed in subclauses (2) and (3).

13. Clause 12 provides for a witness to give evidence whilst away from where the proceedings are being heard. It is available in respect of witnesses eligible under both sections 5 and 6. The witness would have to be able to see and hear (and to be seen and heard) by the persons mentioned in clause 11(2) (except of course if either the witness or any of the persons mentioned is unable to see or hear by reason of any impairment of eyesight or hearing).

14. Once a direction for a live link is made, evidence can only be given by the witness by live link unless the court permits otherwise.

15. Clause 13 would enable the court to exclude from the court any one other than the accused, legal representatives acting in the proceedings or any interpreter or other person appointed to assist the witness. The clause would be available to witnesses eligible under both sections 5 and 6. Special provision would be made in relation to the press under subclause 13(3). A direction for the evidence to be given in private could only be made where the proceedings relate to a sexual offence or where there are reasonable grounds for believing that someone other than the accused has sought, or will seek, to intimidate the witness.

16. Clause 14 would allow modification to court dress either by the court or the advocates or both.

17. Clause 15 would allow video recordings of interviews of a witness as evidence in chief but would enable the court to exclude some or all of the recording where that is in the interests of justice. The court would be required to balance any prejudice to the accused with a desirability of showing all or most of the recording (see subclause (3)), it could exclude a recording where the witness is needed for cross-examination but is not available (see subclause (4)(a)) and could exclude a recording where there has not been satisfactory compliance with rules governing disclosure of the

circumstances in which the recording was made (see subclause (4)(b)). The witness would have to be called by the party tendering the evidence, subject to any other special measures direction or the agreement of the parties, but the witness could not give further evidence in chief without the permission of the court which could only be given in relation to matters not dealt with in the recorded testimony (see subclause (5)). An application for permission could be made by the court of its own motion or by a party to the proceedings but only if there has been a material change in circumstances since the direction was given or last considered (subclause (7)). The provisions of the clause would be additional to other provisions relating to the admissibility of a video recording (see subclause (11)).

18. Clause 16 would provide for cross-examination and re-examination to be video recorded where a video recording of examination in chief has been admitted under clause 15. The clause would require the recording to take place in the presence of persons prescribed in subclause (2). These need not include the accused. The accused must, however, be able to see and hear (except where he suffers from an impairment of sight or hearing) the examination of the witness and must be able to communicate with his legal practitioner acting for him in the proceedings. Subclauses (5) and (6) prohibit cross-examination of a witness who has already been video recorded in respect of his evidence unless the court has made a direction for a video recording to be made of the further examination.

19. Clause 17 would make provision available for witnesses with physical or mental disabilities or for child witnesses to have an intermediary communicate questions to and answers from him or her. The intermediary would have to be approved by the court and would be required to explain the questions and answers in a way that enables them to be understood. The intermediary would have to make a declaration that those functions would be faithfully performed. It would be possible for an intermediary to be used in connection with the video recording of an interview with a view to its use as evidence in chief, provided that the intermediary made the required declaration before the interview began and that the court approved the person to act as intermediary before directing the admission of the video recording in evidence.

20. Clause 18 would enable a special measures direction to provide that a witness while giving evidence should be provided with such device as the court considers appropriate with a view to enabling questions or answers to be communicated to the witness despite any disability or disorder or other impairment which the witness has or suffers from.

21. Clause 19 would provide that a statement made by a witness as part of his or her evidence in criminal proceedings which, as a result of a special measures direction, were not made in court to be treated as if made in direct oral testimony in court.

22. Clause 20 would require a judge on a trial on indictment to give any necessary warning to the jury to ensure that there is no prejudice to the accused as a result of the making of a special measures direction. This of course would be particularly necessary where a witness has been prevented from seeing the accused or where certain people have been excluded from the court during the evidence of a witness.

23. Clause 21 contains a number of definitions.

24. Chapter II (clauses 22 to 27) contains a number of clauses in relation to the protection of witnesses from cross-examination by the accused in person. An accused is, of course, entitled to conduct his or her own defence. The experience has been, particularly in relation to sexual offences by men that some accused have taken the opportunity afforded to them by the right to conduct their own defence to conduct cross-examination of the complainant in such a way as to cause her the maximum possible amount of embarrassment and humiliation by asking questions as to matters which were not of any real relevance to the guilt or innocence of the accused.

25. Clause 22 would prohibit a person charged with a sexual offence from cross-examining in person the complainant, whether in relation to the sexual offence or in relation to any other offence with which the person is charged in the proceedings.

26. Clause 23 would prohibit a person charged with any of the offences listed in subclause (3) from cross-examining a "protected witness" in person. A witness would be "protected" where the witness is the complainant or is a child who is a witness to the commission of the offence. Depending on the offence, a "child" would be a person under 17 (see subclause (4)(a)) or a person under 14 (see subclause (4)(b)). These age limits would be extended to cover a person over the relevant age where evidence in chief was given (either directly or through a video recording) at a time when the person was under that age. The protection given by the clause would also extend to a witness who is charged with an offence in the proceedings (subclause (5): e.g. where a person under the age of 17 is a witness to a rape at which he is present and is charged with aiding and abetting that rape).

27. Clause 24 would allow the court to prohibit the cross-examination (or further cross-examination) of a witness by the accused in person in certain circumstances which do not fall within clause 22 or clause 23. Application for such a prohibition could be made by the prosecutor or by the court of its own motion and reasons must be given in open court and in the case of a court of summary jurisdiction, would have to be recorded in the court register. A test balancing the quality of the evidence with the interests of justice would have to be applied (see subclause (2)). In assessing the impact on the quality of the evidence, the court would have to take into account matters specified in subclause (3). These would include both the views of the witness and the conduct of the accused. Save to the extent allowed by the court, no publication could contain a report of the making or consideration of the making of a prohibition under clause 24 until the case has been concluded (see clause 34).

28. Clause 25 would provide for applications to be made to discharge orders made under clause 24. The court would be able to discharge the order of its own motion or on application by a party to the proceedings which should only be made if there had been a material change in circumstances since the order was made or last considered. Clause 26 seeks to ensure that a defendant's case is properly presented where the defendant is prevented from cross-examining a witness in person. Legal representation would be arranged, under the provisions of the clause, for the purpose of cross-examining the witness. First, the defendant will be given the opportunity to arrange his or her representation. If a defendant did not make any such arrangement, the court would be required to consider whether the interests of justice require the witness to be cross-examined by a legal practitioner representing the interests of the accused. If they do, the court would appoint a legal practitioner for that purpose but that legal practitioner would not be responsible to the accused. (The reason that the legal practitioner would not be responsible to the accused is that, otherwise, the legal

practitioner would be bound to implement the accused's instructions in relation to the cross-examination of the witness and that would defeat the purposes of the clause).

29. Clause 27 would require a judge in a trial on indictment during which a defendant is prevented from cross-examining a witness in person to give any necessary warning to the jury to ensure that the defendant is not prejudiced by the drawing of inferences from his inability to cross-examine or from the undertaking of cross-examination by a legal practitioner not appointed by the accused.

30. Chapter III of Part II deals with the protection of complainants in proceedings for sexual offences and consists of clauses 28 to 30.

31. Clause 28 would have the effect that the leave of the court would be required before adducing evidence about or asking questions in cross-examination on any sexual behaviour of the complainant. The prohibition would apply in any trial of a person charged with a sexual offence. And "trial" would be given an extended meaning by clause 29. Leave to ask questions or adduce evidence about the sexual behaviour of the complainant could only be applied for by or on behalf of the accused. Under clause 30 an application for such leave would be heard in private and in the absence of the complainant. However the reasons for the granting or refusal of leave and the extent of any leave given would have to be given in open court (but in the absence of any jury) and in a court of summary jurisdiction would have to be entered in the court register. Before granting leave the court would have to be satisfied of the existence of the circumstances set out in subsections (3) or (5) and that refusal of leave might render a conclusion unsafe on a relevant issue. (Under section 29(1)(a) this would mean any issue falling to be proved by the prosecution of defence in the trial of the accused). If the relevant issue is consent, further limiting factors set out in subclauses (3)(b) and (c) on which the court would have to be satisfied before granting leave would apply. Subclause (4) would impose a further restriction excluding material the main purpose of which is to impugn the credibility of the complainant as a witness. Additionally any evidence or question would have to relate to specific instances of sexual behaviour (see subclause (5)).

32. Clauses 29 and 30 would make supplementary provision in relation to clause 28. Clause 29 contains a number of definitions and, additionally, would enable the Governor by order to add or subtract offences to which clause 28 would apply. Clause 29(3) would state that clause 28 would apply to proceedings before the Summary Court or the Magistrate's Court inquiring into an offence as examining justices and any hearing held between conviction and sentencing for the purpose of determining matters relevant to the courts decision as to how the accused is to be dealt with and to the hearing of an appeal as well as to a trial.

33. Chapter IV of Part II (clauses 31 to 39) contain a number of provisions relating to reporting restrictions. Clause 31 would extend the restriction on the reporting of matters relating to young offenders to the stage between the commencement of a criminal investigation (defined in clause 31(9)) and there being proceedings in a court in respect of the offence. Under subclause (2), the prohibition on publication would extend to any person under the age of 18 involved in the offence. By virtue of subclause (4) a person would be "involved" in the offence if he was a person by whom the offence is alleged to have been committed, if he were the alleged victim of the offence or a witness. The restriction on publication could be lifted wholly or in part by a court where the court believed it to be in the interests of justice to do so. The court would be required to have regard to the welfare of the person under 18. Clause 32 would replace section 39 of the Children and Young

Persons Act 1933 in its application to the Falkland Islands, as it applies to criminal proceedings (but leaving it in force for other proceedings). It would not apply where the automatic provisions of section 39 of the 1933 Act apply. Subject to that restriction, the clause would apply to any criminal proceedings in any court of the Falkland Islands. A court could direct that nothing should be published relating to a person under 18 concerned in any proceedings that is likely to lead to members of the public identifying that person. A person is "concerned in proceedings" if he is a defendant or a person in respect of whom the proceedings are taken or a witness. If such an order is made, the court (or an appellate court dealing with an appeal arising out of the case) could dispense with any of the restrictions to the extent it considered necessary in the interests of justice. Such a court could also dispense with the restrictions if satisfied that they impose a substantial and unreasonable restriction on the reporting or proceedings and that it is in the public interest to relax the restriction. Clause 39 sets out the factors to be taken account of in determining the public interest. The fact that the case has been concluded is not sufficient in itself to satisfy the test but could be a relevant factor the court would be obliged to have regard to the welfare of the person under 18 in deciding whether to restrict publication totally or in part.

34. Clause 33 would extend the protection from identification of witnesses aged 18 or over. The provisions would only apply to criminal proceedings. A witness would be eligible for protection where fear or distress (caused by the risk of being identified by the public as a witness in the proceedings) would be likely to diminish either the quality of the witness's evidence or the level or co-operation given by the witness to any party in connection with that party's preparation of its case.

35. In assessing the eligibility of the witness, the court would have to take into account the issues listed in subclauses (4) and (5) of clause 33 which relate to the offence, the witness and the conduct of the accused or others towards the witness. If a witness is eligible for protection and the court is satisfied that restricting reporting is likely to improve either the quality of evidence or the extent of co-operation, the court would be able to give a reporting direction (clause 33(2)). In making that decision, the court would have to take into account both the interests of justice and the public interest in avoiding restrictions on reporting (clause 33(8)). The direction would prohibit anything being published which could lead to the identification by the public of the witness (clause 33(6)). Subject to the power of the court or an appellate court to revoke the direction (which can be at any time not just during the case) the restriction would last for the lifetime of the witness (clause 33(6)). However, a witness could waive the protection by notice in writing (see clause 37(7) and (8)). If a reporting restriction is made, its extent can be restricted by an excepting direction (clause 33(9)). The extent of the exceptions would be determined by both the interests of justice and the public interest. The conclusion of the case would not in itself justify such a direction (clause 33(9)) but might be one of a number of factors. An excepting direction could be varied or revoked by the court or by an appellate court (clause 33(11)).

36. Clause 34 would prohibit during a case the publication of the making, varying, discharging of (or consideration of any of those in relation to) a special measures direction under section 7 or a prohibition of cross-examination by the accused in person under section 24 (clause 34(1) and (2)). The court would be able to waive that restriction in total or in part (clause 34(3)).

37. Clause 35 gives effect to Schedule 1.

38. Clause 36 provides for the offence committed by publication in breach of reporting restrictions (clause 36(1)). Proceedings for such an offence could only be instituted by or with the consent of the Attorney General (clause 36(6)).

39. Clause 37 would provide for defences to offences charged under section 46. Clause 46(1) provides for a general defence of lack of awareness or of a reasonable suspicion that the publication included the prohibited material. Clause 37(2) would provide for a defence of lack of awareness of the commencement of the criminal investigation in relation to an offence. Clause 37(3) would provide a defence to a restricted class of defendant's if they could satisfy the court that the restriction under clause 31(2) imposed a substantial and unreasonable restriction on the reporting of matters connected with the offence. This seeks to deal with the situations where the prohibition of publication of an individual's details can, in effect prevent reporting of the offence at all.

40. Clause 38 would extend the liability for offences under clause 36 committed by a body corporate. An officer (defined in clause 38(2) and (3) of the body corporate who consented to, connived in or to whose neglect the offence is attributable would also be liable in respect of the offence).

41. Clause 39 would define the factors to which a court must have regard when called on to balance the public interest against the protections given in Part 2. That is to say, the interest in open reporting, the welfare of the person to whom the restrictions apply and the views of the person or, if that person is under 16, an appropriate person as defined in clause 37(9).

42. Chapter V of Part 2 of the Bill deals with competence of witnesses and capacity to be sworn and consists of clause 40 to 44.

43. Clause 40 would redefine the test of competence to give evidence in criminal proceedings. Under it, everybody would be competent unless unable to understand questions put to the person as a witness or to give understandable answers. However, a defendant would not be competent for the prosecution unless no longer liable to be convicted in those proceedings and that could be because he had already pleaded guilty or for some other reason.

44. Clause 41 provides that the question of the competence of a witness could be raised by a party or by the court. The party calling the witness would have to satisfy the court of the competence of the witness on the balance of probabilities (clause 41(2)). Expert evidence could be called upon the question (clause 41(5)) and in determining the question the court is to treat the witness as having the benefit of any directions under clause 7 which the court has given, or proposes to give, in relation to the witness (clause 41(3)). Under clause 41(4) the jury would not be present if the issue is raised in the Supreme Court. It is the court which is to conduct any question which is necessary and it is to do so in the presence of the parties (clause 41(6)).

45. Clause 42 would deal with the basis for determination of the question as to whether a witness gives evidence on oath (or affirmation) or unsworn. The issue may be raised either by the parties or by the court (clause 42(1)). Where the witness is under 14 years of age he or she would be required to give evidence unsworn. Equally a person who does not appreciate the solemnity of the occasion and the responsibility to tell the truth that particularly follows the taking of an oath would be required to give evidence unsworn. However anybody above the age of 14 who is able to give

intelligible testimony would be presumed to appreciate the solemnity of the occasion and the responsibility to tell the truth unless any of the parties were to bring evidence to the contrary. If such evidence were brought, the onus would be on the party calling the witness to satisfy the court on the balance of probabilities that the witness has sufficient appreciation of the matters required. Expert evidence could be called on the question. Again, any necessary questioning of the witness would be required to be conducted by the court in the presence of the parties and in the Summary Court the issue would be decided in the absence of the jury.

46. Clause 43 would allow witnesses who fail to appreciate the solemnity of the occasion or the obligation to tell the truth to give unsworn evidence (clause 43(2)). Clause 44 would provide for an offence similar to perjury for those who give false unsworn evidence.

47. Part III of the Bill contains a number of general provisions. Clause 45 would remove any restriction which requires evidence to be given as to the proper use and operation of a computer before evidence from it can be used in court in criminal proceedings.

48. Clause 46 would enable the Chief Justice to make rules of court for the purposes of the Bill, if enacted. Clause 47 would make the minor and consequential amendments specified in Schedule 2 and clause 48 would provide that no provision of the Youth Justice and Criminal Evidence Act 1999 having effect by virtue of section 78 of the Interpretation and General Clauses Ordinance. The object of this provision is to prevent provisions of the 1999 Act which are not suitable to the circumstances of the Falkland Islands having effect there. Those provisions are, in the main, provisions of Part 1 of that Act which make amendments to the youth justice system which are impractical or undesirable in the Falkland Islands.

Criminal Justice (Evidence) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

PART I

INTRODUCTORY

1. Short title and commencement
2. Interpretation
3. Meaning of “sexual offence” and other references to offences

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER I

SPECIAL MEASURES AND DIRECTIONS IN CASE OF VULNERABLE AND INTIMIDATED WITNESSES

Preliminary

4. Witnesses eligible for assistance on grounds of age or incapacity
5. Witnesses eligible for assistance on grounds of fear or distress about testifying
6. Special measures available to eligible witnesses
7. Special measures direction relating to eligible witness
8. Further provisions about directions: general
9. Special provisions relating to child witnesses
10. Extension of provisions of section 9 to certain witnesses over 17

Special measures

11. Screening witness from accused
12. Evidence by live link
13. Evidence given in private
14. Removal of wigs and gowns
15. Video recorded evidence in chief
16. Video recorded cross-examination or re-examination
17. Examination of witness through intermediary
18. Aids to communication

Supplementary

19. Status of evidence given under Chapter I
20. Warning to jury
21. Interpretation of Chapter I

CHAPTER II

PROTECTION OF WITNESSES FROM CROSS-EXAMINATION BY ACCUSED IN PERSON

General prohibitions

22. Complainants in proceedings for sexual offences
23. Child complainants and other child witnesses

Prohibition imposed by court

24. Direction prohibiting accused from cross-examining particular witness
25. Further provisions about directions under section 24

Cross-examination on behalf of accused

- 26. Defence representation for the purposes of cross-examination
- 27. Warning to jury

CHAPTER III

PROTECTION OF COMPLAINANTS IN PROCEEDINGS FOR SEXUAL OFFENCES

- 28. Restrictions on evidence or questions about complainant's sexual history
- 29. Interpretation and application of section 28
- 30. Procedure on applications under section 28

CHAPTER IV

REPORTING RESTRICTIONS

Reports relating to persons under 18

- 31. Restrictions on reporting alleged offences involving persons under 18
- 32. Power to restrict reporting of criminal proceedings involving persons under 18

Reports relating to adult witnesses

- 33. Power to restrict reports about certain adult witnesses in criminal proceedings

Reports relating to directions under Chapter I or II

- 34. Restrictions on reporting directions under Chapter I or II

Other restrictions

- 35. Amendment relating to other reporting restrictions

Offences

- 36. Offences under Chapter IV
- 37. Defences
- 38. Offences committed by bodies corporate

Supplementary

- 39. Decisions as to public interest for purposes of Chapter IV

CHAPTER V

COMPETENCE OF WITNESSES AND CAPACITY TO BE SWORN

Competence of witnesses

- 40. Competence of witnesses to give evidence
 - 41. Determining competence of witnesses
- Giving of sworn or unsworn evidence*
- 42. Determining whether witness to be sworn
 - 43. Reception of unsworn evidence
 - 44. Penalty for giving false unsworn evidence

PART III

GENERAL PROVISIONS

Removal of restriction

- 45. Removal of restriction on use of evidence from computer records
- 46. General supplementary provisions

Schedule 1

Schedule 2

Schedule 3

CRIMINAL JUSTICE (EVIDENCE) BILL 2000

(No: of 2000)

A BILL

for

AN ORDINANCE

(assented to: 2000)

(commencement: 2000)

(published: 2000)

To amend the law relating to the giving of evidence in criminal proceedings.

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

PART I

INTRODUCTORY

Short title and commencement

1. This Ordinance may be cited as the Criminal Justice (Evidence) Ordinance 2000 and shall come into force on such date as is notified by the Governor by notice published in the *Gazette*: provided that the Governor may by one or more notices so published notify different dates for the coming into force of different provisions of this Ordinance.

Interpretation

2.—(1) In this Ordinance —

“accused”, in relation to any criminal proceedings, means any person charged with an offence to which the proceedings relate (whether or not he has been convicted);

“the complainant”, in relation to any offence (or alleged offence), means a person against or in relation to whom the offence was (or is alleged to have been) committed;

“court” means the Summary Court, the Magistrate's Court, the Supreme Court and the Court of Appeal;

“picture” includes a likeness however produced;

“the prosecutor” means any person acting as a prosecutor, whether an individual or body;

“publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings;

“relevant programme” means a programme included in a programme service (“programme service” having the same meaning as it has under the Broadcasting Act 1990 of the United Kingdom substituting in the relevant provisions of that Act a reference to the Falkland Islands for references to the United Kingdom or any part of the United Kingdom);

“video recording” means any recording, on any medium, from which a moving image made by any means may be produced, and includes the accompanying sound-track;

“witness”, in relation to any criminal proceedings, means any person called, or proposed to be called, to give evidence in the proceedings.

(2) Nothing in this Ordinance shall affect any power of a court to exclude evidence at its discretion (whether by preventing questions being put or otherwise) which is exercisable apart from this Ordinance.

Meaning of “sexual offence” and other references to offences

3.—(1) In this Ordinance “sexual offence” means —

(a) rape or burglary with intent to rape;

(b) an offence under any of sections 2 to 12 and 14 to 17 of the Sexual Offences Act 1956 in its application to the Falkland Islands (unlawful sexual intercourse, indecent assault, forcible abduction etc);

(c) an offence under section 128 of the Mental Health Act 1959 in its application to the Falkland Islands (unlawful intercourse with person receiving treatment for mental disorder by a member of hospital staff etc);

(d) an offence under section 1 of the Indecency with Children Act 1960 in its application to the Falkland Islands (indecent conduct towards child under 14);

(e) an offence under section 54 of the Criminal Law Act 1977 in its application to the Falkland Islands (incitement of child under 16 to commit incest).

(2) In this Ordinance any reference (including a reference having effect by virtue of this subsection) to an offence of any description (“the substantive offence”) is to be taken to include a reference to an offence which consists of attempt or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, the substantive offence.

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER I

SPECIAL MEASURES AND DIRECTIONS IN CASE OF VULNERABLE AND INTIMIDATED WITNESSES

Preliminary

Witnesses eligible for assistance on grounds of age or incapacity

4.—(1) For the purposes of this Chapter a witness in criminal proceedings (other than the accused) is eligible for assistance by virtue of this section —

(a) if under the age of 17 at the time of the hearing; or

(b) if the court considers that the quality of the evidence given by the witness is likely to be diminished by reason of any circumstances falling within subsection (2).

(2) The circumstances falling within this subsection are —

(a) that the witness —

(i) suffers from mental disorder within the meaning of the Mental Health Ordinance, or

(ii) otherwise has a significant impairment of intelligence and social functioning;

(b) that the witness has a physical disability or is suffering from a physical disorder.

(3) In subsection (1)(a) “the time of the hearing”, in relation to a witness, means the time when it falls to the court to make a determination for the purposes of section 7(2) in relation to the witness.

(4) In determining whether a witness falls within subsection (1)(b) the court must consider any views expressed by the witness.

(5) In this Chapter references to the quality of a witness’s evidence are to its quality in terms of completeness, coherence and accuracy; and for this purpose “coherence” refers to a witness’s ability in giving evidence to given answers which address the questions put to the witness and can be understood both individually and collectively.

Witnesses eligible for assistance on ground of fear or distress about testifying

5.—(1) For the purposes of this Chapter a witness in criminal proceedings (other than the accused) is eligible for assistance by virtue of this subsection if the court is satisfied that the quality of the evidence given by the witness is likely to be diminished by reason of fear or distress on the part of the witness in connection with testifying in the proceedings.

(2) In determining whether a witness falls within subsection (1) the court must take into account, in particular —

(a) the nature and alleged circumstances of the offence to which the proceedings relate;

(b) the age of the witness;

(c) such of the following matters as appear to the court to be relevant, namely —

(i) the social and cultural background and ethnic origins of the witness,

(ii) the domestic and employment circumstances of the witness, and

(iii) any religious beliefs or political opinions of the witness;

(d) any behaviour towards the witness on the part of —

(i) the accused,

(ii) members of the family or associates of the accused, or

(iii) any other person who is likely to be an accused or a witness in the proceedings.

(3) In determining that question the court must in addition consider any views expressed by the witness.

(4) Where the complainant in respect of a sexual offence is a witness in proceedings relating to that offence (or to that offence and any other offences), the witness is eligible for assistance in relation to those proceedings by virtue of this subsection unless the witness has informed the court or his or her wish not to be so eligible by virtue of this subsection.

Special measures available to eligible witnesses

6. For the purposes of this Chapter —

(a) the provision which may be made by a special measures direction by virtue of each of sections 11 to 18 is a special measure available in relation to a witness eligible for assistance by virtue of section 4; and

(b) the provision which may be made by such a direction by virtue of each of sections 11 to 16 is a special measure available in relation to a witness eligible for assistance by virtue of section 5.

Special measures direction relating to eligible witness

Special measures direction relating to eligible witness

7.—(1) This section applies where in any criminal proceedings —

(a) a party to the proceedings makes an application for the court to give a direction under this section in relation to a witness in the proceedings other than the accused; or

(b) the court of its own motion raises the issue whether such a direction should be given.

(2) Where the court determines that the witness is eligible for assistance by virtue of section 4 or 5, the court must then —

(a) determine whether any of the special measures available in relation to the witness (or any combination of them) would, in its opinion, be likely to improve the quality of evidence given by the witness; and

(b) if so —

(i) determine which of those measures (or combination of them) would, in its opinion, be likely to maximise so far as practicable the quality of such evidence; and

(ii) give a direction under this section providing for the measure or measures so determined to apply to evidence given by the witness.

(3) In determining for the purposes of this Chapter whether any special measure or measures would or would not be likely to improve, or to maximise so far as practicable, the quality of evidence given by the witness, the court must consider all the circumstances of the case, including in particular —

(a) any views expressed by the witness; and

(b) whether the measure or measures might tend to inhibit such evidence being effectively tested by a party to the proceedings.

(4) A special measures direction must specify particulars of the provision made by the direction in respect of each special measure which is to apply to the witness's evidence.

(5) In this Chapter "special measures direction" means a direction under this section.

(6) Nothing in this Chapter is to be regarded as affecting any power of a court to make an order or give leave of any description (in the exercise of its inherent jurisdiction or otherwise) —

(a) in relation to a witness who is not an eligible witness;

(b) in relation to an eligible witness where (as, for example in a case where a foreign language interpreter is to be provided) the order is made or the leave is given otherwise than by reason of the fact that the witness is an eligible witness.

Further provisions about directions: general

8.—(1) Subject to subsection (2) and section 9(8), a special measures direction has binding effect from the time it is made until the proceedings for the purposes of which it is made are either —

(a) determined (by acquittal, conviction or otherwise), or

(b) abandoned,

in relation to the accused or (if there is more than one) in relation to each of the accused.

(2) The court may discharge or vary (or further vary) a special measures direction if it appears to the court to be in the interests of justice to do so, and may do so either —

(a) on an application made by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or

(b) of its own motion.

- (3) In subsection (2) “the relevant time” means —
- (a) the time when the direction was given, or
 - (b) if the previous application has been made under that subsection, the time when the application (or last application) was made.
- (4) Nothing in subsection 12(2) and (3), 15(4) to (7) or 16(4) to (6) is to be regarded as affecting the power of the court to vary or discharge a special measures direction under subsection (2) of this section.
- (5) The court must state in open court its reasons for —
- (a) giving or varying,
 - (b) refusing an application for, or for the variation or discharge of, or
 - (c) discharging,
- a special measures direction and, if it is a court of summary jurisdiction, must cause them to be entered in the register of its proceedings.
- (6) Rules of court may make provision —
- (a) for uncontested applications to be determined by the court without a hearing;
 - (b) for preventing the renewal of an unsuccessful application for a special measures direction except where there has been a material change of circumstances;
 - (c) for expert evidence to be given in connection with an application for, or for varying or discharging, such a direction;
 - (d) for the manner in which confidential or sensitive information is to be treated in connection with such an application and in particular as to its being disclosed to, or withheld from, a party to the proceedings.

Special provisions relating to child witnesses

- 9.—(1) For the purposes of this section —
- (a) a witness in criminal proceedings is a “child witness” if he is an eligible witness by reason of section 4(1)(a) (whether or not he is an eligible witness by reason of any other provision of section 4 or 5);
 - (b) a child witness is “in need of special protection” if the offence (or any of the offences) to which the proceedings relate is —
 - (i) an offence falling within section 23(3)(a) (sexual offences etc), or
 - (ii) an offence falling within section 23(3)(b), (c) or (d) (kidnapping, assaults etc); and
 - (c) a “relevant recording”, in relation to a child witness, is a video recording of an interview of the witness made with a view to its admission as evidence in chief of the witness.
- (2) Where the court, in making a determination for the purposes of section 19(2) determines that a witness in criminal proceedings is a child witness, the court must —
- (a) first have regard to subsections (3) to (7) of this subsection; and
 - (b) then have regard to section 7(2);
- and for the purposes of section 7(2), as it then applies to the witness, any special measures required to be applied in relation to him by virtue of this section shall be treated as if they were measures determined by the court, pursuant to section 7(2)(a) and (b)(i), to be ones that (whether on their own or with any other special measures) would be likely to maximise, so far as practicable, the quality of his evidence.
- (3) The primary rule in the case of a child witness is that the court must give a special measures direction in relation to the witness which complies with the following requirements —

- (a) it must provide for any relevant recording to be admitted under section 15 (video recorded evidence in chief); and
 - (b) it must provide for any evidence given by the witness in the proceedings which is not given by means of a video recording (whether in chief or otherwise) to be given by means of a live link in accordance with section 12.
- (4) The primary rule is subject to the following limitations —
- (a) the requirement contained in subsection (3)(a) has effect subject to section 15(2); and
 - (b) the rule does not apply to the extent that the court is satisfied that compliance with it would not be likely to maximise the quality of the witness's evidence so as to be practicable (whether because the application to that evidence of one or more other special measures available in relation to the witness would have that result or for any other reason).
- (5) However, subsection (4)(b) does not apply in relation to a child witness in need of special protection.
- (6) Where a child witness is in need of special protection by virtue of subsection (1)(b)(i), any special measures direction given by the court which complies with the requirement contained in subsection (3)(a) must in addition provide for the special measure available under section 15 (video recorded cross-examination or re-examination) to apply in relation to —
- (a) any cross-examination of the witness otherwise than by the accused in person, and
 - (b) any subsequent re-examination.
- (7) The requirement contained in subsection (6) has effect subject to the limitation that it does not apply if the witness has informed the court that he does not want that special measure to apply in relation to him.
- (8) Where a special measures direction is given in relation to a child witness who is an eligible witness by reason only of section 4(1)(a), then —
- (a) subject to subsection (9) of this section, and
 - (b) except where the witness has already begun to give evidence in the proceedings,
- the direction shall cease to have effect at the time when the witness attains the age of 17.
- (9) Where a special measures direction is given in relation to a child witness by reason only of section 4(1)(a) and —
- (a) the direction provides —
 - (i) for any relevant recording to be admitted under section 15 as evidence in chief of the witness, or
 - (ii) for the special measure available under section 28 to apply in relation to the witness,
 and
 - (b) if it provides for that special measure to so apply, the witness is still under the age of 17 when the video recording is made for the purposes of section 16,
- then, so far as it provides as mentioned in paragraph (a)(i) or (ii), the direction shall continue to have effect in accordance with section 8(1) even though the witness subsequently attains that age.

Extension of provisions of section 9 to certain witnesses over 17

10.—(1) For the purposes of this section —

- (a) a witness in criminal proceedings (other than the accused) is a “qualifying witness” if he—
 - (i) is not an eligible witness at the time of the hearing (as defined by section 4(3)), but
 - (ii) was under the age of 17 when a relevant recording was made;

(b) a qualifying witness is “in need of special protection” if the offence (or any of the offences) to which the proceedings relate is —

(i) an offence falling within section 23(3)(a) (sexual offences etc), or

(ii) an offence falling within section 23(3)(b), (c) or (d) (kidnapping, assaults etc); and

(c) a “relevant recording”, in relation to a witness, is a video recording of an interview of the witness made with the view to its admission as evidence in chief of the witness.

- (2) Subsections (2) to (7) of section 9 shall apply as follows in relation to a qualifying witness —
- (a) subsections (2) to (4), so far as relating to the giving of direction complying with the requirement contained in subsection (3)(a), shall apply to a qualifying witness in respect of the relevant recording as they apply to a child witness (within the meaning of that section);
 - (b) subsection (5), so far as relating to the giving of such a direction, shall apply to a qualifying witness in need of special protection as it applies to a child witness in need of special protection (within the meaning of that section); and
 - (c) subsections (6) and (7) shall apply to a qualifying witness in need of special protection by virtue of subsection (1)(b)(i) of this section as they apply to such a child witness as is mentioned in subsection (6) of section 9.

Special measures

Screening witness from accused

11.—(1) A special measures direction may provide for the witness, while giving testimony or being sworn in court, to be prevented by means of a screen or other arrangement from seeing the accused.

(2) But the screen or other arrangement must not prevent the witness from being able to see, and to be seen by —

(a) the judge or justices (or both) and the jury (if there is one);

(b) legal practitioners acting in the proceedings; and

(c) any interpreter or other person appointed (in pursuance of the direction or otherwise) to assist the witness.

(3) Where two or more legal practitioners are acting for a party in the proceedings, subsection (2)(b) is to be regarded as satisfied in relation to those legal practitioners if the witness is able at all material times to see and be seen by at least one of them.

Evidence by live link

12.—(1) A special measures direction may provide for the witness to give evidence by means of a live link.

(2) Where a direction provides for the witness to give evidence by means of a live link, the witness may not give evidence in any other way without the permission of the court.

(3) The court may give permission for the purposes of subsection (2) if it appears to the court to be in the interests of justice to do so, and may do so either —

(a) on an application by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or

(b) of its own motion.

(4) In subsection (3) “the relevant time” means —

(a) the time when the direction was given, or

- (b) if a previous application has been made under that subsection, the time when the application (or last application) was made.
- (5) In this Chapter “live link” means a live television link or other arrangement whereby a witness, while absent from the court room or other place where the proceedings are being held, is able to see and hear a person there and to be seen and heard by the persons specified in section 11(2)(a) to (c).

Evidence given in private

- 13.—**(1) A special measures direction may provide for the exclusion from the court, during the giving of the witness’s evidence, of persons of any description specified in the direction.
- (2) The persons who may be so excluded do not include —
- (a) the accused,
 - (b) legal practitioners acting in the proceedings, or
 - (c) any interpreter or other person appointed (in pursuance of the direction or otherwise) to assist the witness.
- (3) A special measures direction providing for representatives of news gathering or reporting organisations to be so excluded shall be expressed not to apply to one named person who —
- (a) is a representative of such an organisation, and
 - (b) has been nominated for the purpose by one or more such organisations, unless it appears to the court that no such nomination has been made.
- (4) A special measures direction may only provide for the exclusion of persons under this section where —
- (a) the proceedings relate to a sexual offence; or
 - (b) it appears to the court that there are reasonable grounds for believing that any person other than the accused has sought, or will seek, to intimidate the witness in connection with testifying in the proceedings.
- (5) Any proceedings from which persons are excluded under this section (whether or not those persons include representatives of news gathering or reporting organisations) shall nevertheless be taken to be held in public for the purposes of any privilege or exemption from liability available in respect of fair, accurate and contemporaneous reports of legal proceedings held in public.

Removal of wigs and gowns

- 14.** A special measures direction may provide for the wearing of wigs or gowns to be dispensed with during the giving of the witness’s evidence.

Video recorded evidence in chief

- 15.—**(1) A special measures direction may provide for a video recording of an interview of the witness to be admitted as evidence in chief of the witness.
- (2) A special measures direction may, however, not provide for a video recording, or a part of such a recording, to be admitted under this section if the court is of the opinion, having regard to all the circumstances of the case, that in the interests of justice the recording, or that part of it, should not be so admitted.
- (3) In considering for the purposes of subsection (2) whether any part of a recording should not be admitted under this section, the court must consider whether any prejudice to the accused

which might result from that part being so admitted is outweighed by the desirability of showing the whole, or substantially the whole, of the recorded interview.

(4) Where a special measures direction provides for a recording to be admitted under this section, the court may nevertheless subsequently direct that it is not to be so admitted if —

(a) it appears to the court —

(i) the witness will not be available for cross-examination (whether conducted in the ordinary way or in accordance with any such direction), and

(ii) the parties to the proceedings have not agreed that there is no need for the witness to be so available; or

(b) any rules of court requiring disclosure of the circumstances in which the recording was made have not been complied with to the satisfaction of the court.

(5) Where a recording is admitted under this section —

(a) the witness must be called by the party tendering it in evidence, unless —

(i) a special measures direction provides for the witness's evidence on cross-examination to be given otherwise than by testimony in court, or

(ii) the parties to the proceedings have agreed that there is no need for the witness to be so available; and

(b) the witness may not give evidence in chief otherwise than by means of the recording —

(i) as to any matter which, in the opinion of the court, has been dealt with adequately in the witness's recorded testimony, or

(ii) without the permission of the court, as to any other matter which, in the opinion of the court, is dealt with in that testimony.

(6) Where in accordance with subsection (2) a special measures direction provides for part only of a recording to be admitted under this section, references in subsections (4) and (5) to the recording or to the witness's recorded testimony are references to the part of the recording or testimony which is to be so admitted.

(7) The court may give permission for the purposes of subsection (5)(b)(ii) if it appears to the court to be in the interests of justice to do so, and may do so either —

(a) on an application by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or

(b) of its own motion.

(8) In subsection (7) "the relevant time" means —

(a) the time when the direction was given, or

(b) if a previous application has been made under that subsection, the time when the application (or last application) was made.

(9) The court may, in giving permission for the purposes of (5)(b)(ii), direct that the evidence in question is to be given by the witness by means of a live link; and, if the court so directs, subsections (5) to (7) of section 12 shall apply in relation to that evidence as they apply in relation to evidence which is to be given in accordance with a special measures direction.

(10) The Summary Court inquiring into an offence has examining justices under section 6 of the Magistrate's Courts Act 1980 in its application to the Falkland Islands may consider any video recording in relation to which it is proposed to apply for a special measures direction providing for it to be admitted at the trial in accordance with this section.

(11) Nothing in this section affects the admissibility of any video recording which would be admissible apart from this section.

Video recorded cross-examination or re-examination

16.—(1) Where a special measures direction provides for a video recording to be admitted under section 15 as evidence in chief of the witness, the direction may also provide —

- (a) for any cross-examination of the witness, and any re-examination, to be recorded by means of a video-recording; and
- (b) for such a recording to be admitted, so far as it relates to any such cross-examination or re-examination, as evidence of the witness under cross-examination or on re-examination, as the case may be.

(2) Such a recording must be made in the presence of such persons as rules of court or the direction may provide and in the absence of the accused, but in circumstances in which —

- (a) the judge or justices (or both) and legal practitioners acting in the proceedings are able to see and hear the examination of the witness and to communicate with the persons in whose presence the recording is being made, and
- (b) the accused is able to see and hear any such examination and to communicate with any legal practitioner acting for him.

(3) Where two or more legal practitioners are acting for a party to the proceedings, subsection (2)(a) and (b) are to be regarded as satisfied in relation to those practitioners if at all material times they are satisfied in relation to at least one of them.

(4) Where a special measures direction provides for a recording to be admitted under this section, the court may nevertheless subsequently direct that it is not to be so admitted if any requirement of subsection (2) or rules of court or the direction has not been complied with to the satisfaction of the court.

(5) Where in pursuance of subsection (1) a recording has been made of any examination of the witness, the witness may not be subsequently cross-examined or re-examined in respect of any evidence given by the witness in the proceedings (whether in any recording admissible under section 15 or this section or otherwise than in such a recording) unless the court gives a further special measures direction making such provision as is mentioned in subsection (1)(a) and (b) in relation to any subsequent cross-examination, and re-examination, of the witness.

(6) The court may only give such a further direction if it appears to the court —

- (a) that the proposed cross-examination is sought by a party to the proceedings as a result of that party having become aware, since the time when the original recording was made in pursuance of subsection (1), of a matter which that party could not with reasonable diligence have ascertained by then, or
- (b) that for any other reason it is in the interests of justice to give the further direction.

(7) Nothing in this section shall be read as apply in relation to any cross-examination of the witness by the accused in person (in a case where the accused is to be able to conduct any such cross-examination).

Examination of witness through intermediary

17.—(1) A special measures direction may provide for any examination of the witness (however and wherever conducted) to be conducted through an interpreter or other person approved by the court for the purposes of this section (“an intermediary”).

(2) The function of an intermediary is to communicate —

- (a) to the witness, questions put to the witness, and
- (b) to any person asking such questions, the answers given by the witness in reply to them,

and to explain such questions or answers so far as necessary to enable them to be understood by the witness or person in question.

(3) Any examination of the witness in pursuance of subsection (1) must take place in the presence of such persons as rules of court or the direction may provide, but in circumstances in which —

(a) the judge or justices (or both) and legal practitioners acting in the proceedings are able to see and hear the examination of the witness and to communicate with the intermediary, and

(b) (except in the case of a video recorded examination) the jury (if there is one) are able to see and hear the examination of the witness.

(4) Where two or more legal practitioners are acting for a party to the proceedings, subsection (3)(a) is to be regarded as satisfied in relation to those legal practitioners if at all material times it is satisfied in relation to at least one of them.

(5) A person may not act as an intermediary in a particular case except after making a declaration, in such form as may be prescribed by rules of court, that he will faithfully perform his function as intermediary.

(6) Subsection (1) does not apply to an interview of the witness which is recorded by means of a video recording with a view to its admission as evidence in chief of the witness; but a special measures direction may provide for such a recording to be admitted under section 15 if the interview was conducted through an intermediary and —

(a) that person complied with subsection (5) before the interview began, and

(b) the court's approval for the purposes of this section is given before the direction is given.

(7) Section 1 of the Perjury Act 1911 (perjury) in its application to the Falkland Islands shall apply in relation to a person acting as an intermediary as it applies in relation to a person lawfully sworn as an interpreter in a judicial proceeding; and for this purpose, where a person acts as an intermediary in any proceeding which is not a judicial proceeding for the purposes of that section, that proceeding shall be taken to be part of the judicial proceeding in which the witness's evidence is given.

Aids to communication

18. A special measures direction may provide for the witness, while giving evidence (whether by testimony in court or otherwise), to be provided with such device as the court considers appropriate with a view to enabling questions or answers to be communicated to or by the witness despite any disability or disorder or other impairment which the witness has or suffers from.

Supplementary

Status of evidence given under Chapter I

19.—(1) Subsections (2) to (4) apply to a statement made by a witness in criminal proceedings which, in accordance with a special measures direction, is not made by the witness in direct oral testimony in court but forms part of the witness's evidence in those proceedings.

(2) The statement shall be treated as if made by the witness in direct oral testimony in court, and accordingly —

(a) it is admissible evidence of any fact of which such testimony from the witness would be admissible;

(b) it is not capable of corroborating any other evidence given by the witness.

(3) Subsection (2) applies to a statement admitted under section 15 or 16 which is not made by the witness on oath even though it would have been required to be made on oath if made by the witness in direct oral testimony in court.

(4) In estimating the weight (if any) to be attached to the statement, the court must have regard to all the circumstances from which an inference can reasonably be drawn (as to the accuracy of the statement or otherwise).

(5) Nothing in this Chapter (apart from subsection (3)) affects the operation of any rule of law relating to evidence in criminal proceedings.

(6) Where any statement made by a person on oath in any proceeding which is not a judicial proceeding for the purposes of section 1 of the Perjury Act 1911 (perjury) in its application to the Falkland Islands is received in evidence in pursuance of a special measures direction, that proceeding shall be taken for the purposes of that section to be part of the judicial proceeding in which the statement is so received in evidence.

(7) Where in any proceeding which is not a judicial proceeding for the purposes of that Act —

(a) a person wilfully makes a false statement otherwise than on oath which is subsequently received in evidence in pursuance of a special measures direction, and

(b) the statement is made in such circumstances that had it been given on oath in any such judicial proceeding that person would have been guilty of perjury,

he commits an offence and is liable to any punishment which might be imposed on conviction of an offence under section 35(2) (giving of false unsworn evidence in criminal proceedings) in its application to the Falkland Islands.

(8) In this section “statement” includes any representation of fact, whether made in words or otherwise.

Warning to jury

20. Where on a trial on indictment evidence has been given in accordance with a special measures direction, the judge must give the jury such warning (if any) as the judge considers necessary to ensure that the fact that the direction was given in relation to the witness does not prejudice the accused.

Interpretation of Chapter I

21.—(1) In this Chapter —

“eligible witness” means a witness eligible for assistance by virtue of section 4 or 5;

“live link” has the meaning given by section 12(8);

“quality”, in relation to the evidence of a witness, shall be construed in accordance with section 4(5); and

“special measures direction” means (in accordance with section 7(5)) a direction under section 7.

(2) In this Chapter references to the special measures available in relation to a witness shall be construed in accordance with section 6.

(3) In this Chapter references to a person being able to see or hear, or be seen or heard by, another person are to be read as not applying to the extent that either or them is unable to see or hear by reason of any impairment of eyesight or hearing.

(4) In the case of any proceedings in which there is more than one accused —

- (a) any reference to the accused in sections 11 to 16 may be taken by a court, in connection with the giving of a special measures direction, as a reference to all or any of the accused, as the court may determine, and
- (b) any such direction may be given on the basis of any such determination.

CHAPTER II

PROTECTION OF WITNESSES FROM CROSS-EXAMINATION BY ACCUSED IN PERSON

General prohibitions

Complainants in proceedings for sexual offences

22. No person charged with a sexual offence may in any criminal proceedings cross-examine in person a witness who is the complainant, either —
- (a) in connection with that offence, or
 - (b) in connection with any other offence (of whatever nature) with which that person is charged in the proceedings.

Child complainants and other child witnesses

- 23.—(1) No person charged with an offence to which this section applies may in any criminal proceedings cross-examine in person a protected witness, either —
- (a) in connection with that offence, or
 - (b) in connection with any other offence (of whatever nature) with which that person is charged in the proceedings.
- (2) For the purposes of subsection (1) a “protected witness” is a witness who —
- (a) either is the complainant or is alleged to have been a witness to the commission of the offence to which this section applies, and
 - (b) either is a child or falls to be cross-examined after giving evidence in chief (whether wholly or in part) —
 - (i) by means of a video-recording made (for the purposes of section 15) at a time when the witness was a child, or
 - (ii) in any other way at any such time.
- (3) The offences to which this section applies are —
- (a) any offence under any of the following Acts in their application to the Falkland Islands —
 - (i) the Sexual Offences Act 1956,
 - (ii) the Indecency with Children Act 1960,
 - (iii) the Sexual Offences Act 1967,
 - (iv) section 54 of the Criminal Law Act 1977, and
 - (v) the Protection of Children Act 1978;
 - (b) kidnapping, false imprisonment or an offence under section 1 or 2 of the Child Abduction Act 1984 in its application to the Falkland Islands;
 - (c) any offence under section 1 of the Children and Young Persons Act 1933 in its application to the Falkland Islands; and
 - (d) any offence (not within any of the preceding paragraphs) which involves an assault on, or injury or a threat of injury to, any person.
- (4) In this section “child” means —
- (a) where the offence falls within subsection (3)(a), a person under the age of 17; or

- (b) where the offence falls within subsection (3)(b), (c) or (d), a person under the age of 14.
- (5) For the purpose of this section “witness” includes a witness who is charged with an offence in the proceedings.

Prohibition imposed by court

Direction prohibiting accused from cross-examining particular witness

24.—(1) This section applies where, in a case where neither of sections 22 and 23 operates to prevent an accused in any criminal proceedings from cross-examining a witness in person —

- (a) the prosecutor makes an application for the court to give a direction under this section in relation to the witness, or
- (b) the court of its own motion raises the issue whether such a direction should be given.

(2) If it appears to the court —

- (a) that the quality of evidence given by the witness on cross-examination —
 - (i) is likely to be diminished if the cross-examination (or further cross-examination) is conducted by the accused in person, and
 - (ii) would be likely to be improved if a direction were given under this section, and
- (b) that it would not be contrary to the interests of justice to give such a direction,

the court may give a direction prohibiting the accused from cross-examining (or further cross-examining) the witness in person.

(3) In determining whether subsection (2)(a) applies in the case of a witness the court must have regard, in particular, to —

- (a) any views expressed by the witness as to whether or not the witness is content to be cross-examined by the accused in person;
- (b) the nature of the questions likely to be asked, having regard to the issues in the proceedings and the defence case advanced so far (if any);
- (c) any behaviour on the part of the accused at any stage of the proceedings, both generally and in relation to the witness;
- (d) any relationship (of whatever nature) between the witness and the accused;
- (e) whether any person (other than the accused) is or has at any time been charged in the proceedings with a sexual offence or an offence to which section 23 applies, and (if so) whether section 22 or 23 operates or would have operated to prevent that person from cross-examining the witness in person;
- (f) any direction under section 19 which the court has given, or proposes to give, in relation to the witness.

(4) For the purposes of this section —

- (a) “witness”, in relation to an accused, does not include any other person who is charged with an offence in the proceedings; and
- (b) any reference to the quality of a witness’s evidence shall be construed in accordance with section 4(5).

Further provisions about directions under section 24

25.—(1) Subject to subsection (2), a direction has binding effect from the time it is made until the witness to whom it applies is discharged.

In this section “direction” means a direction under section 24.

(2) The court may discharge a direction if it appears to the court to be in the interests of justice to do so, and may do so either —

- (a) on an application made by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or
- (b) of its own motion.

(3) In subsection (2) “the relevant time” means —

- (a) the time when the direction was given, or
- (b) if a previous application has been made under that subsection, the time when the application (or last application) was made.

(4) The court must state in open court its reasons for —

- (a) giving, or
- (b) refusing an application for, or for the discharge of, or
- (c) discharging,

a direction and, if it is a court of summary jurisdiction, must cause them to be entered in the register of its proceedings.

(5) Rules of court may make provision —

- (a) for uncontested applications to be determined by the court without a hearing;
- (b) for preventing the renewal of an unsuccessful application for a direction except where there has been a material change of circumstances;
- (c) for expert evidence to be given in connection with an application for, or for discharging, a direction;
- (d) for the manner in which confidential or sensitive information is to be treated in connection with such an application and in particular as to its being disclosed to, or withheld from, a party to the proceedings.

Cross-examination on behalf of accused

Defence representation for the purposes of cross-examination

26.—(1) This section applies where an accused is prevented from cross-examining a witness in person by virtue of section 22, 23 or 24.

(2) Where it appears to the court that this section applies, it must —

- (a) invite the accused to arrange for a legal practitioner to act for him for the purpose of cross-examining the witness; and
- (b) require the accused to notify the court, by the end of such period as it may specify, whether a legal practitioner is to act for him for that purpose.

(3) If by the end of the period mentioned in subsection (2)(b) either —

- (a) the accused has notified the court that no legal practitioner is to act for him for the purpose of cross-examining the witness, or
- (b) no notification has been received by the court and it appears to the court that no legal practitioner is to act,

the court must consider whether it is necessary in the interests of justice for the witness to be cross-examined by a legal practitioner appointed to represent the interests of the accused.

(4) If the court decides that it is necessary in the interests of justice for the witness to be so cross-examined, the court must appoint a legal practitioner (chosen by the court) to cross-examine the witness in the interests of the accused.

(5) A person so appointed shall not be responsible to the accused.

- (6) Rules of court may make provision —
- (a) as to the time when, and the manner in which, subsection (2) is to be complied with;
 - (b) in connection with the appointment of a legal practitioner under subsection (4), and in particular for securing that a person so appointed is provided with evidence or other material relating to the proceedings.
- (7) Rules of court made in pursuance of subsection (6)(b) may make provision for the application, with such modifications as are specified in the rules, of any of the provisions of —
- (a) any legislation of the Falkland Islands corresponding to Part I of the Criminal Procedure and Investigations Act 1996 of England or, if there is no such legislation, the provisions of that Part of that Act (disclosure of material in connection with criminal proceedings), or
 - (b) any legislation of the Falkland Islands corresponding to the Sexual Offences (Protected Material) Act 1997 or if there is no such legislation the provisions of that Act.
- (8) For the purposes of this section any reference to cross-examination includes (in a case where a direction is given under section 24 after the accused has begun cross-examining the witness) a reference to further cross-examination.

Warning to jury

27.—(1) Where on a trial on indictment an accused is prevented from cross-examining a witness in person by virtue of section 22, 23 or 24, the judge must give the jury such warning (if any) as the judge considers necessary to ensure that the accused is not prejudiced —

- (a) by any inferences that might be drawn from the fact that the accused has been prevented from cross-examining the witness in person;
 - (b) where the witness has been cross-examined by a legal practitioner appointed under section 26(4), by the fact that the cross-examination was carried out by such a legal practitioner and not by a person acting as the accused's own legal practitioner.
- (2) Subsection (8)(a) of section 26 applies for the purposes of this section as it applies for the purposes of section 26.

CHAPTER III

PROTECTION OF COMPLAINANTS IN PROCEEDINGS FOR SEXUAL OFFENCES

Restrictions on evidence or questions about complainant's sexual history

28.—(1) If at a trial a person is charged with a sexual offence, then, except with the leave of the court —

- (a) no evidence may be adduced, and
- (b) no question may be asked in cross-examination,

by or on behalf of the accused at the trial, about any sexual behaviour of the complainant.

(2) The court may give leave in relation to any evidence or questions only on an application made by or on behalf of the accused, and may not give such leave unless it is satisfied —

- (a) that subsection (3) or (5) applies, and
- (b) that a refusal of leave might have the result of rendering unsafe a conclusion of the jury or (as the case may be) the court on any relevant issue in the case.

(3) This subsection applies if the evidence or question relates to a relevant issue in the case and either —

- (a) that issue is not an issue of consent; or

- (b) it is an issue of consent and the sexual behaviour of the complainant to which the evidence or question relates is alleged to have taken place at or about the same time as the event which is the subject matter of the charge against the accused; or
- (c) it is an issue of consent and the sexual behaviour of the complainant to which the evidence or question relates is alleged to have been, in any respect, so similar —
 - (i) to any sexual behaviour of the complainant which (according to evidence adduced or to be adduced by or on behalf of the accused) took place as part of the event which is the subject matter of the charge against the accused, or
 - (ii) to any other sexual behaviour of the complainant which (according to such evidence) took place at or about the same time as that event,
 that the similarity cannot reasonably be explained as a coincidence.
- (4) For the purposes of subsection (3) no evidence or question shall be regarded as relating to a relevant issue in the case if it appears to the court to be reasonable to assume that the purpose (or main purpose) for which it would be adduced or asked is to establish or elicit material for impugning the credibility of the complainant as a witness.
- (5) This subsection applies if the evidence in question —
 - (a) relates to any evidence adduced by the prosecution about any sexual behaviour of the complainant; and
 - (b) in the opinion of the court, would go no further than is necessary to enable the evidence adduced by the prosecution to be rebutted or explained by or on behalf of the accused.
- (6) For the purposes of subsections (3) and (5) the evidence or question must relate to a specific instance (or specific instances) of alleged sexual behaviour on the part of the complainant (and accordingly nothing in those subsections is capable of applying in relation to the evidence in question to the extent that it does not so relate).
- (7) Where this section applies in relation to a trial by virtue of the fact that one or more of a number of persons charged in the proceedings is or are charged with a sexual offence —
 - (a) it shall cease to apply in relation to the trial if the prosecutor decides not to proceed with the case against that person or those person in respect of that charge; but
 - (b) it shall not cease to do so in the event of that person or those persons pleading guilty to, or being convicted of, that charge.
- (8) Nothing in this section authorises any evidence to be adduced or any question to be asked which cannot be adduced or asked apart from this section.

Interpretation and application of section 28

29.—(1) In section 28 —

- (a) “relevant issue in the case” means any issue falling to be proved by the prosecution or defence in the trial of the accused;
- (b) “issue of consent” means any issue whether the complainant in fact consented to the conduct constituting the offence with which the accused is charged (and accordingly does not include any issue as to the belief of the accused that the complainant so consented);
- (c) “sexual behaviour” means any sexual behaviour or other sexual experience, whether or not involving any accused or other person, but excluding (except in section 28(3)(c)(i) and (5)(a)) anything alleged to have taken place as part of the event which is the subject matter of the charge against the accused; and

(d) subject to any order made under subsection (2), "sexual offence" shall be construed in accordance with section 3.

(2) The Governor may by order make such provision as he considers appropriate for adding or removing, for the purposes of section 28, any offence to or from the offences which are sexual offences for the purposes of this Ordinance by virtue of section 3, but no such order shall take effect until it has been approved by the Legislative Council.

(3) Section 28 applies in relation to the following proceedings as it applies to a trial, namely —
(a) proceedings before the Summary Court or the Magistrate's Court inquiring into an offence as examining justices,
(b) any hearing held, between conviction and sentencing, for the purpose of determining matters relevant to the court's decision as to how the accused is to be dealt with, and
(c) the hearing of an appeal,

and references (in section 28 or this section) to a person charged with an offence accordingly include a person convicted of an offence.

Procedure on applications under section 28

30.—(1) An application for leave shall be heard in private and in the absence of the complainant. In this section "leave" means leave under section 28.

(2) Where such an application has been determined, the court must state in open court (but in the absence of the jury, (if there is one) —

(a) its reasons for giving, or refusing, leave, and

(b) if it gives leave, the extent to which evidence may be adduced or questions asked in pursuance of the leave,

and, if it is a court of summary jurisdiction, must cause those matters to be entered in the register of its proceedings.

(3) Rules of court may make provision —

(a) requiring applications for leave to specify, in relation to each item of evidence or question to which they relate, particulars of the grounds on which it is asserted that leave should be given by virtue of subsection (3) or (5) of section 28;

(b) enabling the court to request a party to the proceedings to provide the court with information which it considers would assist it in determining an application for leave;

(c) for the manner in which confidential or sensitive information is to be treated in connection with such an application, and in particular as to its being disclosed to, or withheld from, parties to the proceedings.

CHAPTER IV

REPORTING RESTRICTIONS

Reports relating to persons under 18

Restrictions on reporting alleged offences involving persons under 18

31.—(1) This section applies (subject to subsection (3)) where a criminal investigation has begun in respect of an alleged offence against the law of the Falkland Islands.

(2) No matter relating to any person involved in the offence shall while he is under the age of 18 be included in any publication if it is likely to lead members of the public to identify him as a person involved in the offence.

- (3) The restrictions imposed by subsection (2) cease to apply once there are proceedings in a court in respect of the offence.
- (4) For the purposes of subsection (2) any reference to a person involved in the offence is to —
- (a) a person by whom the offence is alleged to have been committed; or
 - (b) if this paragraph applies to the publication in question by virtue of subsection (5) —
 - (i) a person against or in respect of whom the offence is alleged to have been committed, or
 - (ii) a person who is alleged to have been a witness to the commission of the offence;
- except that paragraph (b)(i) does not include a person in relation to whom section 1 of the Sexual Offences (Amendment) Act 1992 in its application to the Falkland Islands (anonymity of victims of certain sexual offences) applies in connection with the offence.
- (5) Subsection (4)(b) applies to a publication if —
- (a) where it is a relevant programme, it is transmitted, or
 - (b) in the case of any other publication, it is published, at any time after three months from the date of commencement of this section.
- (6) The matters relating to a person in relation to whom the restrictions imposed by subsection (2) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —
- (a) his name,
 - (b) his address,
 - (c) the identity of any school or other educational establishment attended by him,
 - (d) the identity of any place of work, and
 - (e) any still or moving picture of him.
- (7) The Magistrate's Court and the Supreme Court may by order dispense, to any extent specified in the order, with the restrictions imposed by subsection (2) in relation to a person if it is satisfied that it is necessary in the interests of justice to do so.
- (8) However, when deciding whether to make such an order dispensing (to any extent) with the restrictions imposed by subsection (2) in relation to a person, the court shall have regard to the welfare of that person.
- (9) In this section any reference to a criminal investigation, in relation to an alleged offence, is to an investigation conducted by police officers, or other persons charged with the duty of investigating offences, with a view to it being ascertained whether a person should be charged with the offence.

Power to restrict reporting of criminal proceedings involving persons under 18

- 32.—(1) This section applies (subject to subsection (2)) in relation to any criminal proceedings in any court in or of the Falkland Islands.
- (2) This section does not apply in relation to any proceedings to which section 49 of the Children and Young Persons Act 1933 in its application to the Falkland Islands applies.
- (3) The court may direct that no matter relating to any person concerned in the proceedings shall while he is under the age of 18 be included in any publication if it is likely to lead members of the public to identify him as a person concerned in the proceedings.
- (4) The court or an appellate court may by direction (“an excepting direction”) dispense, to any extent specified in the excepting direction, with the restrictions imposed by a direction under subsection (3) if it is satisfied that it is necessary in the interests of justice to do so.

(5) The court or an appellate court may also by direction (“an excepting direction”) dispense, to any extent specified in the excepting direction, with the restrictions imposed by a direction under subsection (3) if it is satisfied —

(a) that their effect is to impose a substantial and unreasonable restriction on the reporting of the proceedings, and

(b) that it is in the public interest to remove or relax that restriction;

but no excepting direction shall be given under this subsection by reason only of the fact that the proceedings have been determined in any way or have been abandoned.

(6) When deciding whether to make —

(a) a direction under subsection (3) in relation to a person, or

(b) an excepting direction under subsection (4) or (5) by virtue of which the restrictions imposed by a direction under subsection (3) would be dispensed with (to any extent) in relation to a person,

the court (or as the case may be) the appellate court shall have regard to the welfare of that person.

(7) For the purposes of subsection (3) any reference to a person concerned in the proceedings is to a person —

(a) against or in respect of whom the proceedings are taken, or

(b) who is a witness in the proceedings.

(8) The matters relating to a person in relation to which the restrictions imposed by a direction under subsection (3) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

(a) his name,

(b) his address,

(c) the identity of any school or other educational establishment attended by him,

(d) the identity of any place of work, and

(e) any still or moving picture of him.

(9) A direction under subsection (3) may be revoked by the court or an appellate court.

(10) An excepting direction —

(a) may be given at the time the direction under subsection (3) is given or subsequently; and

(b) may be varied or revoked by the court or an appellate court.

(11) In this section “appellate court”, in relation to any proceedings in a court, means a court dealing with an appeal (including an appeal by way of case stated) arising out of the proceedings or with any further appeal.

Reports relating to adult witnesses

Power to restrict reports about certain adult witnesses in criminal proceedings

33.—(1) This section applies where in any criminal proceedings in the Falkland Islands a party to the proceedings makes an application for the court to give a reporting direction in relation to a witness in the proceedings (other than the accused) who has attained the age of 18

In this section “reporting direction” has the meaning given by subsection (6).

(2) If the court determines —

(a) that the witness is eligible for protection, and

(b) that giving a reporting direction in relation to the witness is likely to improve —

(i) the quality of evidence given by the witness, or

(ii) the level of co-operation given by the witness to any party to the proceedings in connection with that party's preparation of its case,
the court may give a reporting direction in relation to the witness.

(3) For the purposes of this section a witness is eligible for protection if the court is satisfied —

- (a) that the quality of evidence given by the witness, or
- (b) the level of co-operation given by the witness to any party to the proceedings in connection with that party's preparation of its case,

is likely to be diminished by reason of fear or distress on the part of the witness in connection with being identified by members of the public as a witness in the proceedings.

(4) In determining whether a witness is eligible for protection the court must take into account, in particular —

(a) the nature and alleged circumstances of the offence to which the proceedings relate;

(b) the age of the witness;

(c) such of the following matters as appear to the court to be relevant namely —

(i) the social and cultural background and ethnic origins of the witness,

(ii) the domestic and employment circumstances of the witness, and

(iii) any religious beliefs or political opinions of the witness;

(d) any behaviour towards the witness on the part of —

(i) the accused,

(ii) members of the family or associates of the accused, or

(iii) any other person who is likely to be an accused or a witness in the proceedings.

(5) In determining that question the court must in addition consider any views expressed by the witness.

(6) For the purposes of this section a reporting direction in relation to a witness is a direction that no matter relating to the witness shall during the witness's lifetime be included in any publication if it is likely to lead members of the public to identify him as being a witness in the proceedings.

(7) The matter relating to a witness in relation to which the restrictions imposed by a reporting direction apply (if their inclusion in any publication is likely to have the result mentioned in subsection (6)) include in particular —

(a) the witness's name,

(b) the witness's address,

(c) the identity of any educational establishment attended by the witness,

(d) the identity of any place of work, and

(e) any still or moving picture of the witness.

(8) In determining whether to give a reporting direction the court shall consider —

(a) whether it would be in the interests of justice to do so, and

(b) the public interest in avoiding the imposition of a substantial and unreasonable restriction on the reporting of the proceedings.

(9) The court or an appellate court may by direction ("an excepting direction") dispense, to any extent specified in the excepting direction, with the restrictions imposed by a reporting direction if —

(a) it is satisfied that it is necessary in the interests of justice to do so, or

(b) it is satisfied —

- (i) that the effect of those restrictions is to impose a substantial and unreasonable restriction on the reporting of the proceedings, and
 - (ii) that it is in the public interest to remove or relax that restriction;
 - (c) but no excepting direction shall be given under paragraph (b) by reason only of the fact that the proceedings have been determined in any way or have been abandoned.
- (10) A reporting direction may be revoked by the court or an appellate court.
- (11) An excepting direction —
- (a) may be given at the time the reporting direction is given or subsequently; and
 - (b) may be varied or revoked by the court or an appellate court.
- (12) In this section —
- (a) “appellate court”, in relation to any proceedings in a court, means a court dealing with an appeal (including an appeal by way of case stated) arising out of the proceedings or with an further appeal;
 - (b) references to the quality of a witness’s evidence are to its quality in terms of completeness, coherence and accuracy (and for this purpose “coherence” refers to a witness’s ability in giving evidence to give answers which address the questions put to the witness and can be understood both individually and collectively);
 - (c) references to the preparation of the case of a party to any proceedings include, where the party is the prosecution, the carrying out of investigations into any offence at any time charged in the proceedings.

Reports relating to directions under Chapter I or II

Restrictions on reporting directions under Chapter I or II

34.—(1) Except as provided by this section, no publication shall include a report of a matter falling within subsection (2).

(2) The matters falling within this subsection are —

- (a) a direction under sections 7 or 24 or an order discharging, or (in the case of a direction under section 7) varying, such a direction;
- (b) proceedings —
 - (i) on an application for such a direction or order, or
 - (ii) where the court acts of its own motion to determine whether to give or make any such direction or order.

(3) The court dealing with the matter falling within subsection (2) may order that subsection (1) is not to apply, or is not to apply to specified extent, to a report of that matter.

(4) Where —

- (a) there is only one accused in the relevant proceedings, and
- (b) he objects to the making of an order under subsection (3),

the court shall make the order if (and only if) satisfied after hearing the representations of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.

(5) Where —

- (a) there are two or more accused in the relevant proceedings, and
- (b) one or more of them object to the making of an order under subsection (3),

the court shall make the order if (and only if) satisfied after hearing the representations of each of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.

(6) Subsection (1) does not apply to the inclusion in a publication of a report of matters after the relevant proceedings are either —

- (a) determined (by acquittal, conviction or otherwise), or
- (b) abandoned.

(7) In relation to the accused or (if there is more than one) in relation to each of the accused.

(8) In this section “the relevant proceedings” means the proceedings to which any such direction as is mentioned in subsection (2) relates or would relate.

(9) Nothing in this section affects any prohibition or restriction by virtue of any other enactment on the inclusion of matter in a publication.

Other restrictions

Amendment relating to other reporting restrictions

35. Schedule 1 shall have effect to make amendments relating to reporting restrictions under the Children and Young Persons Act 1933 and the Sexual Offences (Amendment) Act 1976 in their respective application to the Falkland Islands.

Offences

Offences under Chapter IV

36.—(1) This section applies if a publication —

- (a) includes any matter in contravention of section 31(2) or of a direction under 32(3) or 33(2); or
- (b) includes a report in contravention of section 34.

(2) Where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical commits an offence.

(3) Where the publication is a relevant programme —

- (a) any body corporate engaged in providing the programmed service in which the programme is included, and
- (b) any person having functions in relation to the programme corresponding to those of an editor of a newspaper,

commits an offence.

(4) In the case of any other publication, any person publishing it commits an offence.

(5) A person who is convicted of an offence under this section is liable to a fine not exceeding the maximum of level five on the standard scale.

(6) Proceedings for an offence under this section may not be instituted otherwise than by or with the consent of the Attorney General.

Defences

37.—(1) Where a person is charged with an offence under section 36 it shall be a defence to prove that at the time of the alleged offence he was not aware, and neither suspected nor had reason to suspect that the publication included the matter or report in question.

(2) Where —

- (a) a person is charged with an offence under section 36, and

(b) the offence relates to the inclusion of any matter in a publication in contravention of section 31(2),

it shall be a defence to prove that at the time of the alleged offence he was not aware, and neither suspected nor had reason to suspect, that the criminal investigation in question had begun.

(3) Where —

(a) paragraphs (a) and (b) of subsection (2) apply, and

(b) the contravention of section 31(2) does not relate to either —

(i) the person by whom the offence mentioned in that provision is alleged to have been committed, or

(ii) (where that offence is one in relation to which section 1 of the Sexual Offences (Amendment) Act 1992, in its application to the Falkland Islands, applies) a person who is alleged to be a witness to the commission of the offence,

it shall be a defence to show to the satisfaction of the court that the inclusion in the publication of the matter in question was in the public interest on the ground that, to the extent that they operated to prevent that matter from being so included, the effect of the restrictions imposed by section 31(2) was to impose a substantial and unreasonable restriction on the reporting of matters connected with that offence.

(4) Subsection (5) applies where —

(a) paragraphs (a) and (b) of subsection (2) apply, and

(b) the contravention of section 31(2) relates to a person (“the protected person”) who is neither —

(i) the person mentioned in subsection (3)(b)(i), nor

(ii) a person within subsection (3)(b)(ii) who is under the age of 16.

(5) In such a case it shall be a defence, subject to subsection (6), to prove that written consent to the inclusion of the matter in question in the publication had been given —

(a) by an appropriate person, if at the time when the consent was given the protected person was under the age of 16, or

(b) by the protected person, if that person was aged 16 or 17 at that time,

and (where the consent was given by an appropriate person) that written notice had been previously given to that person drawing to his attention the need to consider the welfare of the protected person when deciding whether to give consent.

(6) The defence provided by subsection (5) is not available —

(a) (where the consent was given by an appropriate person) it is proved that written or other notice withdrawing the consent —

(i) was given to the appropriate recipient by any other appropriate person or by the protected person, and

(ii) was so given in sufficient time to enable the inclusion in the publication of the matter in question to be prevented; or

(b) subsection (8) applies.

(7) Where —

(a) a person is charged with an offence under section 36, and

(b) the offence relates to the inclusion of any matter in a publication in contravention of a direction under section 33(2),

it shall be a defence, unless subsection (8) applies, to prove that the person in relation to whom the direction was given had given written consent to the inclusion of that matter in the publication.

(8) Written consent is not a defence if it is proved that any person interfered —

(a) with the peace or comfort of the person giving the consent, or

(b) (where the consent was given by an appropriate person) with the peace or comfort of either that person or the protected person,

with intent to obtain the consent.

(9) In subsection (8) “an appropriate person” means (subject to subsection (10)) a person who is a parent or guardian of the protected person; and “guardian” in relation to the protected person, means any person who is not a parent of the protected person but who has parental responsibility for the protected person within the meaning of the Children Ordinance 1994.

(10) Where the protected person is (within the meaning of the Children Ordinance 1994) a child who is looked after by the Crown, “an appropriate person” means a person who is —

(a) the Director of Health and Medical Services, or a public officer acting under his authority, or

(b) a parent or guardian of the protected person with whom the protected person is allowed to live.

(11) However, no person by whom an offence mentioned in section 31(2) is alleged to have been committed is, by virtue of subsections (9) and (10) an appropriate person for the purposes of this section.

(12) In this section “the appropriate recipient”, in relation to a notice under subsection (6)(a), means —

(a) the person to whom the notice giving consent was given,

(b) (if different) the person by whom the matter in question was published, or

(c) any other person exercising, on behalf of the person mentioned in paragraph (b), any responsibility in relation to the publication of that matter;

and for this purpose “person” includes a body of persons and a partnership.

Offences committed by bodies corporate

38.—(1) If an offence under section 36 committed by a body corporate is proved —

(a) to have been committed with the consent or connivance of, or

(b) to be attributable to any neglect on the part of,

an officer, the officer as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.

(2) In subsection (1) “officer” means a director, manager, secretary or similar officer of the body, or a person purporting to act in any such capacity.

(3) If the affairs of a body corporate are managed by its members, “director” in subsection (2) means a member of that body.

Supplementary

Decisions as to public interest for purposes of Chapter IV

39.—(1) Where for the purposes of any provision of this Chapter it falls to a court to determine whether anything is (or, as the case may be, was) in the public interest, the court must have regard, in particular, to the matters referred to in subsection (2) (so far as relevant).

- (2) Those matters are —
- (a) the interest in each of the following —
 - (i) the open reporting of crime,
 - (ii) the open reporting of matters relating to human health or safety, and
 - (iii) the prevention and exposure of miscarriages of justice;
 - (b) the welfare of any person in relation to whom the relevant restrictions imposed by or under this Chapter apply or would apply (or, as the case may be, applied); and
 - (c) any views expressed —
 - (i) by an appropriate person on behalf of a person within paragraph (b) who is under the age of 16 (“the protected person”), or
 - (ii) by a person within that paragraph who has attained that age.
- (3) In subsection (2) “an appropriate person”, in relation to the protected person, has the same meaning as it has for the purposes of section 37.

CHAPTER V
COMPETENCE OF WITNESSES AND CAPACITY TO BE SWORN
Competence of witnesses

Competence of witnesses to give evidence

- 40.—**(1) At every stage in criminal proceedings all persons are (whatever their age) competent to give evidence.
- (2) Subsection (1) has effect subject to subsections (3) and (4).
- (3) A person is not competent to give evidence in criminal proceedings if it appears to the court that he is not a person who is able to —
- (a) understand questions put to him as a witness, and
 - (b) give answers to them which can be understood.
- (4) A person charged in criminal proceedings is not competent to give evidence in the proceedings for the prosecution (whether he is the only person, or is one of two or more persons, charged in the proceedings).
- (5) In subsection (4) the reference to a person charged in criminal proceedings does not include a person who is not, or is no longer, liable to be convicted of any offence in the proceedings (whether as a result of pleading guilty or for any other reason).

Determining competence of witnesses

- 41.—**(1) Any question whether a witness in criminal proceedings is competent to give evidence in the proceedings, whether raised —
- (a) by a party to the proceedings, or
 - (b) by the court of its own motion,
- shall be determined by the court in accordance with this section.
- (2) It is for the party calling the witness to satisfy the court that, on a balance of probabilities, the witness is competent to give evidence in the proceedings.
- (3) In determining the question mentioned in subsection (1) the court shall treat the witness as having the benefit of any directions under section 7 which the court has given, or proposes to give, in relation to the witness.
- (4) Any proceedings held for the determination of the question shall take place in the absence of the jury (if there is one).

- (5) Expert evidence may be received on the question.
- (6) Any questioning of the witness (where the court considers that necessary) shall be conducted by the court in the presence of the parties.

Giving of sworn or unsworn evidence

Determining whether witness to be sworn

42.—(1) Any question whether a witness in criminal proceedings may be sworn for the purpose of giving evidence on oath, whether raised —

- (a) by a party to the proceedings, or
- (b) by the court of its own motion,

shall be determined by the court in accordance with this section.

(2) The witness may not be sworn for that purpose unless —

- (a) he has attained the age of 14, and
- (b) he has a sufficient appreciation of the solemnity of the occasion and of the particular responsibility to tell the truth which is involved in taking an oath.

(3) The witness shall, if he is able to give intelligible testimony, be presumed to have a sufficient appreciation of those matters if no evidence tending to show the contrary is adduced (by any party).

(4) If any such evidence is adduced, it is for the party seeking to have the witness sworn to satisfy the court that, on a balance of probabilities, the witness has attained the age of 14 and has a sufficient appreciation of the matters mentioned in subsection (2)(b).

(5) Any proceedings held for the determination of the question mentioned in subsection (1) shall take place in the absence of the jury (if there is one).

(6) Expert evidence may be received on the question.

(7) Any questioning of the witness (where the court considers that necessary) shall be conducted by the court in the presence of the parties.

(8) For the purposes of this section a person is able to give intelligible testimony if he is able to—

- (a) understand questions put to him as a witness, and
- (b) give answers to them which can be understood.

Reception of unsworn evidence

43.—(1) Subsections (2) and (3) apply to a person (of any age) who —

- (a) is competent to give evidence to criminal proceedings, but
- (b) (by virtue of section 42(2)) is not permitted to be sworn for the purpose of giving evidence on oath in such proceedings.

(2) The evidence in criminal proceedings of a person to whom this subsection applies shall be given unsworn.

(3) A deposition of unsworn evidence given by a person to whom this subsection applies may be taken for the purposes of criminal proceedings as if that evidence had been given on oath.

(4) A court in criminal proceedings shall accordingly receive in evidence any evidence given unsworn in pursuance of subsection (2) or (3).

(5) Where a person (“the witness”) who is competent to give evidence in criminal proceedings gives evidence in such proceedings unsworn, no conviction, verdict or finding in those proceedings shall be taken to be unsafe for the purposes of any provisions of the Court of Appeal

Ordinance 1998 by reason only that it appears to the Court of Appeal that the witness was a person falling within section 42(2) (and should accordingly have given his evidence on oath).

Penalty for giving false unsworn evidence

44.—(1) This section applies where a person gives unsworn evidence in criminal proceedings in pursuance of section 43(2) or (3).

(2) If such a person wilfully gives false evidence in such circumstances that, had the evidence been given on oath, he would have committed the offence of perjury, he shall have committed that offence and be liable on conviction to imprisonment for a term not exceeding six months or a fine not exceeding £1,000.

(3) In relation to a person under the age of 14, subsection (2) shall have effect as if for the words following “liable to” there was substituted the words “to a fine not exceeding £250”.

PART III

GENERAL PROVISIONS

Removal of restriction

Removal of restriction on use of evidence from computer records

45. Any provision of the written law of the Falkland Islands which would or might render evidence from computer records inadmissible unless conditions relating to proper use and operation of the computer are shown to be satisfied shall cease to have effect and the common law in relation to the admissibility of such evidence shall again apply.

General supplementary provisions

46.—(1) The Chief Justice may in rules of court make such provisions as appear to him to be necessary or expedient for the purposes of this Ordinance (and nothing in this Ordinance shall be taken to affect the generality of any enactment conferring power to make such rules).

(2) In this Ordinance “rules of court” means rules as to the practice and procedure of the Summary Court, the Magistrate's Court and the Supreme Court and appeal rules.

(3) For the purposes of this Ordinance the age of a person shall be taken to be that which it appears to the court to be after considering any available evidence.

Minor consequential amendments and repeals

47.—(1) The minor and consequential amendments specified in Schedule 2 shall have effect.

(2) The enactments specified in Schedule 3 (which include certain spent enactments) are repealed or revoked to the extent specified.

Youth Justice and Criminal Evidence Act 1999 not to have effect in the Falkland Islands

48. Notwithstanding section 78 of the Interpretation and General Clauses Ordinance (Title 67.2) no provision of the Youth Justice and Criminal Evidence Act 1999 shall have effect as part of the law of the Falkland Islands, but nothing in this section shall operate so as to prevent any provision of that Act having effect as part of the law of the Falkland Islands otherwise than by virtue of section 78 of that Ordinance.

SCHEDULE 1

(section 35)

REPORTING RESTRICTIONS: MISCELLANEOUS AMENDMENTS

Children and Young Persons Act 1933 in its application to the Falkland Islands

1. The Children and Young Persons Act 1933 in its application to the Falkland Islands has effect subject to the following amendments.
- 2.—(1) In section 39 (power of court in any proceedings to restrict reporting about children and young persons concerned in the proceedings), after subsection (2) insert —
 - “(3) In this section “proceedings” means proceedings other than criminal proceedings.”(2) Sub-paragraph (1) shall not affect the continued operation of section 39 in relation to any criminal proceedings instituted before the day on which sub-paragraph (1) comes into force.
 - (3) For the purposes of this Schedule —
 - (a) proceedings other than proceedings on appeal are to be taken to be instituted when a complaint of information (as the case may be) is filed in the court office; and
 - (b) proceedings on appeal are to be taken to be instituted at the time when the notice of appeal is given.
- 3.—(1) Section 49 (restrictions on reports of proceedings in which children or young persons ?? concerned) is amended as follows.
 - (2) For subsection (1) substitute —

“(1) No matter relating to any child or young person concerned in proceedings to which this section applies shall while he is under the age of 18 be included in any publication if it is likely to lead members of the public to identify him as someone concerned in the proceedings.”
 - (3) For subsection (3) substitute —

“(3) In this section “publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings.

(3A) The matters relating to a person in relation to which the restrictions imposed by subsection (1) above apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

 - (a) his name,
 - (b) his address,
 - (c) the identity of any school or other educational establishment attended by him,
 - (d) the identity of any place of work, and
 - (e) any still or moving picture of him.”
 - (4) In subsection (4), for the words from “whether as being” onwards, substitute —

“if he is —

 - (a) a person against or in respect of whom the proceedings are taken, or
 - (b) a person called, or proposed to be called, to give evidence in the proceedings.”
 - (5) In subsection (4A), for “requirements of this section” substitute “restrictions imposed by subsection (1) above”.

- (6) In subsection (8), after “subsection” insert “(4A) or”.
- (7) For subsection (9) substitute —
 “(9) If a publication includes any matter in contravention of subsection (1) above, the following persons commit an offence and are liable to a fine not exceeding the maximum of level 5 on the standard scale —
- (a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;
 - (b) where the publication is a relevant programme —
 - (i) any body corporate engaged in providing the programmed service in which the programme is included; and
 - (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;
 - (c) in the case of any other publication, any person publishing it.
- (9A) Where a person is charged with an offence under subsection (9) it shall be a defence to prove that at the time of the alleged offence he was not aware, and neither suspected nor had reason to suspect, that the publication included the matter in question.
- (9B) If an offence under subsection (9) above committed by a body corporate is proved —
- (a) to have been committed with the consent or connivance of, or
 - (b) to be attributable to any neglect on the part of,
- an officer, the officer as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.
- (9C) In subsection (9B) “officer” means a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.
- (9D) If the affairs of a body corporate are managed by its members, “director” in subsection (9C) means a member of that body.”
- (8) In subsection (11), for the definition of “programme” and “programme service” substitute —
 ““picture” includes a likeness however produced;
 “relevant programme” has the same meaning as it has under section 2(1) of the Criminal Justice (Evidence) Ordinance 2000.”
- (9) The amendments made by this paragraph do not apply to the inclusion of matter in a publication if —
- (a) where the publication is a relevant programme, it is transmitted, or
 - (b) in the case of any other publication, it is published,
- before the coming into force of this paragraph.

Sexual Offences (Amendment) Act 1976

- 4.—(1) The Sexual Offences (Amendment) Act 1976 in its application to the Falkland Islands has effect subject to the following amendments.
- (2) Omit sections 4 and 5 (which provide for the anonymity of complainants in rape etc cases and are superseded by the amendments made by this Schedule to the Sexual Offences (Amendment) Act 1992 in its application to the Falkland Islands).

Sexual Offences (Amendment) Act 1992

5. In its application to the Falkland Islands has effect subject to the following amendments.

6.—(1) Section 1 (anonymity of victims of certain sexual offences) is amended as follows.

(2) In subsection (1), for the words from “neither the name” to the end of paragraph (b) substitute “no matter relating to that person shall during that person’s lifetime be included in any publication.”

(3) In subsection (2), for the words after “complainant’s lifetime” substitute “be included in any publication.”

(4) For subsection (3) substitute —

“(3) This section —

(a) does not apply in relation to a person by virtue of subsection (1) at any time after a person has been accused of the offence, and

(b) in its application in relation to a person by virtue of subsection (2), has effect subject to any direction given under section 3.

(3A) The matters relating to a person in relation to which the restrictions imposed by subsection (1) or (2) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

(a) the person’s name,

(b) the person’s address,

(c) the identity of any school or other educational establishment attended by the person,

(d) the identity of any place of work, and

(e) any still or moving picture of the person.”

(5) In subsection (4), for “publication or inclusion in a relevant programme” substitute “inclusion in a publication”.

7.—(1) Section 2 (offences to which Act applies) is amended as follows.

(2) In subsection (1), after “this Act applies to the following offences” insert “against the law of the Falkland Islands —

(aa) rape;

(ab) burglary with intent to rape”.

(3) In subsection (1)(e), for “(a)” substitute “(aa)”.

(4) In subsection (1), after paragraph (g), insert —

“(h) aiding, abetting, counselling or procuring the commission of any of the offences mentioned in paragraphs (aa) to (e) and (g);”.

(5) In subsection (2), after paragraph (m) insert —

“(7) Section 17 (abduction of woman by force).”

8.—(1) Section 5 (offences) is amended as follows.

(2) For subsection (1) substitute —

“(1) If any matter is included in a publication in contravention of section 1, the following persons commit an offence and are liable to a fine not exceeding the maximum of level 5 on the standard scale —

(a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;

(b) where the publication is a relevant programme —

(i) any body corporate engaged in providing the programme service in which the programme is included; and

- (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;
- (c) in the case of any other publication, any person publishing it.”
- (3) In subsection (2) (defence where victim consented to publication) —
 - (a) for “publication of any matter or the inclusion of any matter in a relevant programme” substitute “inclusion of any matter in a publication”, and
 - (b) omit “or programme”.
- (4) In subsection (3) (cases where written consent not a defence), at the end insert “, or that person was under the age of 16 at the time when it was given.”
- (5) In subsection (5) (defence for person unaware of inclusion of prohibited matter), for the words from “or programme” onwards, substitute “included the matter in question.”
- (6) After subsection (5) insert —
 - “(5A) Where —
 - (a) a person is charged with an offence under this section, and
 - (b) the offence relates to the inclusion of any matter in a publication in contravention of section 1(1), it shall be a defence to prove that at the time of the alleged offence he was not aware and neither suspected nor had reason to suspect, that the allegation in question had been made.”

9.—(1) Section 6 (interpretation) is amended as follows.

- (2) In subsection (1), omit the definition of “written publication” (and the word “and” preceding it) and after the definition of “picture” insert —
 - ““publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings;”.
- (3) In subsection (2A) (victims of conspiracy etc), for the words from “accusation that” to “committed, the” substitute —
 - “accusation —
 - (a) that an offence of conspiracy of incitement of another to commit an offence mentioned in subsection (2)(aa) to (d) or (3)(a) to (h) has been committed, or
 - (b) that an offence of aiding, abetting, counselling or procuring the commission of an offence of incitement of another to commit an offence mentioned in section 2(1)(a) to (d) or (3)(a) to (h) has been committed,

SCHEDULE 2

(section 47)

MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Evidence Act 1898

- 1.—(1) Schedule 1 of the Criminal Evidence Act 1898 in its application to the Falkland Islands (competent of accused as witness for the defence) is amended as follows.
- (2) Omit the words from the beginning to “provided as follows: —”.
- (3) In paragraph (a) of the proviso —
 - (a) for “so charged” substitute “charged in criminal proceedings”; and

- (b) for “in pursuance of this Act” substitute “in the proceedings”.
- (4) In paragraph (e) of the proviso —
 (a) for “and being a witness in pursuance of this Act” substitute “in criminal proceedings who is called as a witness in the proceedings”; and
 (b) for “the offence charged” substitute “any offence with which he is charged in the proceedings”.
- (5) In paragraph (f) of the proviso —
 (a) for “and called as a witness in pursuance of this Act” substitute “in criminal proceedings who is called as a witness in the proceedings”;
 (b) for “that wherewith” substitute “one with which”; and
 (c) in sub-paragraph (i), for “the offence wherewith” substitute “an offence with which”.
- (6) In paragraph (g) of the proviso, for “called as a witness in pursuance of this Act” substitute “charged in criminal proceedings who is called as a witness in the proceedings who is called as a witness in the proceedings”.
- (7) Paragraphs (a), (e), (f) and (g) of the proviso shall be respectively numbered as subsections (1), (2), (3) and (4) of the section.

Children and Young Persons Act 1933

- 2.—(1) The Children and Young Persons Act 1933 has effect subject to the following amendments.
- (2) In section 37(1) (power to clear court, where child or young person giving evidence, of persons other than bona fide representatives of newspapers or news agencies), for “newspaper or news agency” substitute “news gathering or reporting organisation”.
- (3) In section 47(2)(c) (bona fide representatives of newspapers or news agencies entitled to be present at sitting of youth court), for “newspapers or news agencies” substitute “news gathering or reporting organisations”.

Criminal Justice Act 1982

3. In section 72(1) of the Criminal Justice Act 1982 in its application to the Falkland Islands (accused to give evidence on oath), after “if he gives evidence, he shall do so” insert “(subject to sections 42 and 43 of the Criminal Justice (Evidence) Ordinance 2000.

Police and Criminal Evidence Act 1984

4. The Police and Criminal Evidence Act 1984 insofar as it has effect in the Falkland Islands has effect subject to the following amendments.

- 5.—(1) Section 80 (competence and compellability of accused’s spouse and which replaces provisions of the Criminal Evidence Act 1898) is amended as follows.
- (2) Omit subsections (1) and (8).
- (3) For subsections (2) to (4) substitute —
 “(2) In any proceedings the wife or husband of a person charged in the proceedings shall, subject to subsection (4) below, be compellable to give evidence on behalf of that person.
 (2A) In any proceedings the wife or husband of a person charged in the proceedings shall, subject to subsection (4), be compellable —

- (a) to give evidence on behalf of any other person charged in the proceedings but only in respect of any specified offence with which that other person is charged; or
 - (b) to give evidence for the prosecution but only in respect of any specified offence with which any person is charged in the proceedings.
- (3) In relation to the wife or husband of a person charged in any proceedings, an offence is a specified offence for the purposes of subsection (2A) if —
- (a) it involves an assault on, or injury or a threat of injury to, the wife or husband or a person who was at the material time under the age of 16;
 - (b) it is a sexual offence alleged to have been committed in respect of a person who was at the material time under that age; or
 - (c) it consists of attempting or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, an offence falling within paragraph (a) or (b) of this subsection.
- (4) No person who is charged in any proceeding shall be compellable by virtue of subsection (2) or (2A) above, to give evidence in the proceedings.
- (4A) References in this section to a person charged in any proceedings do not include a person who is not, or is no longer, liable to be convicted of an offence in the proceedings (whether as a result of pleading guilty or for any other reason).”
- (4) In subsection (5), omit “competent and” and, in the side-note, omit “competence and”.
6. After section 80 insert —
- “Rule where accused’s spouse not compellable**
- 80A.** The failure of the wife or husband of a person charged in any proceedings to give evidence in the proceedings shall not be made the subject of any comment by the prosecution.”.

Criminal Justice Act 1988

7. The Criminal Justice Act 1988 in its application to the Falkland Islands has effect subject to the following amendments.
8. In subsection (1) of each of sections 23 and 24 (first-hand hearsay; business etc documents), at the end of paragraph (a) insert “and”.
9. In section 34(3) (unsworn evidence may corroborate other evidence), for “section 52 of the Criminal Justice Act 1991” substitute “section 43 of the Criminal Justice (Evidence) Ordinance 2000.

Crimes Ordinance 1989

10. The Crimes Ordinance 1989 has effect to the following amendments.
- 11.—(1) Section 40E (inserted by the Criminal Law (Amendment) Ordinance 1996) (intimidation etc of witnesses, jurors and others) is amended as follows.
- (2) For subsections (1) to (3) (offences of intimidating, and of doing or threatening harm to, witnesses etc), substitute —
- “(1) A person commits an offence if —

- (a) he does an act which intimidates, and is intended to intimidate, another ("the victim")
 - (b) he does the act knowing or believing that the victim is assisting in the investigation of an offence or is a witness or potential witness or a juror or potential juror in proceedings for an offence, and
 - (c) he does it intending thereby to cause the investigation or the course of justice to be obstructed, perverted or interfered with.
- (2) A person commits an offence if —
- (a) he does an act which harms, and is intended to harm, another person or, intending to cause another person to fear harm, he threatens to do an act which would harm that other person,
 - (b) he does or threatens to do the act knowing or believing that the person harmed or threatened to be harmed ("the victim") or some other person, has assisted in an investigation into an offence or has given evidence or particular evidence in proceedings for an offence, or has acted as a juror or concurred in a particular verdict in proceedings for an offence, and
 - (c) he does or threatens to do it because of that knowledge or belief.
- (3) For the purposes of subsections (1) and (2) it is immaterial that the act is or would be done, of that the threat is made —
- (a) otherwise than in the presence of the victim, or
 - (b) to a person other than the victim."
- (3) In subsection (8) (presumption in proceedings for offence under subsection (2)) —
- (a) for "he did or threatened to do an act falling within paragraph (a) within the relevant period" —
 "within the relevant period —
 (a) he did an act which harmed, and was intended to harm, another person, or
 (b) intending to cause another person fear of harm, he threatened to do an act which would harm that other person,
 and that he did the act, or (as the case may be) threatened to do the act,"; and
 - (b) after "to have done the act" insert "or (as the case may be) threatened to do the act".

SCHEDULE 3

(section 47(2))

PROVISIONS OF IMPERIAL STATUTES WHICH SHALL NO LONGER APPLY IN THE FALKLAND ISLANDS

Reference	Short title or title	Extent of repeal or revocation
61 & 62 Vict c 36	Criminal Evidence Act 1898	In section 1, the words from the beginning to "Provided as follows:—".
23 & 24 Geo 5 c 12	Children and Young Persons Act 1933	Section 38.
1968 c 60	Theft Act 1968	In section 30(2), the words from "and a person bringing" onwards.
1976 c 82	Sexual Offences (Amendment) Act 1976	Sections 2 to 5. In section 7(4), the words from "except that" onwards. Section 7(5).

1980 c 43	Magistrate's Courts Act 1980	In section 125(4)(c)(iii), the "and" at the end. In section 126(d), the "and" at the end. In Schedule 7, paragraph 148.
1984 c 60	Police and Criminal Evidence Act 1984	Sections 69 and 70. Section 80(1). In section 80(5), the words "competent and". Section 80(8). In section 82(1), in the definition of "proceedings", in paragraph (a) the words after "court-martial" and, in paragraph (b)(i), the words "so construed". Schedule 3.
1988 c 33	Criminal Justice Act 1988	In section 23(1), paragraph (c) and the "and" preceding it. In section 24(1), paragraph (c) and the "and" preceding it. In section 32(1), paragraph (b) and the "or" preceding it. Section 32(2), (3A) to (3E) and (6). Section 32A. Section 33A. Section 34A. Section 158(2) to (4). In Schedule 13, in paragraph 8, subparagraph (2)(b) and the "and" preceding it and, in subparagraph (3), "(2)". In Schedule 15, paragraph 53.
1990 c 42 1992 c 34	Broadcasting Act 1990 Sexual Offences (Amendment) Act 1992	In Schedule 20, paragraphs 26 and 27. In section 5(2), the words "or programme". In section 6(1), the definition of "written publication" and the "and" preceding it. In section 7(2), paragraph (b) and paragraph (e) except for the "and" at the end. Section 7(3).
1995 c 38 1996 c 8	Civil Evidence Act 1995 Finance Act 1996	In Schedule 1, paragraph 10. In Schedule 5, in paragraph 2(6)(a), the words "sections 69 and 70 of the Police and Criminal Evidence Act 1984 and".
SI 1998/1504 (NI 9)	Criminal Justice (Children) (Northern Ireland) Order 1998	Article 22.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

25th August 2000

No. 12

The following is published in this Supplement -

Offshore Petroleum (Licensing) Regulations 2000, (S.R. & O. No. 20 of 2000).

SUBSIDIARY LEGISLATION

Offshore Petroleum (Licensing) Regulations 2000

S. R. & O. No: 20 of 2000

Made: 21 August 2000
Published: 25 August 2000
Coming into force: 1 September 2000

IN EXERCISE of my powers under section 7 of the Offshore Minerals Ordinance 1994(a) and of all other powers enabling me in that behalf, I make the following Regulations —

Commencement and citation

1. These Regulations shall come into force on 1 September 2000 and may be cited as the Offshore Petroleum (Licensing) Regulations 2000.

Interpretation

2. In these Regulations the following expressions have the meanings hereby respectively assigned to them, that is to say —

“block” means a block described in a notice published in the Gazette pursuant to regulation 6(1)(a);

“exploration licence” means a licence which authorises the licensee in accordance with its terms to search for petroleum in the sea-bed and subsoil of or under the area or areas of the controlled waters to which the licence for the time being relates;

“Gazette notice” means a notice published by the Governor in the *Falkland Islands Gazette* and in the *London Gazette*;

“invited application” has the meaning assigned thereto in regulation 6(1);

“non-invited application” has the meaning assigned thereto in regulation 6(1) of the principal Regulations;

“principal Regulations” means the Offshore Petroleum (Licensing) Regulations 1995(b); and

“production licence” means a licence which authorises the licensee in accordance with its terms to search and bore for, and get, petroleum in the area or areas of the controlled waters to which the licence for the time being relates.

(a) No 16 of 1994

(b) SR&O No 13 of 1995

Application of the Regulations

3.—(1) These Regulations apply to and in respect of any part of the controlled waters specified in a Gazette notice published pursuant to regulation 6(2) and the principal Regulations shall not apply in respect of applications for and licences issued pursuant to such a notice.

(2) These Regulations shall have effect —

(a) in relation to applications for exploration licences;

(b) in relation to applications for production licences; and

(c) so as to prescribe the model clauses required to be incorporated, except as provided by regulation 8(1), in production licences.

Applicants for licences

4. Any person may apply in accordance with these Regulations for a production licence or for an exploration licence.

Applications for licences

5.—(1) An application for a licence shall be made in duplicate and shall be in the form specified in Schedule 1 hereto or in a form substantially to the like effect, sent or delivered to The Director of Mineral Resources, Mineral Department, Ross Road, Stanley, Falkland Islands, and shall be accompanied by the appropriate fee and two copies of such evidence and particulars or documents in support thereof as are referred to in that Schedule and are appropriate to that application. A copy of the application shall be sent or delivered by the applicant to any person to whom the Director of Mineral Resources may require it to be sent.

(2) If any of the matters stated in an application or any further information supplied by the applicant shall change after the application is made or after the information is given but before a licence is granted or the Governor informs the applicant that the application is refused, the applicant shall forthwith give notice in writing to the Governor giving particulars of the change.

(3) An application form may be presented in writing or by arrangement with the Director of Mineral Resources on CD-Rom or recorded on computer floppy disk.

(4) The footnotes to Schedule 1 form part of that Schedule and shall have effect accordingly.

Invited applications

6.—(1) Every application for a production licence pursuant to these Regulations, not being a non-invited application made pursuant to the last foregoing Regulation (in these Regulations referred to as an “invited application”), shall be without prejudice to regulation 10(1), be —

(a) in respect of one or more blocks specified by a Gazette notice and if in respect of more than one block, each of those blocks shall be enclosed within a common perimeter which does not include any part of the controlled waters in respect of which the grant of a licence is not sought,

(b) lodged within the period specified by such a notice as the period within which the Governor is prepared to receive applications in respect of the tranches or blocks as the case may be are to be made, and shall not —

(i) include any part of a block less than the whole;

(ii) relate to more than thirty blocks; or

(iii) include any part of the controlled waters licensed or formerly licensed pursuant to the principal Regulations.

(2) The Gazette notice referred to in the last foregoing paragraph is a Gazette notice describing or specifying by reference to a map deposited at The Secretariat, Thatcher Drive, Stanley, Falkland Islands and at such other places (if any) as may be specified in the notice areas (in these Regulations referred to as “blocks”) to which reference numbers shall be assigned, in respect of which the Governor is prepared to consider applications for production licences pursuant to these Regulations and specifying the dates within which applications in respect of the blocks so specified are to be made, but such a Gazette notice may provide that applications may only be made in respect of tranches of blocks specified in that notice.

Consideration of applications

7.—(1) Any application for a licence pursuant to these Regulations shall be enclosed in a sealed envelope or other sealed covering which is clearly marked on the outside with the words “Application for Licence”. (an “application envelope”).

(2) Any application envelope received by the Director of Mineral Resources before mid-day on the last business day of any calendar month shall be opened by the Director or the Director’s delegate on the afternoon of that business day and in accordance with such rules of arrangements which shall be specified by the Governor.

(3) Any application envelope received after mid-day on the last business day of any calendar month shall be opened in accordance with paragraph (2) on the afternoon of the last business day of the next following calendar month.

(4) Rules or arrangements to be specified by the Governor as mentioned in paragraph (1) shall include rules or arrangements for the preservation of the confidentiality of applications for licences.

Forms of licence

8.—(1) Every licence shall incorporate model clauses respectively prescribed by the next following paragraph for the kind of licence to which that licence belongs unless the Governor with the consent of the Secretary of State thinks fit to modify, or exclude, in any particular case, the clauses so prescribed.

(2) The clauses prescribed for incorporation in production licences are those set out in Schedule 2.

Fees

9.—(1) With every application for an exploration licence shall be paid a fee of £1,000 and, if the licence is granted, an annual fee of £5,000 shall be paid on each anniversary of the grant of the licence while it continues in force.

(2) With every application for a production licence shall be paid a fee of £5,000.

Plurality of licences

10. Nothing in these Regulations shall prevent more than one application being made by the same person or more than one licence being granted to that applicant.

Made this twenty-first day of August 2000

R T Jarvis
Acting Governor

SCHEDULE 1

regulation 5(1)

FORM OF APPLICATION FOR A PRODUCTION LICENCE
(to be submitted in duplicate)

PART I

1. Name of each applicant in full.

--

2. If the application is made by more than one person and the applicants have agreed on the manner in which benefits resulting from the exploitation of the licence should be shared between them, the share which each applicant would be entitled to take.

Name of applicant	Share of benefits

3. Name of proposed operator.

--

PART II

4. Number(s) of the block(s) in respect of which the application is made.

--

PART III

5. In respect of each applicant who is an individual —

Name in full	Usual residential address	Nationality

6. In respect of each applicant who is a body corporate¹ —

(a) Name of applicant in full	(b) Place of incorporation	(c) Principal place of business	(d) In the case of a company, its registered office	(e) Place of central management and control

(f) Particulars of each member of the board of directors or other governing body of the body corporate, as follows —

(1) Full name	(2) Usual residential address	(3) Nationality

7. In respect of each applicant which is a body corporate² —

(a) Particulars of the capital authorised and issued as follows —

(1) Class of capital	(2) Amount authorised	(3) Amount issued	(4) ³ Voting rights of each class

¹ If there is more than one applicant or proposed operator all the information relating to each operator which is required in this Part should be grouped together. The groups should appear in the order in which the applicants and proposed operator are named in Part I. Where any of the applicants for a production licence is a subsidiary the assets of which might not indicate sufficient financial strength to undertake its share of the costs of financing the work programme, the applicant may wish to submit with the application suitable evidence of financial support, e.g. from the group of companies of which it forms part. An applicant which has not a substantial cash flow and does not submit evidence that a corporate parent or other connected company is willing to finance the cost, or the applicant's share of the cost, of the work programme will need to submit with the application evidence (e.g. in a satisfactory form from bankers or professional advisers) that the applicant will be able to meet that cost and the source of the funds.

² If a body corporate does not possess a capital structure, any comparable information concerning the items listed should be furnished.

³ Column 4 of sub-paragraph (a) need not be completed if a copy of the memorandum and articles of association, or other document setting out or defining the constitution of the body corporate accompanies the application.

(b) Particulars of all holdings of not less than 5 per cent in number or value of any class of capital which has been issued by the body corporate as follows —

(1) Name of holder or names of joint holders, in full	(2) Nationality of holders	(3) Class of holding	(4) Amount

(c) Particulars of all capital issued to bearer, as follows —

(1) Class of capital	(2) Total amount issued	(3) Amount issued to bearer

8.—(1) In the case of an application for a production licence, for each applicant which is a body corporate there shall accompany the application two⁴ copies of the most recent audited accounts of each such applicant and two copies of the audited accounts of any body corporate having control of such applicant⁵. Subsections (2) and (4) to (6) of section 416 of the Income and Corporation Taxes Act 1988 of the United Kingdom shall apply⁶, for the purposes of determining whether for the purposes of this paragraph a body corporate has control of another body corporate, with the following modifications —

(a) for the words “greater part” wherever they occur in the said subsection (2) there shall be substituted the words “one third or more”;

(b) in the said subsection (6), for the word “may” there shall be substituted the word “shall”, the words from “and such attributions” onwards shall be omitted, and in the other provisions of that subsection any reference to the associate of a person shall be construed as including only a relative of his (as defined by section 417(4) of that Act), a partner of his and a trustee of a settlement (as defined by section 681(4) of that Act) of which he is a beneficiary.

(2) There shall accompany the application a list of the bodies corporate whose accounts are submitted pursuant to sub-paragraph (1) of this paragraph.

⁴ Where the audited accounts are in a foreign language they should be accompanied by two copies of a certified translation of them into English. The audited accounts should also be accompanied by (a) a copy of any Chairman’s Statement or like document accompanying the accounts and circulated to shareholders or stockholders, (b) any Notes forming part of the accounts and (c) the auditor’s Report on the accounts. If the audited accounts relate to a period ending more than six months before the closing date for submission of the application, the applicant may on receipt of the application be asked to submit further financial statements in respect of the intervening period ending not earlier than three months before the closing date. It would be helpful if applicants would, where appropriate, anticipate such a requirement. Any such financial statements should be certified by the signatory to the application as being true and correct to the best of his information, knowledge and belief.

⁵ Applicants should also provide two copies of any published information in relation to the applicant in respect of any period after the period to which the audited accounts relate.

⁶ The provisions are applied only for the purpose of determination, for the purposes of these Regulations, of the question as to whether a body corporate has control of another body corporate. The Income and Corporation Taxes Act 1988 of the United Kingdom does not form part of the law of the Falkland Islands, which have their own laws on taxation of personal and corporate income.

9. Where the proposed operator is not an applicant, the proposed operator shall comply with paragraphs 6 to 9 above as if he were an applicant.

10. In the case of an application for a production licence, there shall be annexed a Technical Summary prepared in such a manner as best illustrates the rationale underlying the application. As a minimum the Technical Summary must contain the information required by any Notice to Applicants issued by the Department of Mineral Resources and for time being in force.

11. An application for a production licence shall be accompanied by a work programme which must contain at the minimum one or more of the following elements —

- (a) proposals for the acquisition of an extensive and intensive geochemical “sniffer-type” survey;
- (b) acquisition of an extensive and intensive aeromagnetic survey;
- (c) acquisition of an extensive set of sea-bed cores testing the stratigraphy of the feather edges of the presently unexplored basins or sub-basins;
- (d) acquisition and processing of two dimensional or three dimensional seismic data;
- (e) the drilling of one or more exploration wells.

Desk studies and the acquisition of presently available data sets, whether proprietary or non-exclusive will not be regarded as acceptable work commitments.

12. Name and address of proposed Agent of the applicant in the Falkland Islands⁷.

PART IV

13. Details of the fees which accompany the application (cheques should be crossed “not negotiable A/C Payee only” and made payable to “Falkland Islands Government”).

PART V

I/We hereby declare that the information given in Parts I, II, III and IV or annexed to or accompanying this application is correct⁸.

Date

Signature of each applicant or proposed operator, or in the case of each applicant or proposed applicant which is a body corporate, of a duly authorised officer whose capacity is stated⁹.

⁷ See model clause 40 for production licences. There is a similar requirement in the Model Clauses relating to exploration licences.

⁸ The applicant may annex any information or particulars additional to those required by this form which the applicant wishes to be considered in connection with the application.

⁹ Where there is more than one signature, the applicant or proposed operator to which each signature relates should be identified.

SCHEDULE 2

regulation 8(2)(a)

MODEL CLAUSES FOR PRODUCTION LICENCES IN CONTROLLED WATERS

Interpretation

1.—(1) In the following clauses, the following expressions have meanings hereby respectively assigned to them, that is to say —

“approved development programme” means a development programme in respect of which the Governor's approval has been notified to the Licensee pursuant to clause 15;

“approved well” means a well specified in Schedule 4 to this Licence or after the date of this Licence approved in writing by or on behalf of the Governor;

“block” means an area comprised in this Licence which is delineated on the reference map deposited at The Secretariat, Thatcher Drive, Stanley, Falkland Islands and to which a reference number was assigned at the date of this Licence;

“relevant period” has the meaning given by clause 11(1);

“tax disposal value” has the meaning given by clause 11(3);

“clause” means a clause of this Licence;

“crude”, where the reference is to petroleum being disposed of or appropriated crude, refers to its being so dealt with without having been refined (whether or not it has previously undergone initial treatment);

“discovery area” means an area in respect of which notice has been given to the Governor by the Licensee pursuant to clause 4(4) or 5(3);

“development programme” means a programme prepared for the purposes of clause 15;

“development scheme” has the meaning assigned thereto by clause 25(2);

“exploit” and “explore”, in relation to petroleum, have the same meanings as they have under section 2(1) of the Ordinance;

“exploitation term” has the meaning assigned by clause 5(7);

“field” means a part of the licensed area which the Licensee believes to be an oil field or part of an oil field;

“half year” means the period from 1st January to 30th June in any year and the period from 1st July to 31st December in any year;

“initial term”, “second exploration term” and “exploitation term” have the meanings respectively assigned to them by clause 3;

“initial treatment”, in relation to petroleum from a field, means the doing, at any place, of any of the following things —

- (a) subjecting oil won from the field to any process of which the sole purpose is to enable the petroleum to be safely stored, safely loaded into a tanker or safely accepted by an oil refinery; or
- (b) separating petroleum so won and consisting of gas from other petroleum so won; or
- (c) separating petroleum so won and consisting of gas of a kind that is transported and sold in normal commercial practice from other petroleum so won and consisting of gas; or
- (d) liquefying petroleum so won and consisting of gas of such a kind as aforesaid for the purpose of transporting it; or
- (e) subjecting petroleum so won to any process of which the purpose is to secure that petroleum disposed of crude has the quality that is normal for petroleum so disposed of from the field.

but does not include —

- (i) the storing of petroleum even where this involves the doing to the oil of things within any of the paragraphs (a) to (e) of this definition; or
- (ii) any activity carried on as part of, or in association with, the refining of petroleum not consisting of gas or any activity the sole or main purpose of which is to achieve a chemical reaction in respect of petroleum consisting of gas;

“the licensed area” means the area for the time being in which the Licensee may exercise the rights granted by this Licence;

“the Licensee” means the person or persons to whom this Licence is granted, his personal representatives and any person or persons to whom the rights granted by this Licence may lawfully have been assigned;

“notice” means a notice in writing;

“the Ordinance” means the Offshore Minerals Ordinance 1994;

“petroleum” includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation;

“production purposes”, in relation to a field, means any of the following purposes —

- (a) carrying on drilling or production operations within the field;
- (b) pumping petroleum won from the field to the place where it is first landed in the Falkland Islands or another country or to the place in the Falkland Islands or another country in which the

seller in a sale at arm's length could reasonably be expected to deliver it or, if there is more than one place at which the seller could reasonably be expected to deliver it, the one nearest to the place of extraction; or

(c) the initial treatment of oil won from the field;

"relevantly appropriated", in relation to petroleum won from a field, means appropriated to refining or to any use except for production purposes in relation to that field;

"section" means a part of a block comprising an area bounded by minute lines of latitude and longitude one minute apart respectively;

"\$" means dollars of the United States of America;

"well" includes borehole;

"work programme" means the work programme described in Schedule 4 to this Licence and any further work programme approved by the Governor in respect of the second exploration term.

(2) Any obligations which are to be observed and performed by the Licensee shall at any time when the Licensee is more than one person be joint and several obligations.

(3) Every reference in this Licence to an Ordinance or other law of the Falkland Islands shall be construed as including a reference to any Ordinance or other law of the Falkland Islands for the time being amending, modifying replacing augmenting or re-enacting that Ordinance or other law.

Grant of licence

2. In consideration of the payments and royalties hereinafter provided and the performance and observance by the Licensee of all the terms and conditions hereof, the Governor in exercise of the powers conferred on him by the Offshore Minerals Ordinance 1994 hereby grants to the Licensee EXCLUSIVE LICENCE AND LIBERTY during the continuance of this Licence and subject to the provisions hereof to search and bore for, and get, petroleum in the sea bed and sub soil under the part of the controlled waters comprising an area of [*number of square kilometres to be inserted here*] square kilometres more particularly described in Schedule 1 to this Licence being the area comprising block(s) No. [*to be inserted in Licence granted*] on the reference map deposited at The Secretariat, Thatcher Drive, Stanley, Falkland Islands AND IT IS HEREBY DECLARED for the purpose of section 5(2) of the Ordinance that this Licence permits in accordance with its terms and conditions the drilling of wells and taking of samples in the course of exploration for petroleum.

Term of licence

3. This Licence unless sooner determined under any of the provisions hereof shall be and continue in force for the term of [*insert here either "three" or "five"*] years after [*date of commencement of licence term to be inserted here*] (hereinafter called "the initial term"); but if the terms and conditions of this Licence are duly performed and observed and, in particular, if the work programme has been duly performed, this Licence may be continued for a further term of three years (hereinafter called "the second exploration term") as provided by clause 4 of this Licence and as further provided by clauses 5 and 6 of this of this Licence, as to a field for a further term of thirty-five years (hereinafter called "the exploitation term").

Continuation of licence and notification of discovery areas

- 4.—(1) At any time not later than three months before the expiry of the initial term the Licensee paying the payments by way of acreage rent and, if appropriate, royalties hereinafter in this Licence provided and observing and performing the terms and conditions in this Licence contained may give notice in writing to the Governor that the Licensee desires the Licence to continue as to part of the licensed area (hereinafter called “the initial continuing part”) in the manner hereinafter provided and (unless paragraph (4) of this clause applies and the Licensee does not desire to determine the Licence in respect of any part of the licensed area) to determine the residue thereof (hereinafter called “the initial compulsorily surrendered part”).
- (2) Such notice shall —
- (a) describe the initial continuing part which shall be an area which (after deducting the area of any discovery area notified to the Governor by the Licensee during the initial term) shall not exceed one half of the area in respect of which this Licence is granted; and
 - (b) set out the work programme the licensee proposes in respect of the second exploration term (which must include proposals for the drilling of at least one well).
- (3) The Licensee may at any time not less than one month before the surrender date give a further notice to the Governor varying the part of the licensed area to be surrendered and in the event of such further notice being given the previous paragraphs of this clause shall apply *mutatis mutandis* to such notice but so that the surrender date specified in such notice shall be the surrender date specified in the first notice.
- (4) If at any time during the initial exploration term or the second exploration term the Licensee believes that any area comprised in the licence is one in which the Licensee proposes to undertake works of appraisal or development (a discovery area) he shall without delay notify the Governor in accordance with subclause (5).
- (5) Notification of a discovery area shall be in writing and shall —
- (a) sufficiently describe the geological structure or the aerial extent of the stratigraphic play in question, and wherever possible, by reference to geographic co-ordinates; and
 - (b) be accompanied by a map on which the position of the discovery area is indicated;
 - (c) indicate whether the Licensee intends to undertake appraisal drilling or other appraisal operations before deciding to prepare a development plan and specify the drilling or other works the Licensee intends to undertake or to submit a development plan.
- (6) Where notification has been given pursuant to subclause (5) and subject to the payment of the acreage rental provided for by clause 10 this licence shall continue in respect of the discovery area for five years from the date of spudding of the discovery well leading to the giving of the notification PROVIDED HOWEVER that if any appraisal drilling specified in the notification has not been commenced or (if no such drilling has been specified) no development plan has been submitted to the Governor for approval in respect of the development area before the expiry of a period of three years

from the date of the spudding of the discovery well the Licence shall determine in respect of the discovery area on the expiry of such period of three years.

(7) A notice pursuant to paragraph (2) shall not have effect to extend the period of this licence unless before the expiration of the initial term the work programme in respect of the second exploration term has been approved by the Governor.

Continuation of licence as discovery area after expiration of second exploration term

5.—(1) Subject to this clause, at the expiration of the second exploration term this licence shall come to an end except in relation to obligations thereunder which, of their nature, may survive the expiration of the licence term.

(2) This licence does not come to an end by virtue of the second exploration term —

(a) in respect of any discovery area where the licence continues pursuant to clause 4(6);

(b) in respect of any discovery area where the licence continues by virtue of paragraph (3) of this clause (which applies clause 4(4) to 4(6) with modifications).

(3) Clause 4(4) to 4(6) shall apply *mutatis mutandis* to notification during the second exploration term of discovery area and the continuation of this licence in respect of discovery areas notified during the second exploration term.

Continuation of licence for production

6.—(1) If the licensee desires that the licence shall continue —

(a) in respect of any area which constitutes the whole or any part or parts of a discovery area; or

(b) in respect of any other area comprised for the time in the part or parts of the controlled waters licensed under clause 2 or 3 for the initial term or the second exploration term, the Licensee may by notice in writing delivered to the Governor complying with the provisions of this clause request that the licence be extended for the exploitation term of thirty-five years in respect of the area to which it relates (“the potential field”).

(2) A notice under paragraph (1) —

(a) must be given not later than three months before the licence would otherwise expire in relation to the area to which it relates;

(b) must describe by geographical co-ordinates the boundaries of the potential field;

(c) cannot validly be given unless the Licensee has paid all sums the Licensee is required to pay under the terms of this Licence and has performed all his other obligations under this Licence.

(3) The Licence may by further notice given to the Governor not less than one month before the licence would otherwise expire vary the boundaries of the potential field.

(4) If a notice pursuant to paragraph (1), varied as may be by a further notice pursuant to paragraph (3), is given this licence continues in force in respect of the potential field after it would otherwise expire if —

(a) before that time the Governor has given a consent pursuant to clause 15(1) and that consent is still in force at that time, in relation to the part of the licensed area to which that consent relates.

(b) if the Governor has before that time in pursuance of clause 15(4) of this Licence approved a development programme and such approval is still in force at that time, in relation to the part of the licensed area to which that approval relates;

(c) if the Governor has before that time served a programme on the Licensee in pursuance of clause 15(6) of this Licence and such programme is still in force at that time i.e., in relation to that part of the licensed area to which that programme relates, or

(d) the Governor has before that time in his direction so directed in writing, in relation to the part of the licensed area to which that direction relates.

(5) Where this Licence continues in respect of a part of the licensed area pursuant to clause 4 or 5, the continuation of this Licence in respect of another part of the licensed area pursuant to any subparagraph of paragraph (4) of this clause shall not derogate from the continuation of this Licence as to part of the licensed area by virtue of the earlier operation of clause 4 or 5.

(6) Where the Governor has given a direction in pursuance of paragraph (4)(d) of this clause he may in his direction, on notice being given to him by the Licensee not later than three months before the expiry of any extension or further extension having effect by virtue of such a direction that the Licensee desires the licence to continue in force thereafter, give a further direction that this Licence shall so continue in force.

(7) Where this Licence continues in force in respect of a part of the licensed area by virtue of paragraph (4)(a), (b) or (c) of this clause it shall, subject to the provisions of clause 3 of this Licence so continue in force for a further period of thirty-five years ("the exploitation term") reckoned from the date of service of the notice under paragraph (1).

(8) A direction given by the Governor in pursuance of paragraph (4)(d) of this clause or a further direction given by the Governor in pursuance of paragraph (6) of this clause may be given subject to such conditions as he may specify and (without prejudice to the generality of the foregoing) such conditions may include conditions as to the duration of the extension or further extension (as the case may be) and shall have effect only to extend the second exploration term.

Power further to extend term of licence

7. Where this Licence has, by virtue of clause 6, continued in force as to a part or parts of the area in respect of which it was originally granted for a period of thirty-five years after the date of the notice under clause 6(1), the Governor, on application being made to him in writing not later than three months before the expiry of such period, may in his discretion agree with the Licensee that this Licence shall continue in force thereafter for such further period as the Governor and the Licensee may agree and subject to such modification of the terms and conditions of this Licence (which modification

may include making provision for any further extension of the Licence) as the Governor and the Licensee may then agree is appropriate.

Right of licensee to determine licence or surrender part of licensed area

8.—(1) Without prejudice to any obligation or liability imposed by or incurred under the terms of this Licence the Licensee may at any time by giving to the Governor not less than six months' notice to that effect to expire on an anniversary of the date of the commencement of the initial term, determine this Licence or surrender any part of the licensed area being a part which complies with clause 9 of this Licence.

(2) A notice given to the Governor pursuant to paragraph (1) of this clause may be cancelled by a further notice given to the Governor not less than one month before the expiration of the notice.

Areas surrendered

9.—(1) Within a block any area surrendered by the Licensee pursuant to any preceding clause of this Licence and any area accordingly retained by the Licensee, or where the surrendered or retained area comprises separate parts, each part of each area, shall unless the Governor has otherwise agreed in writing before the date on which the appropriate notice is given by the Licensee to the Governor —

(a) be bounded by minute lines of latitude extending not less than two minutes of longitude and minute lines of longitude extending not less than two minutes of latitude;

(b) consist of not less than thirty sections; and

(c) have boundaries which, whether they run north and south or east and west, either coincide with the corresponding boundaries of the block or are not less than two sections distant from those boundaries;

and where the surrendered or retained area comprises separate parts, each part of that area shall be not less than two sections distant from any other part of that area.

(2) Upon the date upon which any determination of this Licence or any surrender of part of the licensed area in the manner provided by any preceding clause of this Licence is to take effect the rights granted by this Licence shall cease in respect of the licensed area or of the part thereof so surrendered as the case may be but without prejudice to any obligation or liability imposed upon the Licensee or incurred by the Licensee under the terms of this Licence prior to that date.

Payment of consideration for licence

10.—(1) The Licensee shall make to the Governor as consideration for the grant of this Licence —

(a) payments of acreage rent in accordance with Schedule 2 to this Licence; and

(b) payments of royalty in accordance with clause 11 of this Licence.

(2) The Licensee shall not by reason of determination of this Licence or surrender of any part of the licensed area be entitled to be repaid or allowed any sum payable to the Governor pursuant to this Licence before the date of determination or surrender.

Royalty payments

11.—(1) The Licensee shall pay to the Governor, in respect of each half year in which this Licence is in force (hereinafter in this clause and in clauses 12 and 13 of this Licence referred to as a “relevant period”), a royalty of nine per cent or such lesser percentage as the Governor may by notice to the Licensee from time to time stipulate (hereinafter referred to as the appropriate percentage) of the value of the petroleum relating to that period.

(2) For the purposes of this clause and clauses 12 and 13 of this Licence the value of petroleum relating to a relevant period is A minus B where —

A equals the aggregate of —

(a) the value of all petroleum which during the relevant period either —

(i) has been delivered; or

(ii) has been relevantly appropriated (and is accordingly deemed, for the purposes of income tax or corporation tax, to have been disposed of); and

(b) the value on the last day of that relevant period of the petroleum won by the Licensee under the Licence and which —

(i) has not been disposed of and has not been relevantly appropriated; or

(ii) has been disposed of but has not been delivered; and

B equals the value on the last day of the preceding relevant period, of so much of the petroleum won under the Licence as at the end of the preceding relevant period either —

(i) had not been disposed of and had not been relevantly appropriated; or

(ii) had been disposed of but had not been delivered.

(3) For the purposes of paragraph (2) the value of petroleum shall be the tax disposal value of the petroleum in question and in this paragraph “tax disposal value” in relation to any petroleum means —

(a) where the petroleum has been relevantly appropriated, the consideration for which the petroleum is deemed to have been disposed of for the purposes of income tax or corporation tax;

(b) where the petroleum has not been disposed of or, if it has been disposed of, has neither been delivered nor relevantly appropriated, the consideration for which it would have been deemed to have been disposed of for tax purposes if it had been relevantly appropriated on the last day of the relevant period concerned; or

(c) if the petroleum has been disposed of or delivered, the consideration for that disposal which is taken into account in computing the Licensee's chargeable income for tax purposes.

(4) The Licensee shall, within two months after the end of each relevant period, deliver to the Financial Secretary of the Falkland Islands, in such form as the Financial Secretary shall specify, a statement complying with the requirements of Schedule 3.

(5) The Licensee shall at the same time as the Licensee delivers to the Financial Secretary a statement under paragraph (4) of this clause pay to the Financial Secretary such sum as, calculated by reference to the information set out in the statement, is payable by way of royalty.

(6) The Financial Secretary may from time to time, after a statement in respect of any relevant period has been delivered to him in pursuance of paragraph (4) of this clause and before he has given to the Licensee a notice in pursuance of paragraph (7) of this clause in respect of that period, give a notice in writing to the Licensee specifying the amount which the Financial Secretary estimates is payable by the Licensee in pursuance of paragraph (1) to (3) of this clause in respect of that period, and where the amount specified in the notice is large or smaller than the total amount already paid by the Licensee in pursuance of this clause in respect of that period, then —

(a) if it is larger the difference shall be paid forthwith by the Licensee to the Financial Secretary;
and

(b) if it is smaller the difference shall be paid forthwith by the Financial Secretary to the Licensee.

(7) When it appears to the Financial Secretary that the value of the petroleum relating to any relevant period has been finally determined for tax purposes, he may give to the Licensee a notice in writing specifying the amount which the Financial Secretary considers is payable by the Licensee in pursuance of paragraphs (1) to (3) of the clause in respect of that period; and where the amount specified in the notice is larger or smaller than the total amount already paid by the Licensee in pursuance of this clause in respect of that period, then subject to paragraph (9) of this clause —

(a) if it is larger the difference shall be paid forthwith by the Licensee to the Financial Secretary;
and

(b) if it is smaller the difference shall be paid forthwith by the Financial Secretary to the Licensee.

(8) If after the date when the Financial Secretary gave notice to the Licensee in pursuance of paragraph (7) of this clause or this paragraph in respect of a chargeable period it appears to the Financial Secretary, in consequence of a relevant assessment or determination made after that date which relates directly or indirectly to the value of petroleum by reference to which the amount specified in the notice was determined, that another amount ought to have been specified, he may give notice in writing to the Licensee specifying that other amount; and where he does so, then subject to paragraph (9) of this clause —

(a) if the other amount is larger than the total amount already paid by the Licensee in pursuance of this clause in respect of that period the difference shall be paid forthwith by the Licensee to the Financial Secretary; and

(b) if it is smaller the difference shall be paid forthwith by the Financial Secretary to the Licensee.

(9) A decision made by the Financial Secretary for the purposes of paragraph (6), (7) or (8) of this clause shall not be called into question by the Licensee except that any dispute between the Financial Secretary and the Licensee as to whether the amount specified in a notice given in pursuance of the said paragraph (6) or (7) is payable may during a period of 28 days beginning with the day on which the Licensee receives the notice be referred to arbitration in the manner provided for by clause 39 of this Licence; and on a reference to arbitration in pursuance of this paragraph any relevant assessment or determination for the time being in force shall be binding on the Financial Secretary and the Licensee so far as the assessment or determination relates directly or indirectly to the value of petroleum relating to the relevant period in question.

(10) When any payment is made by the Licensee or the Financial Secretary in pursuance of paragraph (6), (7) or (8) of this clause, an amount in respect of interest on the payment shall also be payable by him to the recipient of the payment and that amount shall be calculated in such manner as the Financial Secretary may specify from time to time in a notice given by him to the Licensee; but —

(a) the rate of interest which shall be payable shall be the greater of —

(i) the time-weighted average for the relevant period of the rates applicable to loans from the United Kingdom National Loans Fund for maturities of fifteen to twenty-five years; and

(ii) one per cent under the rate indicated by the *Financial Times* (of London) actuaries index of redemption yields from debentures and loan stocks with twenty years to maturity; and

(b) any such amount in respect of interest shall be disregarded in calculating for the purposes of the said paragraphs (6), (7) or (8) any amount already paid by the Licensee in pursuance of this clause.

(11) In paragraph (8) of this clause "relevant assessment or determination" means an assessment or determination made by the Commissioner of Taxation for the purposes of the charge of income tax or corporation tax on income or a determination made in proceedings arising out of such assessment or determination made by the said Commissioner.

(12) For the purposes of this clause any amount paid by the Licensee or the Financial Secretary on account of a prospective liability under paragraphs (6), (7) or (8) of this clause shall be treated as paid in pursuance of that paragraph.

(13) Schedule 3 to this Licence shall have effect for the purposes of and in connection with this clause.

Measurement of petroleum obtained from licensed area

12.—(1) The Licensee shall measure or weigh by a method or methods customarily used in good oilfield practice and from time to time approved by the Governor all petroleum won and saved from the licensed area.

(2) If and to the extent that the Governor so directs, the duty imposed by paragraph (1) of this clause shall be discharged separately in relation to petroleum won and saved —

(a) from each part of the licensed area which is a field;

(b) from each part of the licensed area which forms part of a field extending beyond the licensed area; and

(c) from each well producing petroleum from a part of the licensed area which is not within such an oil field.

(3) If and to the extent that the Governor so directs, the preceding provisions of this clause shall apply as if the duty to measure or weigh petroleum included a duty to ascertain its quality or composition or both; and where a direction under this paragraph is in force, the following provisions of this clause have effect as if references to measuring or weighing included references to ascertaining quality or composition.

(4) The Licensee shall not make any alteration in the method or methods of measuring or weighing used by him or any appliance used for that purpose without the consent in writing of the Governor and the Governor may in any case require that no alteration be made save in the presence of a person authorised by the Governor.

(5) The Governor may from time to time direct that any weighing or measuring appliance shall be tested and examined in such manner, upon such occasions or at such intervals and by such persons as may be specified by the Governor's direction and the Licensee shall pay to any such person or to the Governor such fees and expenses for test and examination as the Governor may specify.

(6) If any measuring or weighing appliance shall upon any such test or examination as is mentioned in paragraph (5) of this clause be found to be false or unjust the same shall if the Governor so determines after considering any representations in writing by the Licensee be deemed to have existed in that condition during the period since the last occasion upon which the same was tested or examined pursuant to paragraph (5).

Keeping of accounts

13.—(1) The Licensee shall keep in the Falkland Islands full and correct accounts in a form from time to time approved by the Governor of —

(a) the quantity of petroleum in the form of gas won and saved;

(b) the quantity of petroleum in any other form won and saved;

(c) the name and address of any person to whom any petroleum has been supplied by the Licensee, the quantity so supplied, the price or other consideration therefore and the place to which the petroleum was conveyed pursuant to the agreement for such supply; and

(d) such other particulars as the Governor may from time to time direct.

(2) The quantities of petroleum stated in such accounts may exclude any water separated from the petroleum and shall be expressed as volumes in cubic metres measured at, or calculated as if measured at, a temperature of fifteen degrees Celsius and a pressure of 1.0132 bar but if the Governor serves notice on the Licensee determining any other manner in which any quantity of petroleum is to be expressed that quantity shall be so expressed.

(3) Such accounts shall state separately the quantities used for the purposes of carrying on drilling and production operations and pumping to field storage, and quantities not so used, and in the case of petroleum not in the form of gas shall state the specific gravity of the petroleum and, if petroleum of different specific gravities has been won and saved, the respective quantities of petroleum of each specific gravity.

(4) The Licensee shall within two months after the end of each half year in which this Licence is in force and within two months after the expiration or determination of this Licence deliver to the Governor an abstract in a form from time to time approved by the Governor of the accounts for that half year or for the period prior to such expiration or determination as the case may be.

Working obligations

14.—(1) The Licensee shall before the expiration of the initial term of this Licence carry out such scheme of prospecting including any geological survey by any physical or chemical means [*if appropriate add the words* and exploration drilling] as is set out in Schedule 4 to this Licence [and the Licensee shall before the expiration of the second exploration term of this Licence carry out such scheme of prospecting including any geological survey by any physical or chemical means and test drilling as is set out in Part II of Schedule 4 to this Licence] (all of which obligations are hereinafter collectively referred to as a "work programme"); provided that nothing in this paragraph shall be construed as preventing the Licensee from carrying out before the expiration of the initial term any of the part of the work programme set out in Part II of Schedule 5.

(2) If at any time the Governor serves a notice in writing on the Licensee requiring the Licensee to submit to the Governor, before a date specified in the notice, an appropriate programme for exploring for petroleum in the licensed area during a period so specified, the Licensee shall comply with the notice; and for the purposes of this paragraph an appropriate programme is one which any person who, if that person —

(a) were entitled to exploit the rights granted by this Licence; and

(b) had the competence and resources needed to exploit those rights to the best commercial advantage; and

(c) were seeking to exploit those rights to the best commercial advantage;

could reasonably be expected to carry out during the period specified in the notice, and that period must be within the term of this Licence.

(3) If a programme is submitted to the Governor in consequence of a notice served by him in pursuance of paragraph (3) of this clause, then —

(a) he shall not be entitled to revoke this Licence on the ground that the programme does not satisfy the requirements of that paragraph (hereinafter in this clause referred to as "the relevant requirements") but;

(b) if he is of opinion that the programme does not satisfy the relevant requirements he may serve a notice in writing on the Licensee stating his opinion and the reasons for it.

(4) Where notice in respect of a programme is served on the Licensee pursuant to paragraph (4) of this clause the Licensee shall either —

(a) within 28 days beginning with the date of service of the notice refer to arbitration, in the manner provided by clause 39 of this Licence, the question of whether the programme satisfies the relevant requirements; or

(b) within a reasonable period beginning with that date submit to the Governor a further programme which satisfies the relevant requirements;

and where it is determined in consequence of any reference to arbitration in pursuance of subparagraph (a) of this paragraph that the programme in question does not satisfy the relevant requirements the Licensee shall submit to the Governor, as soon as possible after the date of the determination, a further programme which satisfies the relevant requirements.

(5) The Licensee shall carry out any programme submitted by the Licensee in pursuance of this clause as to which either —

(a) the Governor serves notice on the Licensee stating that the Governor approves the programme; or

(b) it is determined in consequence of any reference to arbitration in pursuance of this Licence that the programme satisfies the relevant requirements.

(6) Where, in consequence of any breach or non-observance by the Licensee of any provision of paragraph (2), (4) or (5) of this clause, the Governor has power by virtue of paragraph (1) of clause 38 of this Licence to determine this Licence, he may if he thinks fit exercise that power in relation to such part only of the licensed area as he may specify; and where he does so the rights granted by this Licence shall cease in respect of the specified part of that area without prejudice to any obligation or liability imposed upon the Licensee or incurred by the Licensee under the terms of this Licence.

(7) Where the Licensee has a duty by virtue of this clause to carry out a programme during a part of the term of this Licence, the Governor may serve notice in pursuance of paragraph (3) of this clause in respect of another part of that term.

Development and production programmes

15.—(1) The Licensee shall not —

(a) erect or carry out any relevant works, either in the licensed area or elsewhere, for the purpose of getting petroleum from that area or for the purpose of conveying to a place on land petroleum got from that area;

(b) get petroleum from that area otherwise in the course of searching for petroleum or drilling wells,

except with the consent in writing of the Governor or in accordance with a programme which the Governor has approved or served on the Licensee in pursuance of the following provisions of this clause.

(2) The Licensee shall prepare and submit to the Governor, in such form and by such time and in respect of such period during the term of this Licence as the Governor may direct, a programme specifying —

(a) the relevant works which the Licensee proposes to erect or carry out during that period for either of the purposes mentioned in paragraph (1)(a) of this clause;

(b) the proposed location of the works, the purposes for which it is proposed to use the works and the times at which it is proposed to begin and complete the erection or carrying out of the works;

(c) the maximum and minimum quantities of petroleum in the form of gas and the maximum and minimum quantities of petroleum in other forms, which, in each calendar year during the period aforesaid or in such other periods during that period as the Governor may specify, the Licensee proposes to get as mentioned in paragraph (1)(b) of this clause.

(3) If the Governor directs the Licensee —

(a) to prepare different programmes in pursuance of paragraph (2) of this clause in respect of petroleum from such different parts of the licensed area as are specified in the direction; or

(b) where a programme approved or served in pursuance of this clause relate to a particular period during the term of this Licence, to prepare a programme or programmes in pursuance of paragraph (2) of this clause in respect of a further period or further periods during that term,

the Licensee shall comply with that direction.

(4) The Governor shall expeditiously consider any programme submitted to him in pursuance of paragraph (2) of this clause and when he has done so he shall give notice to the Licensee stating —

(a) that the Governor approves the programme; or

(b) that the Governor approves the programme subject to the condition that such of the relevant works as are specified in the notice shall not be used before the expiration of the period so specified in relation to the works or shall not be used without the consent in writing of the Governor; or

(c) that the Governor rejects the programme on one or both of the following grounds, namely —

(i) that the carrying out of any proposals included in the programme in pursuance of paragraph (2) of this clause would be contrary to good oilfield practice;

(ii) that the proposals included in the programme in pursuance of paragraph (2)(c) are, in the opinion of the Governor not in the national interest of the Falkland Islands;

and a notice in pursuance of sub-paragraph (b) of this paragraph may contain different conditions in respect of different works.

(5) Where the Governor gives notice of rejection of a programme in pursuance of paragraph (4)(c) of this clause, then —

(a) if the grounds of rejection consist of or include the ground that the carrying out of any proposals included in the programme in pursuance of paragraph (2) of this clause would be contrary to good oilfield practice, he shall include in the notice a statement of the matters in consequence of which he rejected the programme on that ground; and

(b) if the grounds of rejection consist of or include the ground that the proposals included in the programme are not in the national interest of the Falkland Islands he shall include in the notice a statement of the rates at which he considers that, in the national interest, petroleum should be got from the area to which the programme relates;

(c) the Licensee shall prepare and submit to the Governor, before the time specified in that behalf in the notice —

(i) where the notice contains such a statement as is mentioned in paragraph (5)(a) of this clause, modifications of the programme which ensure that the carrying out of the programme would not be contrary to good oilfield practice;

(ii) where the notice contains such a statement as is mentioned in paragraph (5)(b), modifications of the programme which ensure the getting of petroleum from the area there mentioned at the rates specified in the statement and which (except so far as may be necessary in order to get petroleum at those rates) are not such that the carrying out of the programme with those modifications would be contrary to good oilfield practice;

but the Licensee shall not be required by virtue of paragraph (i) of this sub-paragraph to submit modifications if the carrying out of the programme without modifications would not be contrary to good oilfield practice.

(6) If the Governor gives notice to the Licensee that the Governor approves the modifications of a programme which have been submitted to the Governor in pursuance of paragraph (5)(c) of this clause, the programme with those modifications shall be deemed to be approved by the Governor; but if the Licensee fails to perform the duty imposed on the Licensee by that paragraph the Governor may if he thinks fit, instead of revoking this Licence in consequence of the failure, serve on the Licensee such a programme as the Governor considers that the Licensee should have submitted to him in respect of the area and period to which the rejected programme related.

(7) Where the Governor proposes to approve a programme subject to a condition in pursuance of paragraph (4)(b) of this clause or to reject a programme in pursuance of paragraph (4)(c) of this clause or to serve a programme on the Licensee in pursuance of paragraph (6) of this clause he shall before doing so —

(a) give the Licensee particulars of the proposal and an opportunity of making representations to the Governor about the technical and financial factors which the Licensee considers are relevant in connection with the proposal; and

(b) consider any such representations then made to him by the Licensee; and the Governor shall not approve a programme subject to such a condition unless he is satisfied that such a condition is required in the national interest of the Falkland Islands.

(8) The Licensee shall carry out any programme approved or served on him by the Governor in pursuance of this clause or, if such a programme is varied in pursuance of clause 16 of this Licence, the programme as so varied except so far as the Licensee is authorised in writing by the Governor to do otherwise or is required to do otherwise by such a condition as is mentioned in paragraph (4)(b) of this clause: but if it is necessary to carry out certain works in order to comply with provisions included in a programme by virtue of paragraph (5)(c) of this clause or provisions of a programme served on the Licensee in pursuance of paragraph (6) of this clause or provisions of a programme as varied in pursuance of clause 16 of this Licence, then notwithstanding anything in the programme as to the time when those provisions are to be complied with, the Licensee shall not be treated as having failed to comply with those provisions before the expiration of the period reasonably required for carrying out the works.

(9) In this clause "relevant works" means any structures and any other works whatsoever which are intended by the Licensee to be permanent and are neither designed to be moved from place to place without major dismantling nor intended by the Licensee to be used openly for searching for petroleum.

Provisions supplementary to clause 15

16.—(1) A consent given by the Governor in pursuance of clause 15(1) of this Licence may be given subject to such conditions as are specified in the document signifying the consent and may in particular, without prejudice to the generality of the preceding provisions of this paragraph, be limited to a period so specified.

(2) Where —

(a) The Governor gives notice in respect of a programme in pursuance of paragraph (4)(a) or (b) or paragraph (6) of clause 15 of this Licence or serves a programme in pursuance of the said paragraph (6); or

(b) it is determined by arbitration that the Licensee is not required by virtue of paragraph (i) of clause 15(5)(c) of this Licence to submit modifications of a programme in respect of which notice of rejection containing such a statement as is mentioned in the said paragraph (i) was given by the Governor in pursuance of clause 15(4)(c) of this Licence,

the Governor may give to the Licensee, with the notice given or the programme served as mentioned in sub-paragraph (a) of this paragraph or, in a case falling within sub-paragraph (b) of this paragraph, within the period of three months beginning with the arbitrator's determination, a notice (hereafter in this clause referred to as a "limitation notice") authorising the Governor, by a further notice given to the Licensee from time to time after the expiration of the period specified in that behalf in the limitation notice, to provide that the programme to which the limitation notice relates shall have effect

while the further notice is in force with the substitution for any quantity of petroleum or any period specified in the programme in pursuance of clause 15(2)(c) of this Licence of a different quantity of petroleum or a different period specified in the further notice.

(3) A quantity or period specified in such a further notice as that to be substituted for a quantity or period which is specified in the programme in question shall be within the limits specified in the limitation notice as those applicable to that quantity or period specified in the programme; and those limits shall be such as to secure that the expenditure to be incurred by the Licensee in complying with the further notice, in a case where an effect of the notice is to increase the quantity of petroleum which the Licensee is required to get from the licensed area in any period, is less than the cost of drilling a new well in the licensed area at the time when the further notice is given.

(4) Where the Governor proposes to give a limitation notice or any such further notice as aforesaid he shall before doing so —

(a) give the Licensee particulars of the proposal and an opportunity of making representations to the Governor about the technical and financial factors which the Licensee considers are relevant in connection with the proposal; and

(b) consider any such representations then made to him by the Licensee; and the Governor shall not give such a further notice of which an effect is to increase the quantity of petroleum which the Licensee is required to get from the licensed area during any period unless the Governor is satisfied that the notice is required in the national interest of the Falkland Islands.

(5) A limitation notice or such a further notice as aforesaid may —

(a) specify any quantity or period by reference to such factors as the Governor thinks fit; and

(b) in the case of such a further notice, contain provisions as to —

(i) the date upon which the notice is to come into force,

(ii) the date upon which the notice is to cease to be in force,

and specify different periods in pursuance of this sub-paragraph for different provisions of the notice;

and the Governor may revoke such a further notice at a particular time by serving on the Licensee a notice in writing stating that the further notice is revoked at that time.

(6) Any question arising under clause 15 of this Licence or this clause as to what is, is not or is required in the national interest of the Falkland Islands shall be determined by the Governor.

(7) The Licensee shall ensure that any conditions to which an approval is subject in pursuance to clause 15(4)(b) of this Licence or a consent is subject in pursuance of paragraph (1) of this clause are complied with.

(8) If in respect of a part of the licensed area —

(a) a consent has been given in pursuance of clause 15(1) of this Licence; or

(b) the Licensee has submitted to the Governor, in accordance with a direction given by virtue of paragraph (3)(a) of that clause, a programme in pursuance of paragraph (2) of that clause —

(i) as respects which the Governor has served in pursuance of paragraph (4)(a) or (b) or paragraph (6) of that clause; or

(ii) in consequence of which the Governor has served a programme on the Licensee in pursuance of the said paragraph (6); or

(iii) in respect of which it has been determined by arbitration that the Licensee is not required by virtue of paragraph (5)(c)(i) of that clause to submit modifications,

paragraph (1) of clause 38 of this Licence shall not authorise the Governor to revoke this Licence in relation to that part of the licensed area in consequence of any breach or non-observance, while the consent is in force or during the period to which the programme relates, of any provisions of the said clause 15 in connection with a different part of the licensed area.

(9) Where in consequence of any breach or non-observance by the Licensee of any provision of clause 15 of this Licence the Governor has power by virtue of clause 38(1) to revoke this Licence or, in consequence of paragraph (8) of this clause to revoke it in respect of part only of the licensed area, he may if he thinks fit —

(a) in a case where he has power to revoke this Licence, exercise the power in relation to such part only of the Licensed area as he may specify;

(b) in a case where by virtue of paragraph (8) of this clause he has power to revoke it in respect of part only of the licensed area, exercise the power in relation to such portion only of that part as he may specify;

and where in consequence of the said paragraph (8) or by virtue of the preceding provisions of this paragraph the Governor revokes this Licence in respect of a part or portion of the licensed area, the rights granted by this Licence shall cease in respect of that part or portion without prejudice to any obligation or liability imposed upon the Licensee or incurred by him under the terms of this Licence.

Commencement and abandonment and plugging of wells

17.—(1) The Licensee shall not commence or, after abandoning in manner hereinafter provided, shall not recommence the drilling of any well without the consent in writing of the Governor.

(2) The Licensee shall not abandon any well without the consent in writing of the Governor.

(3) The Licensee shall ensure compliance with any conditions subject to which any consent under either of the foregoing paragraphs is given.

(4) If any such condition under paragraph (1) of this clause relates to the position, depth or direction of the well, or to any casing of the well or if any conditions under either paragraph (1) or paragraph (2) of

this clause relates to any plugging or sealing of well, the Governor may from time to time direct that the well and all records relating thereto shall be examined in such manner upon such occasions or at such intervals and by such person as may be specified by the Governor's direction and the Licensee shall pay to any such person or to the Governor such fees and expenses for such examination as the Governor may specify.

(5) The plugging of any well shall be done in accordance with a specification approved by the Governor applicable to that well or to wells generally or to a class of wells to which that well belongs and shall be carried out in an efficient and workmanlike manner.

(6) Any well drilled by the Licensee pursuant to this Licence, which, at the expiry or determination of the Licensee's rights in respect of the area or part of the part of the area in which the well is drilled, has not with the consent of the Governor been abandoned, shall be left in good order and fit for further working together with all casings and any well head fixtures the removal whereof would cause damage to such well or if the Governor so directs in manner provided by paragraph (8) of this clause be plugged and sealed in accordance with the Governor's direction.

(7) All casings and fixtures left in position pursuant to paragraph (6) of this clause shall be the property of the Crown.

(8) In any case to which paragraph (6) of this clause applies, a direction by the Governor may be given by notice to the Licensee not less than one month before the Licensee's rights in respect of the area or part thereof in which the well is situate expires or determine, specifying the manner in which the well is to be plugged and sealed and the time within which such work is to be done.

Distance of wells from boundaries of licensed area

18. No well shall except with the consent in writing of the Governor be drilled or made so that any part thereof is less than one hundred and twenty-five metres from any of the boundaries of the licensed area.

Control of development of wells

19.—(1) The Licensee shall not suspend work on the drilling of a development well, or having suspended it in accordance with this paragraph shall not begin it again, except with the consent in writing of the Governor and in accordance with the conditions, if any, subject to which the consent is given.

(2) When work on the drilling of a development well is suspended in accordance with paragraph (1) of this clause, the Licensee shall forthwith furnish the Governor with such information relating to the well as the Governor may specify.

(3) The Licensee —

(a) shall not do any completion work in respect of a well in the licensed area except in accordance with a programme of completion work approved by the Governor in respect of the well;

(b) shall furnish to the Governor, in accordance with the provisions of such a programme, particulars of any completion work done by him in respect of a well in the licensed area; and

(c) shall not remove or alter any casing or equipment installed by way of completion work in respect of a well except with the consent in writing of the Governor and in accordance with the conditions, if any, subject to which the consent is given.

(4) In this clause —

“completion work”, in relation to a well, means work, by way of the installation of a casing or equipment or otherwise after the well has been drilled, for the purpose of bringing the well into use as a development well;

“development well” means a well which the Licensee uses or intends to use in connection with the getting of petroleum in the licensed area, other than a well which for the time being he uses or intends to use only for searching for petroleum.

Provision of storage tanks, pipes, pipelines or other receptacles

20. The Licensee shall use methods and practices customarily used in good oilfield practice for confining the petroleum obtained from the licensed area in tanks, gasholders, pipes, pipe-lines or other receptacles constructed for that purpose.

Avoidance of harmful methods of working

21.—(1) The Licensee shall maintain all apparatus and appliances and all wells in the licensed area which have not been abandoned and plugged as provided by clause 17 of this Licence in good repair and condition and shall execute all operations in or in connection with the licensed area in a proper and workmanlike manner in accordance with methods and practices customarily used in good oilfield practice and without prejudice to the generality of the foregoing provision the Licensee shall take all steps practicable in order —

(a) to control the flow and prevent the escape or waste of petroleum discovered in or obtained in the licensed area;

(b) to conserve the licensed area for productive operations;

(c) to prevent damage to adjoining petroleum bearing strata;

(d) to prevent the entrance of water through wells to petroleum bearing strata except for the purposes of secondary recovery; and

(e) to prevent the escape of petroleum into waters in or in the vicinity of the licensed area.

(2) The Licensee shall comply with any instructions from time to time given by the Governor in writing relating to any of the matters set out in the foregoing paragraph. If the Licensee objects to any such instruction on the ground that it is unreasonable he may, within fourteen days from the date upon which the same was given, refer the matter to arbitration in the manner provided by clause 39 of this Licence.

(3) Notwithstanding anything in the previous provisions of this clause, the Licensee shall not —

(a) flare any gas from the licensed area;

(b) use gas for the purpose of creating or increasing the pressure by means of which petroleum is obtained from that area,

except with the consent in writing of the Governor and in accordance with the conditions, if any, of the consent.

(4) An application for consent in pursuance of paragraph (3) of this clause must be made in writing to the Governor and must specify the date on which the Licensee proposes to begin the flaring or use in question; and subject to paragraph (5) of this clause that date must not be before the expiration of the period of two years beginning with the date when the Governor receives the application.

(5) If the Governor gives notice to the Licensee stating that, in consequence of plans made by the Licensee which the Governor considers are reasonable, the Governor will entertain an application for consent in pursuance of paragraph (3) of this clause which specifies a date after the expiration of a period mentioned in the notice which is shorter than the period mentioned in paragraph (4) of this clause, an application made in consequence of the notice may specify, as the date on which the applicant proposes to begin the flaring or use in question, a date after the expiration of the shorter period.

(6) Before deciding to withhold consent or to grant it subject to conditions in pursuance of paragraph (3) of this clause, the Governor shall give to the Licensee an opportunity of making representations in writing to the Governor about the technical and financial factors which the Licensee considers are relevant in connection with the case and shall consider any representations then made to him by the Licensee.

(7) Consent in pursuance of paragraph (3) of this clause shall not be required for any flaring which, in consequence of an event which the Licensee did not foresee in time to deal with it otherwise than by flaring, is necessary in order —

(a) to remove or reduce the risk of injury to persons in the vicinity of the well in question; or

(b) to maintain a flow of petroleum from that or any other well;

but when the Licensee does any flaring which is necessary as aforesaid he shall forthwith inform the Governor that he has done it and shall, in the case of flaring to maintain a flow of petroleum, stop the flaring upon being directed by the Governor to stop it.

(8) The Licensee shall give notice to the Governor of any event causing escape or waste of petroleum, damage to petroleum bearing strata or entrance of water through wells to petroleum bearing strata except for the purposes of secondary recovery forthwith after the occurrence of that event and shall, forthwith after the occurrence of any event causing escape of petroleum into the sea, give notice to such person or authority as the Governor may have notified him that notice in that behalf shall be given.

(9) The Licensee shall comply with any reasonable instructions from time to time given by the Governor with a view to ensuring that funds are available to discharge any liability for damage attributable to the release or escape of petroleum in the course of activities connected with the exercise

of rights granted by this Licence; but where the Governor proposes to give such instructions he shall before giving them —

- (a) give the Licensee particulars of the proposal and an opportunity of making representations to the Governor about the proposal; and
- (b) consider any representations then made to him by the Licensee about the proposal.

Appointment of operators

22.—(1) The Licensee shall ensure that another person (including, in the case where the Licensee is two or more persons, any of those persons) does not exercise any function of organising or supervising all or any of the operations of searching or boring for or getting petroleum in pursuance of this Licence unless that other person is a person approved in writing by the Governor and the function in question is one to which that approval relates.

(2) The Governor shall not unreasonably refuse to give his approval of a person in pursuance of paragraph (1) of this clause if that person is competent to exercise the function in question, but where an approved person is no longer competent to exercise that function, the Governor may by notice to the Licensee revoke that approval.

Fishing and navigation

23. The Licensee shall not carry out any operations authorised by this Licence in or about the licensed area in such manner as to interfere unjustifiably with navigation or fishing in the waters of the licensed area or with the conservation of the living resources of the sea.

Training

24.—(1) The Governor may from time to time give to the Licensee instructions in writing as to the training of persons employed or to be employed whether by the Licensee or any other person, in any activity which is related to the exercise of the rights granted by this Licence and the Licensee shall ensure that any instructions so given are complied with.

(2) The Licensee shall furnish the Governor with such information relating to the training of persons referred to in paragraph (1) of this clause as the Governor may from time to time require.

Unit development

25.—(1) If at any time in which this Licence is in force the Governor shall be satisfied that the strata in the licensed area or any part thereof form part of a single geological structure or petroleum field (hereinafter referred to as an "oil field") other parts whereof are formed by strata in areas in respect of which other licences granted in pursuance of the Ordinance are then in force and the Governor shall consider that it is in the national interest of the Falkland Islands in order to secure the maximum ultimate recovery of petroleum and in order to avoid unnecessary competitive drilling that the oil field should be worked and developed as a unit in co-operation by all persons including the Licensee whose licences extend to or include any part thereof the following provisions of this clause shall apply.

(2) Upon being so required by notice by the Governor the Licensee shall co-operate with such other persons, being persons holding licences under the Ordinance in respect of any part or parts of the oil field (hereinafter referred to as "the other licensees") as may be prescribed in the said notice in the

preparation of a scheme (hereinafter referred to as a "development scheme") for the working and development of the oil field as a unit by the Licensee and the other licensees in co-operation, and shall, jointly with the other licensees, submit such scheme for approval by the Governor in writing.

(3) The said notice shall also contain or refer to a description of the area or areas in respect of which the Governor requires a development scheme to be submitted for approval by the Governor.

(4) If a development scheme is not submitted to the Governor within the period so stated or if a development scheme so submitted is not approved by the Governor, the Governor may himself prepare a development scheme which shall be fair and equitable to the Licensee and all other Licensees, and the Licensee shall observe and perform the terms and conditions thereof.

(5) If the Licensee objects to any such development scheme prepared by the Governor the Licensee may within 28 days from the date on which notice in writing of the said scheme was given to the Licensee refer the matter to arbitration in the manner provided by clause 39 of this Licence.

(6) Any such development scheme or the award of any arbitrator in relation thereto shall have regard to any direction pursuant to clause 26 of this Licence in force at the date of such a scheme.

Directions as to oil fields across boundaries

26.—(1) Where the Governor is satisfied that any strata in the licensed area or any part thereof form part of an oil field, other parts whereof are in an area to which the Governor's powers to grant licences pursuant to the Ordinance do not apply and the Governor is satisfied that it is expedient that the oil field should be worked and developed as a unit in co-operation by the Licensee and all other persons having an interest in any part of the oil field, the Governor may from time to time by notice give to the Licensee such directions as the Governor may think fit, as to the manner in which the rights conferred by this Licence may be exercised.

(2) The Licensee shall observe and perform all such requirements in relation to the licensed area as may be specified in any such direction.

(3) Any such direction may add to, vary or revoke the provisions of a development scheme.

Licensee to keep records

27.—(1) The Licensee shall keep accurate records in a form from time to time approved by the Governor of the drilling, deepening, plugging or abandonment of all wells and of any alterations in the casing thereof. Such records shall contain particulars of the following matters —

(a) the site of and number assigned to every well;

(b) the subsoil and strata through which the well was drilled;

(c) the casing inserted in any well and any alteration to such casing;

(d) any petroleum, water, or workable seams of any minerals other than petroleum encountered;
and

(e) such other matters as the Governor may from time to time direct.

(2) The Licensee shall keep in the Falkland Islands accurate geological plans and maps relating to the licensed area and such other records in relation thereto as may be necessary to preserve all information which the Licensee obtains about the geology of the licensed area.

(3) The Licensee shall as and when required deliver to the Governor copies of the said records, plans and maps referred to in the two foregoing paragraphs.

Returns

28.—(1) The Licensee shall furnish to the Governor three months from the date of this Licence and at intervals of three months thereafter during the period in which this Licence is in force a return in a form from time to time approved by the Governor of the progress of the Licensee's operations in the licensed area. Such return shall contain —

(a) a statement of all geological work, including surveys and tests, which has been carried out and the areas in which and the persons by whom the work has been carried out and the results thereof;

(b) the number assigned to each well, and in the case of any well the drilling of which was begun or the number of which has been changed during such period of three months, the site thereof;

(c) a statement of the depth drilled in each well;

(d) a statement of any petroleum, water or workable seams of other minerals encountered in the course of the said operations; and

(e) a statement of all petroleum won and saved.

(2) Within two months of the end of each calendar year in which this Licence is in force and within two months after the expiration or determination of this Licence or any renewal thereof the Licensee shall furnish to the Governor an annual return in a form from time to time approved by the Governor of the operations conducted in the licensed area during that year or the period prior to such expiration or determination as the case may be together with a plan on a scale approved by the Governor showing the situation of all wells. The Licensee shall also indicate on the said plan all development and other works executed by him in connection with searching for, boring for or getting petroleum.

(3) The Licensee shall furnish the Governor with such information as the Governor may from time to time request about any aspect of activities of the Licensee which are attributable directly or indirectly to the grant of this Licence, except that the Licensee shall not by virtue of this paragraph be required to furnish information in respect of his activities in connection with any crude oil after he has appropriated it for refining by him.

(4) Without prejudice to the Licensee's obligations under the foregoing provisions of this clause or otherwise under this Licence, the Licensee shall without charge supply to the Governor and to the Hydrographic Department of the Ministry of Defence in the United Kingdom all bathymetric data or other hydrographic information the Licensee acquires in the course of its operations under this Licence.

(5) The Licensee shall furnish the Governor with its audited business accounts of its income and expenditure in relation to the licensed area for each of its accounting periods any part of which falls within the currency of this Licence and such accounts —

- (a) shall be furnished within six months after the end of the accounting period to which they relate;
- (b) shall be in such format and comprise such documents as the Licensee and the Governor may from time to time agree in writing and in default of any such agreement shall be in such format and comprise such documents as the Governor may require;
- (c) shall be prepared in accordance with statements of standard accounting practice from time to time in force and published by the Council of the Financial Reporting Council Limited of England or such other statements of accounting practice as may from time to time be approved for the purpose by the Governor; and
- (d) if not prepared in English shall be accompanied by a notarised translation thereof into English.

Licensee to keep samples

29.—(1) As far as reasonably practicable the Licensee shall correctly label and preserve for reference for a period of five years samples of the sea bed and of strata encountered in any well and samples of any petroleum or water discovered in any well in the licensed area.

(2) The Licensee shall not dispose of any sample after the expiry of the said period of five years unless—

- (a) the Licensee has at least six months from the date of the disposal given notice to the Governor of the Licensee's intention to dispose of the sample; and
- (b) the Governor or any person authorised by him has not within the said period of six months informed the Licensee that he wishes the sample to be delivered to him.

(3) The Governor or any person authorised by him shall be entitled at any time —

- (a) to inform the Licensee in writing that he wishes part of any sample preserved by the Licensee to be delivered to him; or
- (b) to inspect and analyse any sample preserved by the Licensee.

(4) The Licensee shall forthwith comply with any request for the delivery of the whole or any part of any sample which is made in accordance with the preceding provisions of this clause.

Reports to be treated as confidential

30.—(1) All records, returns, plans, maps, samples, accounts and information (in this clause referred to as “the specified data”) which the Licensee is or may from time to time be required to furnish under the provisions of this Licence shall be supplied at the expense of the Licensee and shall not without the consent of the Licensee (which shall not be unreasonably withheld) be disclosed to any person not in the service or employment of the Crown.

Provided that —

(i) the Governor shall be entitled at any time to make use of any of the specified data for the purpose of preparing and publishing such returns and reports as may be required of the Governor by law;

(ii) the Governor shall be entitled at any time to furnish any of the specified data to the Secretary of State, Members of the Executive Council of the Falkland Islands under suitable conditions as to confidentiality and to the Natural Environment Research Council of the United Kingdom and to any body in the Falkland Islands or the United Kingdom carrying on activities of a substantially similar kind to the geological activities at present carried on by the said Council;

(iii) the Governor, the Natural Environment Research Council and any such other body shall be entitled at any time to prepare and publish reports and surveys of a general nature using information derived from any of the specified data;

(iv) the Governor, the said Council and any such body shall be entitled to publish any of the specified data of a geological, scientific or technical kind after the expiration of the period of five years beginning with the date on which the Governor received the data or after the expiration of such longer period as the Governor may determine after considering any representations made to him by the Licensee about the publication of data in pursuance of this sub-paragraph. PROVIDED HOWEVER that if the licence comes to an end for any reason on or before the expiration of the second exploration term the words “of the period of five years beginning with the date on which the Governor received the data” in the second and third lines of this paragraph shall be replaced by the words “of this licence”.

(2) For the purposes of this clause and of clause 31 —

(a) “the Crown” means Her Majesty in right of Her government in the United Kingdom or in right of Her government in the Falkland Islands; and

(b) a person engaged by, or in the employment of a person or body engaged by, the Crown to advise it in matters related to exploration for or exploitation of petroleum in the controlled waters is deemed to be in the service or employment of the Crown.

Inspection of records etc

31. The Licensee shall —

(a) permit any person in the service or employment of the Crown who is appointed by the Governor for the purpose to inspect, and to take copies of and make notes from, all books, papers, maps and other records of any kind kept by the Licensee in pursuance of this Licence or in connection with activities about which the Governor is entitled to obtain information in pursuance of clauses 24(2) and 28(3) of this Licence; and

(b) furnish that person at reasonable times with such information and provide him at reasonable times with such reasonable assistance as he may request in connection with or arising out of an inspection in pursuance of this clause.

Rights of access

32. Any person or persons authorised by the Governor shall be entitled at all reasonable times to enter into and upon any of the Licensee's installations or equipment used or to be used in connection with searching, boring for or getting petroleum in the licensed area for the purposes hereinafter mentioned—

(a) to examine the installations, wells, plant, appliances and works made or executed by the Licensee in pursuance of the Licence and the state of repair and condition thereof; and

(b) to execute any works or to provide and install any equipment which the Governor may be entitled to execute or provide and install in accordance with the provisions of this Licence.

Power to execute works

33. If the Licensee shall at any time fail to perform the obligations arising under the terms and conditions of any of clauses 12, 17, 20 or 21 of this Licence, the Governor shall be entitled, after giving to the Licensee reasonable notice in writing of such his intention, to execute any works and to install and provide any equipment which in the opinion of the Governor may be necessary to secure the performance of the said obligations or any of them and to recover the costs and expenses of so doing from the Licensee.

Right of distress

34. If and whenever any of the payments mentioned in clause 10(1) of this Licence or any part thereof shall be in arrears or unpaid for 28 days next after any of the days whereon the same ought to be paid (whether the same shall have been legally demanded or not) then and so often as the same may happen the Governor may (as an additional remedy and without prejudice to the power of distress and any other rights and remedies to which he would be entitled) enter into and upon any of the Licensee's installations and equipment used or to be used in connection with searching, boring for or getting petroleum in the licensed area and may seize and distrain and sell as a landlord may do for rent in arrears all or any of the stocks of petroleum, engines, machinery, tools, implements, chattels and effects belonging to the Licensee which shall be found in or upon or about the installations and equipment so entered upon and out of the moneys arising from the sale of such distress may retain and pay all the arrears of the said payments and also the costs and expenses incident to any such distress and sale rendering the surplus (if any) to the Licensee.

Indemnity against third party claims

35. The Licensee shall at all times keep the Governor, the Secretary of State, the Crown and all servants, employees or agents of the Crown effectually indemnified against all actions, proceedings, costs, charges, claims and demands whatsoever which may be brought by any third party in relation to or in connection with this Licence or any matter or thing done or purported to be done in pursuance thereof.

Advertisements, prospectuses etc

36. No statement shall be made in any notice, advertisement, prospectus or other documents issued by or to the knowledge of the Licensee or in any other manner claiming or suggesting whether expressly or by implication that Her Majesty (whether in right of Her government of the Falkland Islands or in right of Her government of the United Kingdom), the Secretary of State or the Governor, any Government Department in the Falkland Islands or in the United Kingdom or any person acting or

body acting on behalf of Her Majesty has or have formed or expressed any opinion that the licensed area is from its geological formation or otherwise one in which petroleum is likely to be obtainable.

Restriction on assignment etc

37.—(1) The Licensee shall not, except with the consent in writing of the Governor and in accordance with the conditions (if any) of the consent do anything whereby, under the law (including the rules of equity) of the Falkland Islands or of any other place, any right granted by this Licence or derived from a right so granted becomes exercisable by or for the benefit of or in accordance with the directions of another person.

(2) Without prejudice to the generality of paragraph (1) of this clause, an agreement or arrangement of any kind between the Licensee and any other person permitting the carrying out in the licensed area or any part thereof of any geological survey by physical or chemical means is hereby declared to require the consent in writing of the Governor pursuant to that paragraph, notwithstanding (if such be the case) that the survey is to be carried out for the exclusive benefit of, at the cost of or subject to the direction or control of the Licensee, except that no such consent shall be necessary if the person by whom such survey is to be carried out is —

(a) the holder of a licence granted by the Governor of the right in common with all other persons to whom the like right may have been granted, to search for petroleum in respect of an area which would include the licensed area, but for a proviso therein excluding the exercise of such rights in the licensed area without the consent of the Licensee; or

(b) the holder of a licence granted by the Governor to search and bore for, and get petroleum in an area adjacent to the licensed area,

and if the information intended to be obtained by such survey is reasonably necessary to enable that holder more efficiently to exercise the rights granted by the licence which he holds from the Governor.

(3) The Licensee shall not enter into any agreement providing for a person other than the Licensee to become entitled to, or to any proceeds of sale of, any petroleum which, at the time when the agreement is made, has not been but may be won and saved from the licensed area unless the terms of the agreement have been approved in writing by the Governor either unconditionally or subject to conditions, but the preceding provisions of this paragraph do not apply to —

(a) an agreement for the sale of such petroleum under which the price is payable after the petroleum is won and saved; and

(b) an agreement in so far as it provides that, after any petroleum has been won and saved from the licensed area, it shall be exchanged for other petroleum.

(4) The Licensee shall not, without the consent of the Governor, dispose of any petroleum won and saved in the licensed area in such a manner that the disposal does, to the knowledge of the Licensee or without the Licensee knowing it, fulfil or enable another person to fulfil obligations which a person who controls the Licensee, or a person who is controlled by a person who controls the Licensee, is required to fulfil by an agreement which, if the person required to fulfil the obligations were the Licensee, would be an agreement of which the terms require approval by virtue of paragraph (3) of this

clause; and subsections (2) and (4) to (6) of section 416 of the Income and Corporation Taxes Act 1988 of the United Kingdom shall apply, for the purposes of determining whether for the purposes of this paragraph a person has control of another person, with the following modifications, namely —

(a) for the words "greater part" wherever they occur in the said subsection (2) there shall be substituted the words "one third or more"; and

(b) in the said subsection (6), for the word "may" there shall be substituted the word "shall", and the words "from such attributions" onwards shall be omitted and in the other provisions of that subsection any reference to an associate of a person shall be construed as including only a relative of his (as defined by section 417(4) of that Act), a partner of his and a trustee of a settlement (as defined by section 681(4) of that Act) of which he is a beneficiary.

(5) Where the Licensee is two or more persons, then without prejudice to the preceding provisions of this clause, none of those persons shall enter into an agreement with respect to the entitlement of any of them to —

(a) the benefit of any rights granted by this Licence; or

(b) any petroleum won and saved from the licensed area; or

(c) any proceeds of sale of such petroleum.

unless the terms of the agreement have been approved in writing by the Governor, but the preceding provisions of this paragraph do not apply to an agreement for the sale of such petroleum under which the price is payable after the petroleum is won and saved and an agreement in so far as it provides that, after any petroleum has been won and saved from the licensed area, it shall be exchanged for other petroleum.

Power of revocation

38.—(1) If any of the events specified in the following paragraph shall occur then and in any such case the Governor may revoke this Licence and thereupon the same and the rights hereby granted shall cease and determine but without prejudice to any obligation or liability incurred by the Licensee or imposed upon the Licensee by or under the terms and conditions of this Licence.

(2) The events referred to in paragraph (1) of this clause are —

(a) any payments mentioned in clause 10(1) of this Licence or any part of such payments being in arrears or unpaid for two months next after any of the days whereon the same ought to have been paid;

(b) any breach or non-observance by the Licensee of any of the terms and conditions of this Licence;

(c) the bankruptcy of the Licensee;

(d) the making by the Licensee of any arrangement or composition with his creditors;

(e) if the Licensee is a company, the appointment of a receiver or any liquidation whether compulsory or voluntary;

(f) any breach or non-observance by the Licensee of the terms and conditions of a development programme (including any failure to implement such a programme within the time specified in any approval of the programme under clause 15).

(g) if the licensee shall at any time during the currency of this Licence win and save any petroleum without first having established (and if the same shall have been previously established without at the time in question maintaining) a permanent establishment in the Falkland Islands of a kind and nature approved by the Governor;

(h) any breach of a condition subject to which the Governor gave his approval in pursuance of clause 37(3) of this Licence;

(i) any breach of clause 41(5) of this Licence;

(j) if the Licensee shall at any time during the currency of this licence fail to pay and discharge in full within ninety days of the same having become due any tax lawfully payable by the Licensee under the provisions of the Taxes Ordinance 1997,

and where two or more persons are the Licensee and reference to the Licensee in sub-paragraphs (c) to (g) of this paragraph is a reference to each or either of those persons as may be requisite to enable the Governor to revoke this Licence if an event mentioned in those paragraphs has arisen in relation to one (but not necessarily all) of those persons.

(3) The Governor may revoke this Licence, with the like consequences as are mentioned in paragraph (1) of this clause, if —

(a) the Licensee is a company;

(b) there is a change in the control of the Licensee; and

(c) the Governor serves notice in writing on the Licensee stating that the Governor proposes to revoke this Licence in pursuance of this paragraph unless such a further change in the control of the Licensee as is specified in the notice takes place in the period of three months beginning with the date of service of the notice; and

(d) that further change does not take place within that period.

(4) There is a change of control of the Licensee for the purposes of paragraph (3)(b) of this clause whenever a person has control of the Licensee who did not have control of the Licensee when this licence was granted and subsections (2) and (4) to (6) of section 416 of the Income and Corporation Taxes Act 1988 of the United Kingdom shall apply, for the purpose of determining whether for the purposes of this paragraph a person has or had control of the Licensee, with the modifications stated in clause 37(4) of this Licence.

(5) Where two or more persons are the Licensee and any of them is a company, paragraphs (3) and (4) of this clause shall have effect as if —

(a) sub-paragraph (a) of paragraph (3) were omitted;

(b) in sub-paragraph (b) of that paragraph, after the word “of” there were inserted the words “any company included among the persons who together constitute”; and

(c) for the word “Licensee” in any other provision of those paragraphs there were substituted the word “company”.

Arbitration

39.—(1) If at any time any dispute, difference or question shall arise between the Governor and the Licensee as to any matter arising under or by virtue of this Licence or as to their respective rights and liabilities in respect thereof then the same shall, except where it is expressly provided by this Licence that the matter or thing to which the same relates is to be determined, decided, directed, approved or consented to by the Governor, be referred to arbitration as provided by the following paragraph.

(2) The arbitration referred to in the foregoing paragraph shall be in accordance with the Arbitration Act 1996 of England by a single arbitrator who, in default of agreement between the Governor and the Licensee and, in the case of arbitration in relation to a development scheme, other licensees, shall be appointed by the Chief Justice of the Falkland Islands for the time being.

(3) Unless otherwise agreed between the Governor and the Licensee, any arbitration under this clause shall take place in London.

(4) In the case of any such arbitration which relates to a development scheme the Licensee shall unless the arbitrator otherwise determines perform and observe the terms and conditions of the development scheme pending the decision of the arbitrator.

(5) The reference in paragraph (2) of this clause to the Arbitration Act 1996 of England shall be construed as including a reference to any statutory modification, amendment, replacement or re-enactment of the said Act for the time being in force in England.

Appointment of Agent of licensee

40.—(1) The Licensee appoints the person specified in paragraph 1 of Schedule 5 to this Licence as the Licensee’s agent (hereinafter called “the Agent”) for the purpose of service and receipt of service of all notices, notifications and proceedings whatsoever required to be or authorised to be served upon the Licensee under or in connection with this Licence, the Ordinance or any of the provisions of this Licence but nothing in this paragraph shall preclude the same being served additionally or instead upon the Licensee in the manner provided by clause 41 of this Licence.

(2) The Licensee shall not while any of the terms and conditions of this Licence remain in force revoke the appointment of the Agent nor shall any such revocation be effective unless at the same time the Licensee appoints another person resident in the Falkland Islands as the Licensee's agent in place of the Agent and forthwith notifies that appointment to the Governor in writing whereupon the provisions of

this paragraph and of paragraph (1) of this clause shall apply in relation to the person so appointed as if that person had been appointed under paragraph (1) of this clause.

(3) The foregoing provisions of this clause have effect without prejudice to the provisions of Part X of the Companies Act 1948 in its application to the Falkland Islands, in so far and whenever the same may be applicable to the Licensee but the Licensee shall in discharge of the Licensee's obligations under section 407(1)(c) of the said Act (when and whenever applicable) appoint the same person as the person for the time being appointed under the foregoing provisions of this clause.

Notices

41.—(1) Notices and notifications to the Governor under the provisions of this Licence shall be sent or delivered to him at the address specified in relation to such notices and notifications in Schedule 5 to this Licence and shall additionally be sent or delivered in the like manner to the Attorney General, Falkland Islands Government, at the address specified in relation to him in that Schedule.

(2) Notices or notifications to the Agent under the provisions of this Licence shall be sent addressed to the Agent at the address specified in relation to the Agent in the said Schedule 6.

(3) Notices to or notifications to the Licensee under the provisions of this Licence to the Licensee shall be sent addressed to the Licensee at the address specified in relation to the Licensee in the said Schedule 6.

(4) Where any notice or notification is sent by telephonic facsimile transmission to any person under any of the foregoing paragraphs of this clause, a copy of it shall be sent on the same day to the same addressee by the quickest available postal means and the notice shall be deemed to have been received by the addressee on the day on which, in the ordinary course of post, the notice would ordinarily have been received if sent by that postal means to the addressee on the day and at the time the copy of it was posted as hereinbefore provided.

(5) All notices and notifications under this Licence shall be in English.

Governing law and jurisdiction

42.—(1) This Licence is governed by the law of the Falkland Islands.

(2) Save as is provided by paragraph (3) of this clause and clause 39(1) (arbitration), the Supreme Court of the Falkland Islands has sole and exclusive jurisdiction in relation to any dispute, difference or question arising between the Governor and the Licensee under and by virtue of this Licence.

(3) In respect of any sum or sums owed by the Licensee under any provision of this Licence, the Governor or Her Majesty in right of Her government in the Falkland Islands may bring proceedings in any court of competent jurisdiction in the country of the Licensee's incorporation or, in the case of an individual, his place of residence as well or instead of the Supreme Court of the Falkland Islands and similarly may seek to enforce any judgment of the Supreme Court of the Falkland Islands against the Licensee for any such sum or sums in any such court.

Entire agreement

43.—(1) This Licence represents the entire agreement of the parties thereto as to its subject matter as at the date of this Licence.

(2) No variation in the provisions of this Licence shall have effect unless it is in writing and signed by the Governor.

Schedules

44. The five Schedules immediately following form part of this Licence and shall have effect for the purposes of this Licence.

Schedule 1

(clause 2)

DESCRIPTION OF BLOCKS TO WHICH THIS LICENCE RELATES

[These will be blocks numbered on the reference map referred to in clause 2 of the Licence and this Schedule must be appropriately completed in the Licence as granted]

Schedule 2

(clause 10(1))

ACREAGE RENTS

As to initial term

1. The Licensee shall in respect of the initial term pay to the Governor without any deduction whatsoever —

(a) an annual rent of \$30 for every square kilometre or part thereof for the time being comprised in this Licence during the initial term;

(b) an annual rent of \$250 for every square kilometre or part thereof for the time being (except as a discovery area or as a production field) for the time being comprised in this Licence during the second exploration term;

(c) as to discovery areas be \$375,000; and

(d) as to production fields \$375,000 for every square kilometre thereof (provided that no rent shall be payable in respect of which royalty is payable),

and such rent shall be payable annually in advance, the first payment being due on the date of this licence.

Annual rents

2. The said annual rents shall —

(a) be paid annually in advance, the first payment being due and payable on the grant of this Licence and subsequent payments being due and payable on each anniversary of this Licence falling within the initial term;

(b) be paid to such account in the name of the Falkland Islands Government of such branch of such bank in the Falkland Islands or in London as the Financial Secretary of the Falkland Islands may from time to time notify in writing to the Licensee.

Schedule 3

(clause 11(4))

INFORMATION TO BE CONTAINED IN RETURNS BY LICENSEES

1. A return in respect of a relevant period shall give the following information in relation to petroleum won from the licensed area that is to say —

(a) in the case of each delivery in the period of petroleum, the return shall state —

(i) the quantity delivered;

(ii) the person to whom it was disposed of;

(iii) the tax disposal value of the petroleum; and

(iv) contain other particulars of or relating to the disposal as the Financial Secretary by notice in writing to the Licensee may from time to time require the Licensee to provide;

(b) in the case of each relevant appropriation of petroleum in the period, the return shall —

(i) state the quantity of petroleum appropriated;

(ii) state the consideration for which the petroleum is deemed to have been disposed of for tax purposes; and

(iii) contain such other particulars of or relating to the appropriation as the Financial Secretary by notice to the Licensee may from time to time require the Licensee to provide.

(c) in the case of petroleum which, at the end of the period, has either not been disposed of and not relevantly appropriated or has been disposed of but not delivered, the return shall —

(i) state the quantity of the petroleum;

(ii) state the consideration for which the petroleum would have been deemed to have been disposed of for tax purposes if it has been relevantly appropriated on the last day of the relevant period; and

(iii) contain such other particulars relating to the petroleum as the Financial Secretary by notice to the Licensee may from time to time require the Licensee to provide.

2. In this Schedule "tax disposal value" has the same meaning as it has under clause 11(3).

Schedule 4

(clause 3)

WORK PROGRAMME FOR INITIAL TERM AND SECOND EXPLORATION TERM

Work Programme

[Here set out the work programme agreed between the Licensee and the Governor before the grant of the Licence]

Schedule 5

(clauses 40 and 41)

PARTICULARS OF AGENT OF LICENSEE AND ADDRESSES FOR NOTICES

1. Agent appointed by the Licensee —

(a)
Name

(b)
Address

[To be completed appropriately in the Licence]

2. Address for notices and notifications to the Governor —

[To be completed appropriately in the Licence]

(and, if sent by telephonic facsimile transmission, to be sent to [International Access Code] + 500 where applicable 27434)

3. Address for notices and notifications to the Attorney General, Falkland Islands —

[To be completed appropriately in the Licence]

(and, if sent by telephonic facsimile transmission, to be sent to [International Access Code] + 500 where applicable 27276)

4. Address for notices and notifications to the Licensee —

[To be completed appropriately in the Licence]

(there will then follow the execution of the Licence as a Deed by the Governor and the Licensee).



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

1st September 2000

No. 13

The following is published in this Supplement -

Fitzroy Track (Designation and Speed Limits) Order 2000, (S.R. & O. No. 21 of 2000).

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Fitzroy Track (Designation and Speed Limits) Order 2000

S. R. & O. No: 21 of 2000

Made: 25 August 2000

Published: 1 September 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 9N of the Road Traffic Ordinance(a) and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Fitzroy Track (Designation and Speed Limits) Order 2000 and shall come into force upon its publication in the Gazette.

Interpretation

2. In this Order “the Fitzroy Track” means the road heading towards Fitzroy Farm from the junction with the Stanley - Darwin Road to the point where that road crosses the boundary between the property presently owned by Frederick Clark and known as “Hawkbit” and the property presently owned by Falklands Landholdings Limited and known as Fitzroy Farm.

Application of Road Traffic Ordinance

3. The Fitzroy Track is declared to be a road for the purposes of the Road Traffic Ordinance.

Speed limits

4. The Fitzroy Track is designated as a restricted road for the purposes of section 9N(1)(b) of the Road Traffic Ordinance and a maximum speed of 25 miles per hour is prescribed in respect of that road.

Made this twenty-first day of August 2000

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Order)

The effect of this Order is to apply the Road Traffic Ordinance to the Fitzroy Track and to prescribe a maximum speed limit of 25 miles per hour in respect of that road.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

15th September 2000

No. 14

The following are published in this Supplement -

Electoral (Amendment) Ordinance 2000;

Livestock (Amendment) Ordinance 2000;

Supplementary Appropriation (1999-2000) (No. 2) Ordinance 2000;

Supplementary Appropriation (2000-2001) Ordinance 2000;

Stanley Common (Amendment) Ordinance 2000;

Agricultural Incentives and Subsidies (Land Charges) (Amendment) Ordinance 2000;

Taxes (Amendment) Ordinance 2000;

Taxes (Amendment) (No. 2) Ordinance 2000;

Dogs (Fouling of Land) Ordinance 2000;

Fisheries (Conservation and Management) (Amendment) Ordinance 2000;

Canache (Mooring of Water Craft) Development Regulations 2000, (S.R. & O. No. 22 of 2000);

Fishing Licences (Applications and Fees) Order 2000, (S.R. & O. No. 23 of 2000).

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Electoral (Amendment) Ordinance 2000

(No: 7 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of Electoral Ordinance 1988

(e) in section 15(1), by replacing the words "1st day of September" with the words "1st July" and by replacing the words "31st day of August" with the words "30th June"; and

(f) in section 53(2) by inserting the words "Principal Crown Counsel", immediately after the words "Principal Auditor" and by deleting the words "Senior Solicitor".

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Livestock (Amendment) Ordinance 2000

(No: 8 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment to the Livestock Ordinance (Cap 40)

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

LIVESTOCK (AMENDMENT) ORDINANCE 2000

(No: 8 of 2000)

(assented to: 6 September 2000)
(commencement: in accordance with section 1)
(published: 15 September 2000)

AN ORDINANCE

To amend the Livestock Ordinance.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Livestock (Amendment) Ordinance 2000 and shall come into force on the date of its first publication in the Gazette.

Amendment of the Livestock Ordinance

2. The Livestock Ordinance(a) is amended by replacing Form 4 in the First Schedule with the new Form 4 set out in the Schedule to this Ordinance.

(a) Cap. 40

SCHEDULE

"FORM 4 (section 40)

Annual return for the year ending 31st May

GENERAL

Farm Name	
Brand for horses and cattle	

Owner	
Earmark for sheep	

SHEEP

No. of MATURE RAMS	
No. of RAM HOGGETS	
Total No. of RAMS	

No. of BREEDING EWES	
No. of MATURE EWES (not mated)	

No. of MATURE WETHERS	
No. of SHEARLING WETHERS	
No. of WETHER HOGGETS	
Total No. of WETHERS	

No. of EWE HOGGETS	
No. of SHEARLING EWES	

Total No. of EWES	
--------------------------	--

No. of CAST SHEEP (stock to be disposed of before next shearing)	
--	--

TOTAL NO. OF SHEEP on the farm at 31.05.	
--	--

No. of Ewes mated in previous year to produce this year's lambs	
---	--

LAMBS MARKED

No. of RAM LAMBS	
No. of EWE LAMBS	
No. of WETHER LAMBS	
TOTAL	

Lambing Percentage	
---------------------------	--

(No. of lambs divided by no. of ewes mated multiplied by 100 = lambing percentage)

SHEARING

No. of SHEEP SHORN at main shearing(s)	
Hoggets	
Shearlings	
Wethers	
Ewes	
Rams	
TOTAL	

WOOL CLIP

Main shearing(s) wool clip (greasy Kg's)	
Other wool	
TOTAL	
Wool Shipped (greasy Kg's)	
No. of Bales Shipped	
Wool held on farm (greasy Kg's)	

No. of other sheep shorn throughout the year that contribute to the "other wool" category	
---	--

GROSS WOOL SALES FOR LAST CALENDAR YEAR

TOTAL WEIGHT OF WOOL SOLD BETWEEN 01.01. AND 31.12. (Kg's greasy)	
TOTAL WEIGHT OF WOOL SOLD BETWEEN 01.01. AND 31.12. (Kg's clean)	
TOTAL NET VALUE OF WOOL SOLD BETWEEN 01.01. AND 31.12. (STERLING)	

CATTLE

CATTLE (DAIRY)	No. of animals
Bulls	
Cows (over 2 years)	
Cows (under 2 years)	
Steers (over 2 years)	
Steers (under 2 years)	
Calves	
Total at 31.05.	

CATTLE (BEEF)	No. of animals
Bulls	
Cows (over 2 years)	
Cows (under 2 years)	
Steers (over 2 years)	
Steers (under 2 years)	
Calves	
Total at 31.05.	

TOTAL NO. OF CATTLE AT 31.05.	
---	--

NO. OF COWS MATED IN PREVIOUS YEAR TO PRODUCE THIS YEAR'S CALVES	
---	--

WORKING HORSES	No. of animals
Stallions	
Geldings	
Mares	
Yearlings	
Foals	
Total HORSES at 31.05.	

DOGS	No. of animals
Adult Bitches	
Bitch pups (under one year)	
Adult Dogs	
Dog pups (under one year)	
Total DOGS at 31.05.	

POULTRY and FOWL	No. of birds
Cockerels	
Hens	
Pullets	
Total of above	
Geese	
Ducks	
Turkeys	
Other	

PIGS	No. of animals
Breeding stock: Boars	
Sows	
Gilts	
Total breeding stock	
Finishers: Not weaned	
Weaned	
Total Finishing Stock	
Total PIGS at 31.05.	

OTHER LIVESTOCK Please use the blank tables below to detail any other farming livestock as at 31.05.

FARM POPULATION as at 31.05.

Adult Males	Adult Females	Under 18's	Labour

STOCK MOVEMENT Animals disposed of to the abattoir between 01.06. and 31.05.

SHEEP	No. of animals
Lambs	
Mutton	
Culls	
TOTAL	

CATTLE	No. of animals
Bulls (over 2 years)	
Cows (over 2 years)	
Cows (under 2 years)	
Steers (over 2 years)	
Steers (under 2 years)	
Calves (any cattle under 1 year)	
Culls	
TOTAL	

OTHER (please specify)	Number of animals
TOTAL	

PIGS	Number of animals
Finished animals	
Culls	
TOTAL	

OTHER DISPOSALS

SHEEP	Number of animals	Purpose: (mutton/dogs meat, sold for sheep replacement, culled for age or breeding selection, etc.)	Destination (if any)
Lambs			
Mutton			
Hoggets			
Shearlings			
Over 3 years			
Culls			
TOTAL			

CATTLE	Number of animals	Purpose: (beef/dogs meat, weaners, culled for age or breeding selection, etc.)	Destination (if any)
Bulls (over 2 years)			
Cows (over 2 years)			
Cows (under 2 years)			
Steers (over 2 years)			
Steers (under 2 years)			
Calves (any cattle under 1 year)			
TOTAL			

PIGS	Number of animals	Purpose: (pork, weaners, culled for age or breeding selection, etc.)	Destination (if any)
Finished animals			
Culls			
TOTAL			

OTHER (please specify)	Number of animals	Purpose: (beef/dogs meat, weaners, culled for age or breeding selection, etc.)	Destination (if any)
TOTAL			

ANIMALS ACQUIRED/PURCHASED BETWEEN 01.06. AND 31.05.

SHEEP	Number of animals	Purpose: (breeding ewes, replacement wethers, etc.)	Origins
Rams			
Hoggets			
Shearlings			
between 3 and 6 years of age			
over 6 years of age			
TOTAL			

CATTLE	Number of animals	Purpose: (breeding stock, finishing, etc.)	Origins
Bulls (over 2 years)			
Cows (over 2 years)			
Cows (under 2 years)			
Steers (over 2 years)			
Steers (under 2 years)			
Calves (any cattle under 1 year)			
TOTAL			

OTHER (please specify)	Number of animals	Purpose	Origins
TOTAL			

LAND UNDER CULTIVATION

HORTICULTURAL			
Outdoor Production		Indoor Production (glass house or polyhouse)	
Crop Type	Annual Yield (approx. Kg's)	Crop Type	Annual Yield (approx. Kg's)

AGRICULTURAL

PERENNIAL CROP (pasture)	Number of hectares
Sown in the last 12 months	
Sown between 12 months and 5 years ago	
Sown between 5 and 10 years ago	
TOTAL hectares sown in the last 10 years	

ANNUAL CROP (forage/root)	Hectares
Crop Type	
TOTAL sown this year	

SERVICEABLE TRACTORS	
-----------------------------	--

Please attach on a separate sheet any additional information that you have regarding any section of this form.

I solemnly declare that the foregoing is, to the best of my knowledge and belief, a correct and accurate statement.

(Signature)

This return must be made to the Department of Agriculture on or before 30th June 20__."

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Supplementary Appropriation (1999-2000) (No 2) Ordinance 2000

(No. 9 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum
3. Replenishment of Contingencies Fund

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (1999-2000) (NO 2) ORDINANCE 2000

(No. 9 of 2000)

(assented to: 6 September 2000)

(commencement: upon publication)

(published: 15 September 2000)

AN ORDINANCE

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £130,330 for the service of the financial year ending on 30 June 2000.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Supplementary Appropriation (1999-2000) (No 2) Ordinance 2000.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedule cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 1999 and ending on 30 June 2000 (“the financial year”) the further sum of £130,330 in addition to sums already appropriated by Ordinance.

Replenishment of Contingencies Fund

3. The Financial Secretary shall out of the sum appropriated by section 2 replenish the Contingencies Fund to the extent that sums specified in the Schedule, prior to the commencement of this Ordinance, have been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant Numbers 10, 11 and 12 of 1999-2000 (the authority of which lapses on the commencement of this Ordinance).

SCHEDULE

PART I OPERATING EXPENDITURE

		£
200	Health & Social Services	70,000
320	Fisheries	7,330
	TOTAL OPERATING EXPENDITURE	77,330

PART II CAPITAL EXPENDITURE

950	Capital	53,000
	TOTAL SUPPLEMENTARY EXPENDITURE	130,330

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Supplementary Appropriation (2000-2001) Ordinance 2000

(No. 10 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (2000-2001) ORDINANCE 2000

(No. 10 of 2000)

(assented to: 6 September 2000)

(commencement: upon publication)

(published: 15 September 2000)

AN ORDINANCE

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £2,298,390 for the service of the financial year ending on 30 June 2001.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Supplementary Appropriation (2000-2001) Ordinance 2000.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedule cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 2000 and ending on 30 June 2001 ("the financial year") the further sum of £2,298,390 in addition to sums already appropriated by Ordinance.

SCHEDULE

PART I OPERATING EXPENDITURE

		£	
200	Health & Social Services	65,000	
551	Police & Prisons	6,100	
	TOTAL OPERATING EXPENDITURE	<hr/>	71,100

PART II CAPITAL EXPENDITURE

950	Capital	2,227,290	
	TOTAL SUPPLEMENTARY EXPENDITURE	<hr/>	2,298,390

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Stanley Common (Amendment) Ordinance 2000

(No. 11 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment of Part II of Second Schedule

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Agricultural Incentives and Subsidies (Land Charges) (Amendment) Ordinance 2000

(No: 12 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Interpretation
3. Amendment of section 3 of the principal Ordinance
4. Repeal of section 4 of the principal Ordinance

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

**AGRICULTURAL INCENTIVES AND SUBSIDIES (LAND CHARGES)
(AMENDMENT) ORDINANCE 2000**

(No: 12 of 2000)

(assented to: 6 September 2000)
(commencement: in accordance with section 1)
(published: 15 September 2000)

AN ORDINANCE

To amend the Agricultural Incentives and Subsidies (Land Charges) Ordinance 1998.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Agricultural Incentives and Subsidies (Land Charges) (Amendment) Ordinance 2000 and shall be deemed to have come into force on 9 December 1998.

Interpretation

2. In this Ordinance, “the principal Ordinance” means the Agricultural Incentives and Subsidies (Land Charges) Ordinance 1998(a).

Amendment of section 3 of the principal Ordinance

3.—(1) Subsection (2) of section 3 of the principal Ordinance is replaced by the following —

“(2) Except as provided by subsection (2A), no sum shall be repayable under this section unless a surplus is realised on the sale of the whole or part of the land within five years of the receipt by the owner of the incentive payment.”

(a) No 28 of 1998

(2) The following subsection is inserted in section 3 of the principal Ordinance, immediately following subsection (2) —

“(2A) Where on the disposal of the whole or any part of the land otherwise than by will or on intestacy any sum paid by way of incentive payment to the owner of the land has not been fully expended for the purposes of the Programme, that sum, to the extent that it remains not so expended, shall, if the Crown so requires, be forthwith repayable by the owner to the Crown.”

(3) Subsection (3) of section 3 of the principal Ordinance is amended by the insertion, at the commencement of the subsection, of the words “Where a surplus arises on the sale of the land or part of the land.”

(4) Section 3 of the principal Ordinance is further amended by the insertion of the following subsection, immediately after subsection (4) —

“(5) For the purposes of subsection (2A), the owner of the land is deemed to have disposed of it if he ceases to carry on business in agriculture upon that land.”

Repeal of section 4 of the principal Ordinance

4. Section 4 of the principal Ordinance is repealed.

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Taxes (Amendment) Ordinance 2000

(No: 13 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment to Taxes Ordinance 1997

“(2) in ascertaining the chargeable income for a year of assessment of a husband, in any case where he is assessed jointly with his wife who has earned income arising during the year immediately preceding that year of assessment then, subject to sub-section (3), a deduction shall be made in respect of any year of assessment beginning on or after 1 January 1997 up to and including the year of assessment beginning on 1 January 2001 of £5,500 or the amount of the wife’s earned income, whichever is the less, but in respect of any year of assessment beginning on or after 1 January 2002, the deduction to be made shall be £6,500 or the amount of the wife’s earned income, whichever is the less.”

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Taxes (Amendment) (No 2) Ordinance 2000

(No. 14 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title, commencement and interpretation
2. Taxation of bunkering services

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

TAXES (AMENDMENT) (NO 2) ORDINANCE 2000

(No. 14 of 2000)

(assented to: 6 September 2000)
(commencement: in accordance with section 1)
(published: 15 September 2000)

AN ORDINANCE

To amend the Taxes Ordinance 1997.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title, commencement and interpretation

- 1.—(1) This Ordinance may be cited as the Taxes (Amendment) (No.2) Ordinance 2000.
- (2) This Ordinance shall come into force on 1st January 2001.
- (3) In this Ordinance “the 1997 Ordinance” means the Taxes Ordinance 1997(a).

Taxation of bunkering services

2.—(1) The following section shall be inserted in the 1997 Ordinance after section 104 —

“Bunkering activities in Falkland Islands waters

104A. Any person who provides bunkering services in the internal waters or territorial sea of the Falkland Islands shall be deemed to be carrying on a business in the Falkland Islands, and any profits and losses which arise therefrom shall be deemed to arise from a source in the Falkland Islands.”

(a) No 14 of 1997

This subsection shall not apply in relation to the provision of bunkering services before 1st January 2001 but shall apply in relation to the provision of bunkering services on or after that date.

(2) In this section —

“bunkering services” means the supply to boats or oil platforms of any petroleum product within the meaning of the Petroleum Ordinance 1973 under the authority of a licence granted under the Ordinance;

“exemption certificate” means a certificate granted under subsection (9) below;

“licensee” means the person to whom a licence under the Petroleum Products Ordinance 1973 has been granted;

“oil platform” means a structure whether intended to be fixed to the seabed or not and designed to support the equipment and stores required for drilling or for exploiting oil or gas by means of wells already drilled and connected or to be connected to the platform; and

“supplier” means any person providing bunkering services, other than the licensee.

(3) Subject to the following provisions of this section, the Commissioner may by notice require the licensee to pay an amount of tax which has been assessed on any supplier in respect of profits or gains of any business or providing bunkering services, if the tax remains unpaid later than 30 days after it has become due and payable.

(4) An amount of unpaid tax may not be included in a notice under this section if the tax —

(a) was assessed in respect of profits or gains arising or accruing to a person as respects whom an exemption certificate has been issued (“an exempt person”) at a time when such a certificate is in force as respects that person; or

(b) is payable by an exempt person and became due at a time when an exemption certificate is in force as respects that person; or

(c) was assessed in respect of the emoluments of any employment; or

(d) was assessed in respect of the profits or gains of an accounting period beginning before 1st January 2001

and such fair and reasonable apportionments of unpaid tax shall be made as may be necessary to give effect to this subsection.

(5) The licensee shall pay the amount of unpaid tax stated in the notice, together with any interest due thereon under this Ordinance, within 30 days of the service of the notice.

(6) A notice under this section shall state particulars of the assessment, the amount remaining unpaid, the date when it became payable and the amount of interest due, and where it is based on an apportionment under subsection (4) above, the notice shall include particulars of the manner in which the amount required to be paid was determined.

(7) Any amount which a licensee is required to pay by a notice under this section may be recovered from him as if it were tax due and duly demanded from him; and he may recover any such amount paid by him from the person on whom the assessment was made.

(8) A payment in pursuance of a notice under this section shall not be allowed as a deduction in computing any income, profits or losses for any tax purposes.

(9) Where, on an application made by a supplier, the Commissioner is satisfied that the applicant will comply with any obligations imposed on him by this Ordinance, he may issue a certificate to the licensee exempting him from the provisions of this section with respect of any tax payable by the applicant.

(10) The Commissioner may, by notice in writing to the holder of a certificate issued under this section, cancel the certificate from such date, not earlier than 30 days after the service of the notice, as may be specified in the notice.”

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Dogs (Fouling of Land) Ordinance 2000

(No: 15 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Land to which this Ordinance applies
3. Offence

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

DOGS (FOULING OF LAND) ORDINANCE 2000

(No: 15 of 2000)

(assented to: 6 September 2000)

(commencement: upon publication)

(published: 15 September 2000)

AN ORDINANCE

To make provision with respect to the fouling of land by dogs.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Dogs (Fouling of Land) Ordinance 2000.

Land to which this Ordinance applies

2.—(1) This Ordinance applies —

(a) to any land within Stanley which is open to the air and to which the public are entitled or permitted to have access (including without prejudice to the generality of the foregoing, every road, footpath, road verge, car park, children's playground, recreation ground, pleasure ground, wood or other open space provided for public use or enjoyment); and

(b) any land outside Stanley open to the air to which by Order under this section it is declared to apply.

(2) For the purposes of subsection (1), any land which is covered shall be treated as land which is "open to the air" if it is open to the air on at least one side.

Offence

3.—(1) If a dog defecates at any time on land to which this Ordinance applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person commits an offence unless —

- (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- (2) A person convicted of an offence under this section is liable to a fine not exceeding the maximum of level three on the standard scale.
- (3) Nothing in this section applies to a person who is certified by the Chief Medical Officer to be a blind person.
- (4) For the purposes of this section —
- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land; and
 - (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces, shall not be a reasonable excuse for failing to remove the faeces.

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Fisheries (Conservation and Management) (Amendment) Ordinance 2000

(No: 16 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Amendment of the Fisheries (Conservation and Management) Ordinance 1986

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

**FISHERIES (CONSERVATION AND MANAGEMENT)
(AMENDMENT) ORDINANCE 2000**

(No: 16 of 2000)

(assented to: 6 September 2000)
(commencement: upon publication)
(published: 15 September 2000)

AN ORDINANCE

To amend the Fisheries (Conservation and Management) Ordinance 1986.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Fisheries (Conservation and Management) (Amendment) Ordinance 2000.

Amendment of the Fisheries (Conservation and Management) Ordinance 1986

2.—(1) The Fisheries (Conservation and Management) Ordinance 1986(a) is amended by the insertion of the following immediately after section 4 —

(a) No 11 of 1986

“Fishing by other means in internal waters

4A.—(1) Except as mentioned in subsection (2), fishing in internal waters without a licence is prohibited.

(2) Subsection (1) does not apply to fishing which is undertaken with a view to the catch being consumed only in the Falkland Islands.

(3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding £100,000.

(4) The Director of Fisheries may grant a licence and may charge a fee for a licence.

(5) A fishing licence under this section may be granted to a person (including a body corporate) and may authorise fishing generally or may confer limited authority by reference to, in particular —

- (a) the internal waters or part or parts thereof within which fishing is authorised;
- (b) the period or time of year or day during which fishing is authorised;
- (c) the descriptions, quantities, sizes and presentation of fish which may be taken; or
- (d) the method of fishing and if that includes the use of a net or nets, the type or types of net which may be used and any limitations on the mesh size of any such net.

(6) A fishing licence granted under this section may authorise fishing either conditionally or subject to such conditions as appear to the Director of Fisheries to be necessary or expedient for the regulation of fishing in the internal waters, the conservation or management of fisheries in the internal 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 use to which the fish taken may be put;
- (b) the records of fishing operations which shall be kept by the licensee;

and if a licence condition is broken the licensee and any employee or other person acting under his authority who is concerned in such breach commits an offence and is liable on conviction to a fine not exceeding £50,000.

(7) The Director of Fisheries, in granting a fishing licence under this section, may require the licensee to provide him with such statistical information as he may direct, and if the licensee 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 he commits an offence and is liable on conviction to a fine not exceeding £50,000.

(8) A fishing licence granted under this section may be —

- (a) varied from time to time, and
- (b) revoked or suspended,
- (c) if this appears to the Director of Fisheries to be necessary or expedient for the regulation of fishing in the internal waters, the conservation or management of fisheries in the internal 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 granted under this section 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.”

(2) The said Ordinance is further amended by the insertion of the following immediately after section 10 —

“Powers of fishery protection officers and police officers in relation to fishing in internal waters

10A.—(1) Any fishery protection officer and any police officer may arrest without warrant any person reasonably appearing to him to be committing an offence contrary to section 4A(1).

(2) Where a fishery protection officer or a police arrests any person in relation to any offence under section 4A(1) he may —

(a) seize any boat (together with its equipment, stores and contents) which he believes has been used in the commission of such offence;

(b) seize any fishing gear, instruments or appliances which he believes have been used in the commission of such offence;

(c) seize any fish which he believes to have been taken in the commission of such offence; and

(d) seize or take copies of any documents which he believes are relevant to any such offence,

but he may not enter any building for the purpose of the exercise of any of the powers mentioned in paragraphs (a) to (d) of this section without a warrant granted by a court authorising him to enter the building for that purpose.”

Passed by the Legislature of the Falkland Islands this 1st day of September 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

SUBSIDIARY LEGISLATION

STANLEY COMMON

Canache (Mooring of Water Craft) Development Regulations 2000

S. R. & O. No: 22 of 2000

Made: 6 September 2000

Published: 15 September 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 10 of the Stanley Common Ordinance 1999(a) and of all other powers enabling me in that behalf, I make the following Regulations —

Citation and commencement

1. These Regulations may be cited as the Canache (Mooring of Water Craft) Development Regulations 2000 and shall come into force upon publication.

Interpretation

2. In these Regulations, unless the context otherwise requires —

“building” includes any structure or erection except a dwelling house or any office or commercial accommodation;

“development” has the same meaning as it has under section 26 of the Planning Ordinance 1991;

“mooring point” includes a jetty, pontoon landing and any other form of secure mooring for water craft;

“the Canache mooring area” means that part of the Common, the boundaries of which are indicated on the map appearing in the Schedule to these Regulations;

“the Common” has the same meaning as it has under the Ordinance;

“the Ordinance” means the Stanley Common Ordinance 1999;

“planning permission” has the same meaning as it has in the Planning Ordinance 1991; and

(a) No 9 of 1999

“water craft” includes every description of vessel used in navigation including those propelled by oars.

Designation of the Canache mooring area

3. The Canache mooring area is designated as an area which may be used in connection with the mooring of water craft provided that no water craft may be moored there without the permission of the Harbour Master.

Development of the Canache mooring area

4.—(1) Development within the Canache mooring area of any kind specified in paragraph (2) of this regulation is permitted if that development is undertaken for the purposes of or in connection with the construction of a mooring point for water craft and provided that any necessary planning permission for the development has been obtained.

(2) The development to which paragraph (1) relates are —

(a) the construction of a mooring point;

(b) the construction or erection of any building to be used in conjunction with and ancillary to a mooring point;

(c) the carrying out of land renewal, land reclamation and land management associated with the use of a mooring point; and

(d) the erection of any temporary structures reasonably required so as to assist with the carrying out of any development permitted pursuant to these Regulations.

Made this sixth day of September 2000

D A Lamont
Governor

EXPLANATORY NOTE
(not forming part of the above Regulations)

These Regulations permit development in that part of Stanley Common to the north west of the Canache for purposes associated with the mooring of water craft.

SUBSIDIARY LEGISLATION

FISHERIES

Fishing Licences (Applications and Fees) Order 2000

S. R. & O. No: 23 of 2000

Made: 6 September 2000

Published: 15 September 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 20 of the Fisheries (Conservation and Management) Ordinance 1986(a) and of all other powers enabling me in that behalf, I make the following Order —

Commencement and citation

1. This Order may be cited as the Fishing Licences (Applications and Fees) Order 2000 and shall come into operation on the date it is first published in the Gazette and cease to have effect on 30th June 2001.

Application

2. Nothing in this Order applies to licences for exploratory or scientific purposes or to fishing within the territorial sea or internal waters.

Interpretation

3. In this Order —

“combination vessel” means a fishing boat which is equipped so as to be able to catch or take fish both by jigging machines and by trawl or trawls;

“exploratory or scientific purposes” means purposes related to the assessment of the commercial or practical viability of fishing for fish generally or for a particular species of fish or to the assessment or quantification of stocks of any species of fish or fish of any age, stage of maturity or size of a species of fish or the locations in which they or any species of fish or fish of any age, stage of maturity or size may be found;

“FICZ” means the interim conservation and management zone as defined in section 2 of the Fisheries (Conservation and Management) Ordinance 1986;

(a) No 11 of 1986 as amended by No 2 of 1987, No 29 of 1987, No 10 of 1988 and No 16 of 2000

“fishing licence” means a licence to catch or take fish within the fishing waters;

“FOCZ” means the outer conservation zone as defined in Proclamation 2 of 1990 as varied by Proclamation 1 of 1994;

“jigger” means a fishing boat which is equipped so as to be able to catch or take fish by means of jiggling machines;

“northern area” means those areas of the fishing waters which lie to the north of latitude 51°15' south and to the east of longitude 60° west and north of latitude 52° south and to the west of longitude 60° west;

“southern area” means those areas of the fishing waters which lie to the south of latitude 51°15' south and to the east of longitude 60° west and south of latitude 52° south and to the west of longitude 60° west;

“the fishing season” means —

(a) in relation to an “A” licence the period commencing on 1st January 2001 and ending on 30th June 2001;

(b) in relation to an “B” licence the period commencing on 15th February 2001 and ending on 15th June 2001;

(c) in relation to an “C” licence the period commencing on 1st February 2001 and ending on 31st May 2001;

(d) in relation to an “F” licence the period commencing on 1st January 2001 and ending on 30th June 2001;

(e) in relation to a “G” licence the period commencing on 1st March 2001 and ending on 31st May 2001;

(f) in relation to a “S” licence the period commencing on 1st January 2001 and ending on 30th June 2001;

(g) in relation to a “W” licence the period commencing on 1st January 2001 and ending on 30th June 2001.

(h) in relation to an “L” licence the period commencing on 1st January 2001 and ending on 30th June 2001.

“the principal Regulations” means the Fishing Regulations Order 1987;

“trawler” means a fishing boat which is equipped so as to be able catch or take fish by means of a trawl or trawls.

The principal Regulations

4. For so long as this Order is in force such of the provisions of the principal Regulations as are inconsistent with this Order shall not be in force, but except as aforesaid the provisions of the principal Regulations remain in force and shall be complied with in addition to those of this Order.

Types of Licence

5.—(1) For the purpose of this Order there shall be the following categories of licence —

(a) an “A” licence;

(b) a “B” licence;

(c) a “C” licence;

(d) an “F” licence;

(e) a “G” licence;

(f) an “L” licence;

(g) an “S” licence;

(h) a “W” licence.

(2) An “A” licence authorises the catching or taking of any finfish, that is to say a vertebrate fish having a dorsal fin, a ventral or pectoral fin other than Skate (*Rajidae*) and Toothfish (*Dissostichus eleginoides*) but does not authorise the catching or taking of squid of any kind.

(3) A “B” licence only authorises the catching or taking within the northern area and the FOCZ of squid of species *Illex argentinus* and *Martialia hyadesi*.

(4) A “C” licence only authorises the catching or taking within the southern area of squid of the species *Loligo gahi*.

(5) An “F” licence only authorises the catching or taking of all species of the family Skate (*Rajidae*).

(6) A “G” licence only authorises the catching or taking of squid of the species *Illex argentinus* and *Martialia hyadesi* and any finfish except Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*).

(7) An "L" licence only authorises the catching of Toothfish (*Dissostichus eleginoides*).

(8) An "S" licence only authorises the catching or taking of Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).

(9) A "W" licence only authorises the catching or taking of any finfish except Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*).

Applications for Licences

6.—(1) Applications for licences in respect of the whole or any part of any fishing season shall be made to the Director of Fisheries at the Falkland Islands Fisheries Department, PO Box 598, Stanley, Falkland Islands.

(2) Any application to which paragraph (1) of this article relates shall be made so as to be received there by 30th September 2000.

(3) The Director of Fisheries in his discretion may consider an application lodged after that date but is not bound to do so.

The Schedule and its Tables

7.—(1) Table 1 of the Schedule to this Order applies in respect of the fees payable for type "A" licences.

(2) Table 2 of the Schedule to this Order applies in respect of the fees payable for type "B" licences granted to any jigger.

(3) Table 3 of the Schedule to this Order applies in respect of the fees payable for type "B" licences granted to any trawler or combination vessel.

(4) Table 4 of the Schedule to this Order applies in respect of the fees payable for type "C" licences.

(5) Table 5 of the Schedule to this Order applies in respect of the fees payable for type "F" licences.

(6) Table 6 of the Schedule to this Order applies in respect of the fees payable for type "G" licences.

(7) Table 7 of the Schedule to this Order applies in respect of the fees payable for type "S" licences.

(8) Table 8 of the Schedule to this Order applies in respect of the fees payable for type "W" licences.

(9) Table 9 of the schedule to this order applies in respect of fees payable for type "L" licences.

(10) All fees payable under this article shall be paid in pounds Sterling and in accordance with the principal Regulations.

(11) The explanatory notes at the commencement of each Table in the Schedule to this Order are for guidance only and shall not have legislative effect.

(12) This article and the Schedule has effect subject to article 8(3).

Licence in rotation

8.—(1) The Director of Fisheries may, if he thinks fit, grant a licence in respect of one or more vessels in rotation for one another.

(2) Where a licence is granted under paragraph (1) the Director of Fisheries may impose such conditions in the licence as he considers necessary or expedient and, in particular, to ensure —

(a) that only one vessel is permitted to fish within the fishing waters at any one time;

(b) that proper and adequate notice is given to him of the intention to substitute one vessel for another and that any vessel previously permitted to fish in the fishing waters has ceased to do so before another vessel is permitted to commence fishing;

(c) that all and any other conditions specially necessary to promote the proper conservation and management of fish within the fishing waters appear therein.

(3) The Director of Fisheries may require —

(a) that a special licence fee calculated by reference to a formula approved by the Governor and prescribed by a further Order shall be paid in respect of a rotating licence; and

(b) that an administration fee of such amount as he may fix in the circumstances of the case shall be paid before one vessel is substituted for another under a rotating licence.

(4) A rotating licence is not transferable except as expressly permitted thereby.

Special provisions in relation to type “B” licences

9.—(1) The Director of Fisheries may, if he thinks fit, grant a type “B” licence for such period within the fishing season as he thinks fit.

(2) Where a licence is granted under paragraph (1) a special fee, calculated by reference to a formula prescribed by a further Order, must be paid.

Transshipment fees

10.—(1) Except as provided in paragraph (2), the fee for transshipment or transshipment and export licences for the period 1st January 2001 to 30th June 2001 is £1,500.00 per transshipment operation.

(2) Where a fishing licence or combination of fishing licences are granted to a fishing vessel for a period of three or more months, a transhipment licence for the period 1st January to the 30th June 2001 shall be issued without further charge.

Made this sixth day of September 2000

D A Lamont
Governor

THE SCHEDULE

Provision as to fishing licences in respect of the fishing season

TABLE 1

Finfish only - Type "A" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take all finfish except Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*).
3. The season for this type of licence commences on 1st January 2001 and ends on 30th June 2001 and will be subject to a closed area and provisions of The Fishing (Nets and Supplementary Equipment) Regulations Order 1990.
4. Fees set out in this Table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following formula, "IGRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International tonnage measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable per licensed month of fishing is calculated by adding £5,000 per month to the relevant Finfish (Species Restricted) type "W" licence fee, taking account of the IGRT of the vessel.

TABLE 2
Jiggers - Squid North - Type "B" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to jiggers licensed to take squid in the FICZ northern area and FOCZ and not to trawlers or combination vessels..
3. The season for this type of licence commences on 15th February 2001 and ends on 15th June 2001.
4. Fees calculated by the Formula set out in this Table are for the full season.

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed; 'D' means the number of double jiggling machines located upon the jigger to which the licence relates and 'S' means the number of single jiggling machines located upon the jigger to which the licence relates.

B. A licence is not transferable.

Formula

Where the following is applicable —

I. Where a vessel held and utilised a comparable licence in respect of the first season 2000 or for two out of the last three first seasons

Fee payable is the result of:

$$\pounds (0.425(IGRT*(S+1.5D)) + 113447$$

II. In any case where Formula I does not apply —

$$\pounds (0.510(IGRT*S+1.5D)) + 136137$$

TABLE 3
Trawlers - Squid North -Type "B" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.

2. Fees calculated by the Formula set out in this Table apply to trawlers and combination vessels licensed to take squid in the northern area and FOCZ and not to jiggers.
3. The season for this type of licence commences on 15 February 2001 and ends on 15th June 2001. (Note: Vessels fishing under a Type "B" licence using a bottom or demersal trawl are subject to the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990, but vessels fishing under such a licence using any other kind of trawl have until 15th June 2001 been exempted by the Director of Fisheries from the provisions of that Order).
4. Fees calculated by the Formula set out in this Table are for the full season.)

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable is the result of:

$$\pounds(3.687*IGRT) + 105796$$

TABLE 4

Trawlers - Squid South - Type "C" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take squid species *Loligo Gahi* within the shaded (valid) area.
3. The season for this type of licence commences on 1st February 2001 and ends on 31st May 2001 and is exempt from the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990, within the shaded (valid) area.
4. Fees calculated by the Formula set out in this Table are for the full season.)

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable is the result of:

$$\pounds(95.79 * \text{IGRT}) + 109594$$

TABLE 5

Skate Only - Type "F" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take Skate (*Rajidae*) only.
3. The season for this type of licence commences on 1st January 2001 and ends on 30th June 2001 and will be subject to a closed area and the Fishing (Nets and Supplementary Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fees payable per licensed month of fishing is the result of:

$$\pounds(2.2 * \text{IGRT}) + 17776$$

TABLE 6

Squid and Finfish (Species Restricted) - Type "G" Licences

(Explanatory notes :

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take *Illex argentinus* and *Martialia hyadesi* and any finfish except Hake (*Merluccius spp*), Toothfish (*Dissostichus eleginoides*) or Skate (*Rajidae*).

3. The season for this type of licence commences on 1st March 2001 and ends on 31st May 2001 and will be subject to a closed area and the Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990. Applications for this licence type must be in respect of vessels which will engage in fishing using bottom or demersal trawls.

4. Fees calculated by the Formula set out in this Table are payable in respect of the Season.)

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage Measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable is the result of:

$$£(37.674 * IGRT) + 26085$$

TABLE 7

Finfish only - Species Restricted - Type "S" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.

2. Fees calculated by the Formula set out in this table apply to trawlers equipped with Surimi factories, licensed to take Blue Whiting (*Micromesistius australis*) and Hoki (*Macruronus magellanicus*).

3. The season for this type of licence commences on 1st January 2001 and ends on 30th June 2001 and will be subject to the Fishing (Nets and supplementary Equipment) Regulations Order 1990.

4. Fees calculated by the Formula set out in this Table are payable in respect of the number of months for which the licence is valid).

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fee payable per licensed month is the result of:

£(27.09* IGRT)

TABLE 8

Finfish Only - Species Restricted - Type "W" Licences

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this Table apply to trawlers licensed to take all finfish species with the exception of Hake (*Merluccius spp.*), Toothfish (*Dissostichus eleginoides*) and Skate (*Rajidae*) or squid.
3. The season for this type of licence commences on the 1st January 2001 and ends on the 30th June 2001 and will be subject to closed areas and the provisions of The Fishing (Nets and Supplementary Net Equipment) Regulations Order 1990.
4. Fees calculated by the Formula set out in this table are payable in respect of the number of months for which the licence is valid.)

Effective text (of legislative effect)

A. In the following Formula, "IGRT" means the gross tonnage as shown in a Tonnage Certificate issued in accordance with the International Tonnage measurement Rules in respect of the vessel to be licensed.

B. A licence is not transferable.

Formula

Fees payable per licensed month is the result of :

$$\text{£}(5.795* \text{IGRT}) + 10180$$

TABLE 9

Toothfish – Type "L" Licence

(Explanatory notes:

1. These notes are **not** of legislative effect but are for guidance only.
2. Fees calculated by the Formula set out in this table apply to Longliners licensed to take Toothfish (*Dissostichus eleginoides*) only.
3. The season for this type of licence commences on 1st January 2001 and ends on 30th June 2001.

4. Fees set out in this table are payable in respect of the number of months for which the licence is valid).

Effective text (of legislative effect)

A. A licence is not transferable.

	Fee
Fee payable per licensed month is:	
	£24,244.00



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

29th September 2000

No. 15

The following are published in this Supplement -

Criminal Justice (Evidence) Ordinance 2000;

**Canache (Mooring of Water Craft) Development Regulations 2000,
(S. R. & O. No: 22 of 2000).**

(The above Regulations were incompletely printed in Gazette Supplement No. 14 dated 15th September 2000, they are now reprinted and will come into force upon the date of publication of this Gazette)

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Criminal Justice (Evidence) Ordinance 2000

(No: 17 of 2000)

ARRANGEMENT OF PROVISIONS

Section

PART I

INTRODUCTORY

1. Short title and commencement
2. Interpretation
3. Meaning of "sexual offence" and other references to offences

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER I

SPECIAL MEASURES AND DIRECTIONS IN CASE OF VULNERABLE AND INTIMIDATED WITNESSES

Preliminary

4. Witnesses eligible for assistance on grounds of age or incapacity
5. Witnesses eligible for assistance on grounds of fear or distress about testifying
6. Special measures available to eligible witnesses
7. Special measures direction relating to eligible witness
8. Further provisions about directions: general
9. Special provisions relating to child witnesses
10. Extension of provisions of section 9 to certain witnesses over 17

Special measures

11. Screening witness from accused
12. Evidence by live link
13. Evidence given in private
14. Removal of wigs and gowns
15. Video recorded evidence in chief

16. Video recorded cross-examination or re-examination
17. Examination of witness through intermediary
18. Aids to communication

Supplementary

19. Status of evidence given under Chapter I
20. Warning to jury
21. Interpretation of Chapter I

CHAPTER II

PROTECTION OF WITNESSES FROM CROSS-EXAMINATION BY ACCUSED IN
PERSON

General prohibitions

22. Complainants in proceedings for sexual offences
23. Child complainants and other child witnesses

Prohibition imposed by court

24. Direction prohibiting accused from cross-examining particular witness
25. Further provisions about directions under section 24

Cross-examination on behalf of accused

26. Defence representation for the purposes of cross-examination
27. Warning to jury

CHAPTER III

PROTECTION OF COMPLAINANTS IN PROCEEDINGS FOR SEXUAL OFFENCES

28. Restrictions on evidence or questions about complainant's sexual history
29. Interpretation and application of section 28
30. Procedure on applications under section 28

CHAPTER IV

REPORTING RESTRICTIONS

Reports relating to persons under 18

31. Restrictions on reporting alleged offences involving persons under 18
32. Power to restrict reporting of criminal proceedings involving persons under 18

Reports relating to adult witnesses

33. Power to restrict reports about certain adult witnesses in criminal proceedings

Reports relating to directions under Chapter I or II

34. Restrictions on reporting directions under Chapter I or II

Other restrictions

35. Amendment relating to other reporting restrictions

Offences

36. Offences under Chapter IV
37. Defences
38. Offences committed by bodies corporate

Supplementary

39. Decisions as to public interest for purposes of Chapter IV

CHAPTER V

COMPETENCE OF WITNESSES AND CAPACITY TO BE SWORN

Competence of witnesses

40. Competence of witnesses to give evidence

- 41. Determining competence of witnesses
Giving of sworn or unsworn evidence
- 42. Determining whether witness to be sworn
- 43. Reception of unsworn evidence
- 44. Penalty for giving false unsworn evidence

PART III

GENERAL PROVISIONS

Removal of restriction

- 45. Removal of restriction on use of evidence from computer records
- 46. General supplementary provisions

Schedule 1

Schedule 2

Schedule 3

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

CRIMINAL JUSTICE (EVIDENCE) ORDINANCE 2000

(No: 17 of 2000)

(assented to: 25 September 2000)
(commencement: in accordance with section 1)
(published: 29 September 2000)

AN ORDINANCE

To amend the law relating to the giving of evidence in criminal proceedings.

ENACTED by the Legislature of the Falkland Islands as follows —

PART I
INTRODUCTORY

Short title and commencement

1.—(1) This Ordinance may be cited as the Criminal Justice (Evidence) Ordinance 2000 and shall come into force in accordance with the following provisions of this section.

(2) Section 1 to 3, 9 and 10, 19 to 23, 26 and 27, 31 and 32 and 35 to 48 and Schedules 1 and 3 to this Ordinance shall come into force on the publication of this Ordinance in the Gazette.

(3) So far as concerns —

(a) the giving of evidence or information for purposes of criminal proceedings by persons under the age of 17 years at the time of the hearing at which the evidence is to be or was given; and

(b) screening of a witness under 17 years from the accused and without prejudice to the generality of (a) —

(i) the removal of wigs and gowns during the giving of such evidence; and

(ii) the giving of such evidence by live link, the video recording of such evidence and the admission of video recorded evidence; and

(iii) the provision of aids to communication to a witness under the age of 17 years; and

(iv) the cross-examination by the accused of witness under the age of 17 years; and

- (v) restrictions on reporting directions under Chapters I and II of Part II of this Ordinance in relation to a witness under the age of 17 years, and
- (vi) the making of rules of court, adoption of rules of court or the making of practice directions.

the provisions of this Ordinance not brought into force by subsection (2) of this section shall come into force on the commencement of this Ordinance.

(4) The provisions of this Ordinance not brought into force by subsection (2) of this Ordinance shall not come into force otherwise than is provided by subsection (3) until brought into force by Order made by the Governor.

(5) An Order under subsection (4) shall not have effect until such time as it has been approved by a resolution of the Legislative Council.

Interpretation

2.—(1) In this Ordinance —

“accused”, in relation to any criminal proceedings, means any person charged with an offence to which the proceedings relate (whether or not he has been convicted);

“the complainant”, in relation to any offence (or alleged offence), means a person against or in relation to whom the offence was (or is alleged to have been) committed;

“court” means the Summary Court, the Magistrate's Court, the Supreme Court and the Court of Appeal;

“picture” includes a likeness however produced;

“the prosecutor” means any person acting as a prosecutor, whether an individual or body;

“publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings;

“relevant programme” means a programme included in a programme service (“programme service” having the same meaning as it has under the Broadcasting Act 1990 of the United Kingdom substituting in the relevant provisions of that Act a reference to the Falkland Islands for references to the United Kingdom or any part of the United Kingdom);

“video recording” means any recording, on any medium, from which a moving image made by any means may be produced, and includes the accompanying sound-track;

“witness”, in relation to any criminal proceedings, means any person called, or proposed to be called, to give evidence in the proceedings.

(2) Nothing in this Ordinance shall affect any power of a court to exclude evidence at its discretion (whether by preventing questions being put or otherwise) which is exercisable apart from this Ordinance.

(3) A person shall not, for the purposes of any provision of this Ordinance, be regarded as being unable —

(a) to understand questions put to him as a witness, or

(b) to give answers to them which can be understood,

by reason of his inability sufficiently to understand or speak the English language if the court believes that were he to be provided with a competent interpreter he would through such interpreter be able to understand such questions and give such answers. In this subsection “interpreter” includes an intermediary approved by the court under section 17(1).

Meaning of “sexual offence” and other references to offences

- 3.—(1) In this Ordinance “sexual offence” means —
- (a) rape or burglary with intent to rape;
 - (b) an offence under any of sections 2 to 12 and 14 to 17 of the Sexual Offences Act 1956 in its application to the Falkland Islands (unlawful sexual intercourse, indecent assault, forcible abduction etc);
 - (c) an offence under section 128 of the Mental Health Act 1959 in its application to the Falkland Islands (unlawful intercourse with person receiving treatment for mental disorder by a member of hospital staff etc);
 - (d) an offence under section 1 of the Indecency with Children Act 1960 in its application to the Falkland Islands (indecent conduct towards child under 14);
 - (e) an offence under section 54 of the Criminal Law Act 1977 in its application to the Falkland Islands (incitement of child under 16 to commit incest).
- (2) In this Ordinance any reference (including a reference having effect by virtue of this subsection) to an offence of any description (“the substantive offence”) is to be taken to include a reference to an offence which consists of attempt or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, the substantive offence.

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER I

SPECIAL MEASURES AND DIRECTIONS IN CASE OF VULNERABLE AND INTIMIDATED WITNESSES

Preliminary

Witnesses eligible for assistance on grounds of age or incapacity

- 4.—(1) For the purposes of this Chapter a witness in criminal proceedings (other than the accused) is eligible for assistance by virtue of this section —
- (a) if under the age of 17 at the time of the hearing; or
 - (b) if the court considers that the quality of the evidence given by the witness is likely to be diminished by reason of any circumstances falling within subsection (2).
- (2) The circumstances falling within this subsection are —
- (a) that the witness —
 - (i) suffers from mental disorder within the meaning of the Mental Health Ordinance, or
 - (ii) otherwise has a significant impairment of intelligence and social functioning;
 - (b) that the witness has a physical disability or is suffering from a physical disorder.
- (3) In subsection (1)(a) “the time of the hearing”, in relation to a witness, means the time when it falls to the court to make a determination for the purposes of section 7(2) in relation to the witness.
- (4) In determining whether a witness falls within subsection (1)(b) the court must consider any views expressed by the witness.
- (5) In this Chapter references to the quality of a witness’s evidence are to its quality in terms of completeness, coherence and accuracy; and for this purpose “coherence” refers to a witness’s

ability in giving evidence to given answers which address the questions put to the witness and can be understood both individually and collectively.

Witnesses eligible for assistance on ground of fear or distress about testifying

5.—(1) For the purposes of this Chapter a witness in criminal proceedings (other than the accused) is eligible for assistance by virtue of this subsection if the court is satisfied that the quality of the evidence given by the witness is likely to be diminished by reason of fear or distress on the part of the witness in connection with testifying in the proceedings.

(2) In determining whether a witness falls within subsection (1) the court must take into account, in particular —

- (a) the nature and alleged circumstances of the offence to which the proceedings relate;
- (b) the age of the witness;
- (c) such of the following matters as appear to the court to be relevant, namely —
 - (i) the social and cultural background and ethnic origins of the witness,
 - (ii) the domestic and employment circumstances of the witness, and
 - (iii) any religious beliefs or political opinions of the witness;
- (d) any behaviour towards the witness on the part of —
 - (i) the accused,
 - (ii) members of the family or associates of the accused, or
 - (iii) any other person who is likely to be an accused or a witness in the proceedings.

(3) In determining that question the court must in addition consider any views expressed by the witness.

(4) Where the complainant in respect of a sexual offence is a witness in proceedings relating to that offence (or to that offence and any other offences), the witness is eligible for assistance in relation to those proceedings by virtue of this subsection unless the witness has informed the court or his or her wish not to be so eligible by virtue of this subsection.

Special measures available to eligible witnesses

6. For the purposes of this Chapter —

- (a) the provision which may be made by a special measures direction by virtue of each of sections 11 to 18 is a special measure available in relation to a witness eligible for assistance by virtue of section 4; and
- (b) the provision which may be made by such a direction by virtue of each of sections 11 to 16 is a special measure available in relation to a witness eligible for assistance by virtue of section 5.

Special measures direction relating to eligible witness

Special measures direction relating to eligible witness

7.—(1) This section applies where in any criminal proceedings —

- (a) a party to the proceedings makes an application for the court to give a direction under this section in relation to a witness in the proceedings other than the accused; or
- (b) the court of its own motion raises the issue whether such a direction should be given.

(2) Where the court determines that the witness is eligible for assistance by virtue of section 4 or 5, the court must then —

- (a) determine whether any of the special measures available in relation to the witness (or any combination of them) would, in its opinion, be likely to improve the quality of evidence given by the witness; and
- (b) if so —
 - (i) determine which of those measures (or combination of them) would, in its opinion, be likely to maximise so far as practicable the quality of such evidence; and
 - (ii) give a direction under this section providing for the measure or measures so determined to apply to evidence given by the witness.
- (3) In determining for the purposes of this Chapter whether any special measure or measures would or would not be likely to improve, or to maximise so far as practicable, the quality of evidence given by the witness, the court must consider all the circumstances of the case, including in particular —
 - (a) any views expressed by the witness; and
 - (b) whether the measure or measures might tend to inhibit such evidence being effectively tested by a party to the proceedings.
- (4) A special measures direction must specify particulars of the provision made by the direction in respect of each special measure which is to apply to the witness's evidence.
- (5) In this Chapter "special measures direction" means a direction under this section.
- (6) Nothing in this Chapter is to be regarded as affecting any power of a court to make an order or give leave of any description (in the exercise of its inherent jurisdiction or otherwise) —
 - (a) in relation to a witness who is not an eligible witness;
 - (b) in relation to an eligible witness where (as, for example in a case where a foreign language interpreter is to be provided) the order is made or the leave is given otherwise than by reason of the fact that the witness is an eligible witness.

Further provisions about directions: general

- 8.—(1) Subject to subsection (2) and section 9(8), a special measures direction has binding effect from the time it is made until the proceedings for the purposes of which it is made are either —
- (a) determined (by acquittal, conviction or otherwise), or
 - (b) abandoned,
- in relation to the accused or (if there is more than one) in relation to each of the accused.
- (2) The court may discharge or vary (or further vary) a special measures direction if it appears to the court to be in the interests of justice to do so, and may do so either —
 - (a) on an application made by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or
 - (b) of its own motion.
 - (3) In subsection (2) "the relevant time" means —
 - (a) the time when the direction was given, or
 - (b) if the previous application has been made under that subsection, the time when the application (or last application) was made.
 - (4) Nothing in subsection 12(2) and (3), 15(4) to (7) or 16(4) to (6) is to be regarded as affecting the power of the court to vary or discharge a special measures direction under subsection (2) of this section.
 - (5) The court must state in open court its reasons for —

- (a) giving or varying,
- (b) refusing an application for, or for the variation or discharge of, or
- (c) discharging.

a special measures direction and, if it is a court of summary jurisdiction, must cause them to be entered in the register of its proceedings.

(6) Rules of court may make provision —

- (a) for uncontested applications to be determined by the court without a hearing;
- (b) for preventing the renewal of an unsuccessful application for a special measures direction except where there has been a material change of circumstances;
- (c) for expert evidence to be given in connection with an application for, or for varying or discharging, such a direction;
- (d) for the manner in which confidential or sensitive information is to be treated in connection with such an application and in particular as to its being disclosed to, or withheld from, a party to the proceedings.

Special provisions relating to child witnesses

9.—(1) For the purposes of this section —

(a) a witness in criminal proceedings is a “child witness” if he is an eligible witness by reason of section 4(1)(a) (whether or not he is an eligible witness by reason of any other provision of section 4 or 5);

(b) a child witness is “in need of special protection” if the offence (or any of the offences) to which the proceedings relate is —

(i) an offence falling within section 23(3)(a) (sexual offences etc), or

(ii) an offence falling within section 23(3)(b), (c) or (d) (kidnapping, assaults etc); and

(c) a “relevant recording”, in relation to a child witness, is a video recording of an interview of the witness made with a view to its admission as evidence in chief of the witness.

(2) Where the court, in making a determination for the purposes of section 19(2) determines that a witness in criminal proceedings is a child witness, the court must —

(a) first have regard to subsections (3) to (7) of this subsection; and

(b) then have regard to section 7(2);

and for the purposes of section 7(2), as it then applies to the witness, any special measures required to be applied in relation to him by virtue of this section shall be treated as if they were measures determined by the court, pursuant to section 7(2)(a) and (b)(i), to be ones that (whether on their own or with any other special measures) would be likely to maximise, so far as practicable, the quality of his evidence.

(3) The primary rule in the case of a child witness is that the court must give a special measures direction in relation to the witness which complies with the following requirements —

(a) it must provide for any relevant recording to be admitted under section 15 (video recorded evidence in chief); and

(b) it must provide for any evidence given by the witness in the proceedings which is not given by means of a video recording (whether in chief or otherwise) to be given by means of a live link in accordance with section 12.

(4) The primary rule is subject to the following limitations —

(a) the requirement contained in subsection (3)(a) has effect subject to section 15(2); and

- (b) the rule does not apply to the extent that the court is satisfied that compliance with it would not be likely to maximise the quality of the witness's evidence so as to be practicable (whether because the application to that evidence of one or more other special measures available in relation to the witness would have that result or for any other reason).
- (5) However, subsection (4)(b) does not apply in relation to a child witness in need of special protection.
- (6) Where a child witness is in need of special protection by virtue of subsection (1)(b)(i), any special measures direction given by the court which complies with the requirement contained in subsection (3)(a) must in addition provide for the special measure available under section 15 (video recorded cross-examination or re-examination) to apply in relation to —
 - (a) any cross-examination of the witness otherwise than by the accused in person, and
 - (b) any subsequent re-examination.
- (7) The requirement contained in subsection (6) has effect subject to the limitation that it does not apply if the witness has informed the court that he does not want that special measure to apply in relation to him.
- (8) Where a special measures direction is given in relation to a child witness who is an eligible witness by reason only of section 4(1)(a), then —
 - (a) subject to subsection (9) of this section, and
 - (b) except where the witness has already begun to give evidence in the proceedings, the direction shall cease to have effect at the time when the witness attains the age of 17.
- (9) Where a special measures direction is given in relation to a child witness by reason only of section 4(1)(a) and —
 - (a) the direction provides —
 - (i) for any relevant recording to be admitted under section 15 as evidence in chief of the witness, or
 - (ii) for the special measure available under section 28 to apply in relation to the witness, and
 - (b) if it provides for that special measure to so apply, the witness is still under the age of 17 when the video recording is made for the purposes of section 16,
 then, so far as it provides as mentioned in paragraph (a)(i) or (ii), the direction shall continue to have effect in accordance with section 8(1) even though the witness subsequently attains that age.

Extension of provisions of section 9 to certain witnesses over 17

- 10.—**(1) For the purposes of this section —
- (a) a witness in criminal proceedings (other than the accused) is a “qualifying witness” if he—
 - (i) is not an eligible witness at the time of the hearing (as defined by section 4(3)), but
 - (ii) was under the age of 17 when a relevant recording was made;
 - (b) a qualifying witness is “in need of special protection” if the offence (or any of the offences) to which the proceedings relate is —
 - (i) an offence falling within section 23(3)(a) (sexual offences etc), or
 - (ii) an offence falling within section 23(3)(b), (c) or (d) (kidnapping, assaults etc); and
 - (c) a “relevant recording”, in relation to a witness, is a video recording of an interview of the witness made with the view to its admission as evidence in chief of the witness.
- (2) Subsections (2) to (7) of section 9 shall apply as follows in relation to a qualifying witness —

- (a) subsections (2) to (4), so far as relating to the giving of direction complying with the requirement contained in subsection (3)(a), shall apply to a qualifying witness in respect of the relevant recording as they apply to a child witness (within the meaning of that section);
- (b) subsection (5), so far as relating to the giving of such a direction, shall apply to a qualifying witness in need of special protection as it applies to a child witness in need of special protection (within the meaning of that section); and
- (c) subsections (6) and (7) shall apply to a qualifying witness in need of special protection by virtue of subsection (1)(b)(i) of this section as they apply to such a child witness as is mentioned in subsection (6) of section 9.

Special measures

Screening witness from accused

11.—(1) A special measures direction may provide for the witness, while giving testimony or being sworn in court, to be prevented by means of a screen or other arrangement from seeing the accused.

(2) But the screen or other arrangement must not prevent the witness from being able to see, and to be seen by —

- (a) the judge or justices (or both) and the jury (if there is one);
- (b) legal practitioners acting in the proceedings; and
- (c) any interpreter or other person appointed (in pursuance of the direction or otherwise) to assist the witness.

(3) Where two or more legal practitioners are acting for a party in the proceedings, subsection (2)(b) is to be regarded as satisfied in relation to those legal practitioners if the witness is able at all material times to see and be seen by at least one of them.

Evidence by live link

12.—(1) A special measures direction may provide for the witness to give evidence by means of a live link.

(2) Where a direction provides for the witness to give evidence by means of a live link, the witness may not give evidence in any other way without the permission of the court.

(3) The court may give permission for the purposes of subsection (2) if it appears to the court to be in the interests of justice to do so, and may do so either —

- (a) on an application by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or
- (b) of its own motion.

(4) In subsection (3) “the relevant time” means —

- (a) the time when the direction was given, or
- (b) if a previous application has been made under that subsection, the time when the application (or last application) was made.

(5) In this Chapter “live link” means a live television link or other arrangement whereby a witness, while absent from the court room or other place where the proceedings are being held, is able to see and hear a person there and to be seen and heard by the persons specified in section 11(2)(a) to (c).

Evidence given in private

13.—(1) A special measures direction may provide for the exclusion from the court, during the giving of the witness's evidence, of persons of any description specified in the direction.

(2) The persons who may be so excluded do not include —

(a) the accused,

(b) legal practitioners acting in the proceedings, or

(c) any interpreter or other person appointed (in pursuance of the direction or otherwise) to assist the witness.

(3) A special measures direction providing for representatives of news gathering or reporting organisations to be so excluded shall be expressed not to apply to one named person who —

(a) is a representative of such an organisation, and

(b) has been nominated for the purpose by one or more such organisations, unless it appears to the court that no such nomination has been made.

(4) A special measures direction may only provide for the exclusion of persons under this section where —

(a) the proceedings relate to a sexual offence; or

(b) it appears to the court that there are reasonable grounds for believing that any person other than the accused has sought, or will seek, to intimidate the witness in connection with testifying in the proceedings.

(5) Any proceedings from which persons are excluded under this section (whether or not those persons include representatives of news gathering or reporting organisations) shall nevertheless be taken to be held in public for the purposes of any privilege or exemption from liability available in respect of fair, accurate and contemporaneous reports of legal proceedings held in public.

Removal of wigs and gowns

14. A special measures direction may provide for the wearing of wigs or gowns to be dispensed with during the giving of the witness's evidence.

Video recorded evidence in chief

15.—(1) A special measures direction may provide for a video recording of an interview of the witness to be admitted as evidence in chief of the witness.

(2) A special measures direction may, however, not provide for a video recording, or a part of such a recording, to be admitted under this section if the court is of the opinion, having regard to all the circumstances of the case, that in the interests of justice the recording, or that part of it, should not be so admitted.

(3) In considering for the purposes of subsection (2) whether any part of a recording should not be admitted under this section, the court must consider whether any prejudice to the accused which might result from that part being so admitted is outweighed by the desirability of showing the whole, or substantially the whole, of the recorded interview.

(4) Where a special measures direction provides for a recording to be admitted under this section, the court may nevertheless subsequently direct that it is not to be so admitted if —

(a) it appears to the court —

(i) the witness will not be available for cross-examination (whether conducted in the ordinary way or in accordance with any such direction), and

- (ii) the parties to the proceedings have not agreed that there is no need for the witness to be so available; or
 - (b) any rules of court requiring disclosure of the circumstances in which the recording was made have not been complied with to the satisfaction of the court.
- (5) Where a recording is admitted under this section —
- (a) the witness must be called by the party tendering it in evidence, unless —
 - (i) a special measures direction provides for the witness’s evidence on cross-examination to be given otherwise than by testimony in court, or
 - (ii) the parties to the proceedings have agreed that there is no need for the witness to be so available; and
 - (b) the witness may not give evidence in chief otherwise than by means of the recording —
 - (i) as to any matter which, in the opinion of the court, has been dealt with adequately in the witness’s recorded testimony, or
 - (ii) without the permission of the court, as to any other matter which, in the opinion of the court, is dealt with in that testimony.
- (6) Where in accordance with subsection (2) a special measures direction provides for part only of a recording to be admitted under this section, references in subsections (4) and (5) to the recording or to the witness’s recorded testimony are references to the part of the recording or testimony which is to be so admitted.
- (7) The court may give permission for the purposes of subsection (5)(b)(ii) if it appears to the court to be in the interests of justice to do so, and may do so either —
- (a) on an application by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or
 - (b) of its own motion.
- (8) In subsection (7) “the relevant time” means —
- (a) the time when the direction was given, or
 - (b) if a previous application has been made under that subsection, the time when the application (or last application) was made.
- (9) The court may, in giving permission for the purposes of (5)(b)(ii), direct that the evidence in question is to be given by the witness by means of a live link; and, if the court so directs, subsections (5) to (7) of section 12 shall apply in relation to that evidence as they apply in relation to evidence which is to be given in accordance with a special measures direction.
- (10) The Summary Court inquiring into an offence has examining justices under section 6 of the Magistrate’s Courts Act 1980 in its application to the Falkland Islands may consider any video recording in relation to which it is proposed to apply for a special measures direction providing for it to be admitted at the trial in accordance with this section.
- (11) Nothing in this section affects the admissibility of any video recording which would be admissible apart from this section.

Video recorded cross-examination or re-examination

- 16.—(1) Where a special measures direction provides for a video recording to be admitted under section 15 as evidence in chief of the witness, the direction may also provide —
- (a) for any cross-examination of the witness, and any re-examination, to be recorded by means of a video-recording; and

- (b) for such a recording to be admitted, so far as it relates to any such cross-examination or re-examination, as evidence of the witness under cross-examination or on re-examination, as the case may be.
- (2) Such a recording must be made in the presence of such persons as rules of court or the direction may provide and in the absence of the accused, but in circumstances in which —
 - (a) the judge or justices (or both) and legal practitioners acting in the proceedings are able to see and hear the examination of the witness and to communicate with the persons in whose presence the recording is being made, and
 - (b) the accused is able to see and hear any such examination and to communicate with any legal practitioner acting for him.
- (3) Where two or more legal practitioners are acting for a party to the proceedings, subsection (2)(a) and (b) are to be regarded as satisfied in relation to those practitioners if at all material times they are satisfied in relation to at least one of them.
- (4) Where a special measures direction provides for a recording to be admitted under this section, the court may nevertheless subsequently direct that it is not to be so admitted if any requirement of subsection (2) or rules of court or the direction has not been complied with to the satisfaction of the court.
- (5) Where in pursuance of subsection (1) a recording has been made of any examination of the witness, the witness may not be subsequently cross-examined or re-examined in respect of any evidence given by the witness in the proceedings (whether in any recording admissible under section 15 or this section or otherwise than in such a recording) unless the court gives a further special measures direction making such provision as is mentioned in subsection (1)(a) and (b) in relation to any subsequent cross-examination, and re-examination, of the witness.
- (6) The court may only give such a further direction if it appears to the court —
 - (a) that the proposed cross-examination is sought by a party to the proceedings as a result of that party having become aware, since the time when the original recording was made in pursuance of subsection (1), of a matter which that party could not with reasonable diligence have ascertained by then, or
 - (b) that for any other reason it is in the interests of justice to give the further direction.
- (7) Nothing in this section shall be read as apply in relation to any cross-examination of the witness by the accused in person (in a case where the accused is to be able to conduct any such cross-examination).

Examination of witness through intermediary

- 17.—**(1) A special measures direction may provide for any examination of the witness (however and wherever conducted) to be conducted through a person approved by the court for the purposes of this section (“an intermediary”).
- (2) The function — of an intermediary is to communicate —
 - (a) to the witness, questions put to the witness, and
 - (b) to any person asking such questions, the answers given by the witness in reply to them,
 and to explain such questions or answers so far as necessary to enable them to be understood by the witness or person in question.
 - (3) Any examination of the witness in pursuance of subsection (1) must take place in the presence of such persons as rules of court or the direction may provide, but in circumstances in which —

- (a) the judge or justices (or both) and legal practitioners acting in the proceedings are able to see and hear the examination of the witness and to communicate with the intermediary, and
 - (b) (except in the case of a video recorded examination) the jury (if there is one) are able to see and hear the examination of the witness.
- (4) Where two or more legal practitioners are acting for a party to the proceedings, subsection (3)(a) is to be regarded as satisfied in relation to those legal practitioners if at all material times it is satisfied in relation to at least one of them.
- (5) A person may not act as an intermediary in a particular case except after making a declaration, in such form as may be prescribed by rules of court, that he will faithfully perform his function as intermediary.
- (6) Subsection (1) does not apply to an interview of the witness which is recorded by means of a video recording with a view to its admission as evidence in chief of the witness; but a special measures direction may provide for such a recording to be admitted under section 15 if the interview was conducted through an intermediary and —
- (a) that person complied with subsection (5) before the interview began, and
 - (b) the court's approval for the purposes of this section is given before the direction is given.
- (7) Section 1 of the Perjury Act 1911 (perjury) in its application to the Falkland Islands shall apply in relation to a person acting as an intermediary as it applies in relation to a person lawfully sworn as an interpreter in a judicial proceeding; and for this purpose, where a person acts as an intermediary in any proceeding which is not a judicial proceeding for the purposes of that section, that proceeding shall be taken to be part of the judicial proceeding in which the witness's evidence is given.

Aids to communication

18. A special measures direction may provide for the witness, while giving evidence (whether by testimony in court or otherwise), to be provided with such device as the court considers appropriate with a view to enabling questions or answers to be communicated to or by the witness despite any disability or disorder or other impairment which the witness has or suffers from.

Supplementary

Status of evidence given under Chapter I

- 19.—**(1) Subsections (2) to (4) apply to a statement made by a witness in criminal proceedings which, in accordance with a special measures direction, is not made by the witness in direct oral testimony in court but forms part of the witness's evidence in those proceedings.
- (2) The statement shall be treated as if made by the witness in direct oral testimony in court, and accordingly —
- (a) it is admissible evidence of any fact of which such testimony from the witness would be admissible;
 - (b) it is not capable of corroborating any other evidence given by the witness.
- (3) Subsection (2) applies to a statement admitted under section 15 or 16 which is not made by the witness on oath even though it would have been required to be made on oath if made by the witness in direct oral testimony in court.

- (4) In estimating the weight (if any) to be attached to the statement, the court must have regard to all the circumstances from which an inference can reasonably be drawn (as to the accuracy of the statement or otherwise).
- (5) Nothing in this Chapter (apart from subsection (3)) affects the operation of any rule of law relating to evidence in criminal proceedings.
- (6) Where any statement made by a person on oath in any proceeding which is not a judicial proceeding for the purposes of section 1 of the Perjury Act 1911 (perjury) in its application to the Falkland Islands is received in evidence in pursuance of a special measures direction, that proceeding shall be taken for the purposes of that section to be part of the judicial proceeding in which the statement is so received in evidence.
- (7) Where in any proceeding which is not a judicial proceeding for the purposes of that Act —
- (a) a person wilfully makes a false statement otherwise than on oath which is subsequently received in evidence in pursuance of a special measures direction, and
 - (b) the statement is made in such circumstances that had it been given on oath in any such judicial proceeding that person would have been guilty of perjury,
- he commits an offence and is liable to any punishment which might be imposed on conviction of an offence under section 35(2) (giving of false unsworn evidence in criminal proceedings) in its application to the Falkland Islands.
- (8) In this section “statement” includes any representation of fact, whether made in words or otherwise.

Warning to jury

20. Where on a trial on indictment evidence has been given in accordance with a special measures direction, the judge must give the jury such warning (if any) as the judge considers necessary to ensure that the fact that the direction was given in relation to the witness does not prejudice the accused.

Interpretation of Chapter I

21.—(1) In this Chapter —

“eligible witness” means a witness eligible for assistance by virtue of section 4 or 5;

“live link” has the meaning given by section 12(5);

“quality”, in relation to the evidence of a witness, shall be construed in accordance with section 4(5); and

“special measures direction” means (in accordance with section 7(5)) a direction under section 7.

(2) In this Chapter references to the special measures available in relation to a witness shall be construed in accordance with section 6.

(3) In this Chapter references to a person being able to see or hear, or be seen or heard by, another person are to be read as not applying to the extent that either or them is unable to see or hear by reason of any impairment of eyesight or hearing.

(4) In the case of any proceedings in which there is more than one accused —

- (a) any reference to the accused in sections 11 to 16 may be taken by a court, in connection with the giving of a special measures direction, as a reference to all or any of the accused, as the court may determine, and

- (b) any such direction may be given on the basis of any such determination.

CHAPTER II
PROTECTION OF WITNESSES FROM CROSS-EXAMINATION BY ACCUSED IN
PERSON

General prohibitions

Complainants in proceedings for sexual offences

22. No person charged with a sexual offence may in any criminal proceedings cross-examine in person a witness who is the complainant, either —

- (a) in connection with that offence, or
- (b) in connection with any other offence (of whatever nature) with which that person is charged in the proceedings.

Child complainants and other child witnesses

23.—(1) No person charged with an offence to which this section applies may in any criminal proceedings cross-examine in person a protected witness, either —

- (a) in connection with that offence, or
 - (b) in connection with any other offence (of whatever nature) with which that person is charged in the proceedings.
- (2) For the purposes of subsection (1) a “protected witness” is a witness who —
- (a) either is the complainant or is alleged to have been a witness to the commission of the offence to which this section applies, and
 - (b) either is a child or falls to be cross-examined after giving evidence in chief (whether wholly or in part) —
 - (i) by means of a video-recording made (for the purposes of section 15) at a time when the witness was a child, or
 - (ii) in any other way at any such time.
- (3) The offences to which this section applies are —
- (a) any offence under any of the following Acts in their application to the Falkland Islands —
 - (i) the Sexual Offences Act 1956,
 - (ii) the Indecency with Children Act 1960,
 - (iii) the Sexual Offences Act 1967,
 - (iv) section 54 of the Criminal Law Act 1977, and
 - (v) the Protection of Children Act 1978;
 - (b) kidnapping, false imprisonment or an offence under section 1 or 2 of the Child Abduction Act 1984 in its application to the Falkland Islands;
 - (c) any offence under section 1 of the Children and Young Persons Act 1933 in its application to the Falkland Islands; and
 - (d) any offence (not within any of the preceding paragraphs) which involves an assault on, or injury or a threat of injury to, any person.
- (4) In this section “child” means —
- (a) where the offence falls within subsection (3)(a), a person under the age of 17; or
 - (b) where the offence falls within subsection (3)(b), (c) or (d), a person under the age of 14.
- (5) For the purpose of this section “witness” includes a witness who is charged with an offence in the proceedings.

Prohibition imposed by court

Direction prohibiting accused from cross-examining particular witness

24.—(1) This section applies where, in a case where neither of sections 22 and 23 operates to prevent an accused in any criminal proceedings from cross-examining a witness in person —

(a) the prosecutor makes an application for the court to give a direction under this section in relation to the witness, or

(b) the court of its own motion raises the issue whether such a direction should be given.

(2) If it appears to the court —

(a) that the quality of evidence given by the witness on cross-examination —

(i) is likely to be diminished if the cross-examination (or further cross-examination) is conducted by the accused in person, and

(ii) would be likely to be improved if a direction were given under this section, and

(b) that it would not be contrary to the interests of justice to give such a direction,

the court may give a direction prohibiting the accused from cross-examining (or further cross-examining) the witness in person.

(3) In determining whether subsection (2)(a) applies in the case of a witness the court must have regard, in particular, to —

(a) any views expressed by the witness as to whether or not the witness is content to be cross-examined by the accused in person;

(b) the nature of the questions likely to be asked, having regard to the issues in the proceedings and the defence case advanced so far (if any);

(c) any behaviour on the part of the accused at any stage of the proceedings, both generally and in relation to the witness;

(d) any relationship (of whatever nature) between the witness and the accused;

(e) whether any person (other than the accused) is or has at any time been charged in the proceedings with a sexual offence or an offence to which section 23 applies, and (if so) whether section 22 or 23 operates or would have operated to prevent that person from cross-examining the witness in person;

(f) any direction under section 19 which the court has given, or proposes to give, in relation to the witness.

(4) For the purposes of this section —

(a) “witness”, in relation to an accused, does not include any other person who is charged with an offence in the proceedings; and

(b) any reference to the quality of a witness’s evidence shall be construed in accordance with section 4(5).

Further provisions about directions under section 24

25.—(1) Subject to subsection (2), a direction has binding effect from the time it is made until the witness to whom it applies is discharged.

In this section “direction” means a direction under section 24.

(2) The court may discharge a direction if it appears to the court to be in the interests of justice to do so, and may do so either —

(a) on an application made by a party to the proceedings, if there has been a material change of circumstances since the relevant time, or

(b) of its own motion.

- (3) In subsection (2) “the relevant time” means —
 - (a) the time when the direction was given, or
 - (b) if a previous application has been made under that subsection, the time when the application (or last application) was made.
- (4) The court must state in open court its reasons for —
 - (a) giving, or
 - (b) refusing an application for, or for the discharge of, or
 - (c) discharging,

a direction and, if it is a court of summary jurisdiction, must cause them to be entered in the register of its proceedings.

- (5) Rules of court may make provision —
 - (a) for uncontested applications to be determined by the court without a hearing;
 - (b) for preventing the renewal of an unsuccessful application for a direction except where there has been a material change of circumstances;
 - (c) for expert evidence to be given in connection with an application for, or for discharging, a direction;
 - (d) for the manner in which confidential or sensitive information is to be treated in connection with such an application and in particular as to its being disclosed to, or withheld from, a party to the proceedings.

Cross-examination on behalf of accused

Defence representation for the purposes of cross-examination

26.—(1) This section applies where an accused is prevented from cross-examining a witness in person by virtue of section 22, 23 or 24.

- (2) Where it appears to the court that this section applies, it must —
 - (a) invite the accused to arrange for a legal practitioner to act for him for the purpose of cross-examining the witness; and
 - (b) require the accused to notify the court, by the end of such period as it may specify, whether a legal practitioner is to act for him for that purpose.
- (3) If by the end of the period mentioned in subsection (2)(b) either —
 - (a) the accused has notified the court that no legal practitioner is to act for him for the purpose of cross-examining the witness, or
 - (b) no notification has been received by the court and it appears to the court that no legal practitioner is to act,

the court must consider whether it is necessary in the interests of justice for the witness to be cross-examined by a legal practitioner appointed to represent the interests of the accused.

(4) If the court decides that it is necessary in the interests of justice for the witness to be so cross-examined, the court must appoint a legal practitioner (chosen by the court) to cross-examine the witness in the interests of the accused.

(5) A person so appointed shall not be responsible to the accused.

- (6) Rules of court may make provision —
 - (a) as to the time when, and the manner in which, subsection (2) is to be complied with;
 - (b) in connection with the appointment of a legal practitioner under subsection (4), and in particular for securing that a person so appointed is provided with evidence or other material relating to the proceedings.

- (7) Rules of court made in pursuance of subsection (6)(b) may make provision for the application, with such modifications as are specified in the rules, of any of the provisions of —
- (a) any legislation of the Falkland Islands corresponding to Part I of the Criminal Procedure and Investigations Act 1996 of England or, if there is no such legislation, the provisions of that Part of that Act (disclosure of material in connection with criminal proceedings), or
 - (b) any legislation of the Falkland Islands corresponding to the Sexual Offences (Protected Material) Act 1997 or if there is no such legislation the provisions of that Act.
- (8) For the purposes of this section any reference to cross-examination includes (in a case where a direction is given under section 24 after the accused has begun cross-examining the witness) a reference to further cross-examination.

Warning to jury

- 27.—(1) Where on a trial on indictment an accused is prevented from cross-examining a witness in person by virtue of section 22, 23 or 24, the judge must give the jury such warning (if any) as the judge considers necessary to ensure that the accused is not prejudiced —
- (a) by any inferences that might be drawn from the fact that the accused has been prevented from cross-examining the witness in person;
 - (b) where the witness has been cross-examined by a legal practitioner appointed under section 26(4), by the fact that the cross-examination was carried out by such a legal practitioner and not by a person acting as the accused's own legal practitioner.
- (2) Subsection (8) of section 26 applies for the purposes of this section as it applies for the purposes of section 26.

CHAPTER III

PROTECTION OF COMPLAINANTS IN PROCEEDINGS FOR SEXUAL OFFENCES

Restrictions on evidence or questions about complainant's sexual history

- 28.—(1) If at a trial a person is charged with a sexual offence, then, except with the leave of the court —
- (a) no evidence may be adduced, and
 - (b) no question may be asked in cross-examination,
- by or on behalf of the accused at the trial, about any sexual behaviour of the complainant.
- (2) The court may give leave in relation to any evidence or questions only on an application made by or on behalf of the accused, and may not give such leave unless it is satisfied —
- (a) that subsection (3) or (5) applies, and
 - (b) that a refusal of leave might have the result of rendering unsafe a conclusion of the jury or (as the case may be) the court on any relevant issue in the case.
- (3) This subsection applies if the evidence or question relates to a relevant issue in the case and either —
- (a) that issue is not an issue of consent; or
 - (b) it is an issue of consent and the sexual behaviour of the complainant to which the evidence or question relates is alleged to have taken place at or about the same time as the event which is the subject matter of the charge against the accused; or
 - (c) it is an issue of consent and the sexual behaviour of the complainant to which the evidence or question relates is alleged to have been, in any respect, so similar —

- (i) to any sexual behaviour of the complainant which (according to evidence adduced or to be adduced by or on behalf of the accused) took place as part of the event which is the subject matter of the charge against the accused, or
 - (ii) to any other sexual behaviour of the complainant which (according to such evidence) took place at or about the same time as that event,
- that the similarity cannot reasonably be explained as a coincidence.
- (4) For the purposes of subsection (3) no evidence or question shall be regarded as relating to a relevant issue in the case if it appears to the court to be reasonable to assume that the purpose (or main purpose) for which it would be adduced or asked is to establish or elicit material for impugning the credibility of the complainant as a witness.
- (5) This subsection applies if the evidence in question —
- (a) relates to any evidence adduced by the prosecution about any sexual behaviour of the complainant; and
 - (b) in the opinion of the court, would go no further than is necessary to enable the evidence adduced by the prosecution to be rebutted or explained by or on behalf of the accused.
- (6) For the purposes of subsections (3) and (5) the evidence or question must relate to a specific instance (or specific instances) of alleged sexual behaviour on the part of the complainant (and accordingly nothing in those subsections is capable of applying in relation to the evidence in question to the extent that it does not so relate).
- (7) Where this section applies in relation to a trial by virtue of the fact that one or more of a number of persons charged in the proceedings is or are charged with a sexual offence —
- (a) it shall cease to apply in relation to the trial if the prosecutor decides not to proceed with the case against that person or those person in respect of that charge; but
 - (b) it shall not cease to do so in the event of that person or those persons pleading guilty to, or being convicted of, that charge.
- (8) Nothing in this section authorises any evidence to be adduced or any question to be asked which cannot be adduced or asked apart from this section.

Interpretation and application of section 28

29.—(1) In section 28 —

- (a) “relevant issue in the case” means any issue falling to be proved by the prosecution or defence in the trial of the accused;
 - (b) “issue of consent” means any issue whether the complainant in fact consented to the conduct constituting the offence with which the accused is charged (and accordingly does not include any issue as to the belief of the accused that the complainant so consented);
 - (c) “sexual behaviour” means any sexual behaviour or other sexual experience, whether or not involving any accused or other person, but excluding (except in section 28(3)(c)(i) and (5)(a)) anything alleged to have taken place as part of the event which is the subject matter of the charge against the accused; and
 - (d) subject to any order made under subsection (2), “sexual offence” shall be construed in accordance with section 3.
- (2) The Governor may by order make such provision as he considers appropriate for adding or removing, for the purposes of section 28, any offence to or from the offences which are sexual offences for the purposes of this Ordinance by virtue of section 3, but no such order shall take effect until it has been approved by the Legislative Council.

- (3) Section 28 applies in relation to the following proceedings as it applies to a trial, namely —
- (a) proceedings before the Summary Court or the Magistrate's Court inquiring into an offence as examining justices,
 - (b) any hearing held, between conviction and sentencing, for the purpose of determining matters relevant to the court's decision as to how the accused is to be dealt with, and
 - (c) the hearing of an appeal,
- and references (in section 28 or this section) to a person charged with an offence accordingly include a person convicted of an offence.

Procedure on applications under section 28

30.—(1) An application for leave shall be heard in private and in the absence of the complainant. In this section "leave" means leave under section 28.

(2) Where such an application has been determined, the court must state in open court (but in the absence of the jury, (if there is one) —

- (a) its reasons for giving, or refusing, leave, and
- (b) if it gives leave, the extent to which evidence may be adduced or questions asked in pursuance of the leave,

and, if it is a court of summary jurisdiction, must cause those matters to be entered in the register of its proceedings.

(3) Rules of court may make provision —

- (a) requiring applications for leave to specify, in relation to each item of evidence or question to which they relate, particulars of the grounds on which it is asserted that leave should be given by virtue of subsection (3) or (5) of section 28;
- (b) enabling the court to request a party to the proceedings to provide the court with information which it considers would assist it in determining an application for leave;
- (c) for the manner in which confidential or sensitive information is to be treated in connection with such an application, and in particular as to its being disclosed to, or withheld from, parties to the proceedings.

CHAPTER IV

REPORTING RESTRICTIONS

Reports relating to persons under 18

Restrictions on reporting alleged offences involving persons under 18

31.—(1) This section applies (subject to subsection (3)) where a criminal investigation has begun in respect of an alleged offence against the law of the Falkland Islands.

(2) No matter relating to any person involved in the offence shall while he is under the age of 18 be included in any publication if it is likely to lead members of the public to identify him as a person involved in the offence.

(3) The restrictions imposed by subsection (2) cease to apply once there are proceedings in a court in respect of the offence.

(4) For the purposes of subsection (2) any reference to a person involved in the offence is to —

- (a) a person by whom the offence is alleged to have been committed; or
 - (b) if this paragraph applies to the publication in question by virtue of subsection (5) —
 - (i) a person against or in respect of whom the offence is alleged to have been committed,
- or

(ii) a person who is alleged to have been a witness to the commission of the offence; except that paragraph (b)(i) does not include a person in relation to whom section 1 of the Sexual Offences (Amendment) Act 1992 in its application to the Falkland Islands (anonymity of victims of certain sexual offences) applies in connection with the offence.

(5) Subsection (4)(b) applies to a publication if —

- (a) where it is a relevant programme, it is transmitted, or
- (b) in the case of any other publication, it is published, at any time after three months from the date of commencement of this section.

(6) The matters relating to a person in relation to whom the restrictions imposed by subsection (2) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

- (a) his name,
- (b) his address,
- (c) the identity of any school or other educational establishment attended by him,
- (d) the identity of any place of work, and
- (e) any still or moving picture of him.

(7) The Magistrate's Court and the Supreme Court may by order dispense, to any extent specified in the order, with the restrictions imposed by subsection (2) in relation to a person if it is satisfied that it is necessary in the interests of justice to do so.

(8) However, when deciding whether to make such an order dispensing (to any extent) with the restrictions imposed by subsection (2) in relation to a person, the court shall have regard to the welfare of that person.

(9) In this section any reference to a criminal investigation, in relation to an alleged offence, is to an investigation conducted by police officers, or other persons charged with the duty of investigating offences, with a view to it being ascertained whether a person should be charged with the offence.

Power to restrict reporting of criminal proceedings involving persons under 18

32.—(1) This section applies (subject to subsection (2)) in relation to any criminal proceedings in any court in or of the Falkland Islands.

(2) This section does not apply in relation to any proceedings to which section 49 of the Children and Young Persons Act 1933 in its application to the Falkland Islands applies.

(3) The court may direct that no matter relating to any person concerned in the proceedings shall while he is under the age of 18 be included in any publication if it is likely to lead members of the public to identify him as a person concerned in the proceedings.

(4) The court or an appellate court may by direction (“an excepting direction”) dispense, to any extent specified in the excepting direction, with the restrictions imposed by a direction under subsection (3) if it is satisfied that it is necessary in the interests of justice to do so.

(5) The court or an appellate court may also by direction (“an excepting direction”) dispense, to any extent specified in the excepting direction, with the restrictions imposed by a direction under subsection (3) if it is satisfied —

- (a) that their effect is to impose a substantial and unreasonable restriction on the reporting of the proceedings, and
- (b) that it is in the public interest to remove or relax that restriction;

but no excepting direction shall be given under this subsection by reason only of the fact that the proceedings have been determined in any way or have been abandoned.

(6) When deciding whether to make —

(a) a direction under subsection (3) in relation to a person, or

(b) an excepting direction under subsection (4) or (5) by virtue of which the restrictions imposed by a direction under subsection (3) would be dispensed with (to any extent) in relation to a person,

the court (or as the case may be) the appellate court shall have regard to the welfare of that person.

(7) For the purposes of subsection (3) any reference to a person concerned in the proceedings is to a person —

(a) against or in respect of whom the proceedings are taken, or

(b) who is a witness in the proceedings.

(8) The matters relating to a person in relation to which the restrictions imposed by a direction under subsection (3) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

(a) his name,

(b) his address,

(c) the identity of any school or other educational establishment attended by him,

(d) the identity of any place of work, and

(e) any still or moving picture of him.

(9) A direction under subsection (3) may be revoked by the court or an appellate court.

(10) An excepting direction —

(a) may be given at the time the direction under subsection (3) is given or subsequently; and

(b) may be varied or revoked by the court or an appellate court.

(11) In this section “appellate court”, in relation to any proceedings in a court, means a court dealing with an appeal (including an appeal by way of case stated) arising out of the proceedings or with any further appeal.

Reports relating to adult witnesses

Power to restrict reports about certain adult witnesses in criminal proceedings

33.—(1) This section applies where in any criminal proceedings in the Falkland Islands a party to the proceedings makes an application for the court to give a reporting direction in relation to a witness in the proceedings (other than the accused) who has attained the age of 18

In this section “reporting direction” has the meaning given by subsection (6).

(2) If the court determines —

(a) that the witness is eligible for protection, and

(b) that giving a reporting direction in relation to the witness is likely to improve —

(i) the quality of evidence given by the witness, or

(ii) the level of co-operation given by the witness to any party to the proceedings in connection with that party’s preparation of its case,

the court may give a reporting direction in relation to the witness.

(3) For the purposes of this section a witness is eligible for protection if the court is satisfied —

(a) that the quality of evidence given by the witness, or

(b) the level of co-operation given by the witness to any party to the proceedings in connection with that party's preparation of its case,
is likely to be diminished by reason of fear or distress on the part of the witness in connection with being identified by members of the public as a witness in the proceedings.

(4) In determining whether a witness is eligible for protection the court must take into account, in particular —

(a) the nature and alleged circumstances of the offence to which the proceedings relate;

(b) the age of the witness;

(c) such of the following matters as appear to the court to be relevant namely —

(i) the social and cultural background and ethnic origins of the witness,

(ii) the domestic and employment circumstances of the witness, and

(iii) any religious beliefs or political opinions of the witness;

(d) any behaviour towards the witness on the part of —

(i) the accused,

(ii) members of the family or associates of the accused, or

(iii) any other person who is likely to be an accused or a witness in the proceedings.

(5) In determining that question the court must in addition consider any views expressed by the witness.

(6) For the purposes of this section a reporting direction in relation to a witness is a direction that no matter relating to the witness shall during the witness's lifetime be included in any publication if it is likely to lead members of the public to identify him as being a witness in the proceedings.

(7) The matter relating to a witness in relation to which the restrictions imposed by a reporting direction apply (if their inclusion in any publication is likely to have the result mentioned in subsection (6)) include in particular —

(a) the witness's name,

(b) the witness's address,

(c) the identity of any educational establishment attended by the witness,

(d) the identity of any place of work, and

(e) any still or moving picture of the witness.

(8) In determining whether to give a reporting direction the court shall consider —

(a) whether it would be in the interests of justice to do so, and

(b) the public interest in avoiding the imposition of a substantial and unreasonable restriction on the reporting of the proceedings.

(9) The court or an appellate court may by direction ("an excepting direction") dispense, to any extent specified in the excepting direction, with the restrictions imposed by a reporting direction if —

(a) it is satisfied that it is necessary in the interests of justice to do so, or

(b) it is satisfied —

(i) that the effect of those restrictions is to impose a substantial and unreasonable restriction on the reporting of the proceedings, and

(ii) that it is in the public interest to remove or relax that restriction;

(c) but no excepting direction shall be given under paragraph (b) by reason only of the fact that the proceedings have been determined in any way or have been abandoned.

(10) A reporting direction may be revoked by the court or an appellate court.

(11) An excepting direction —

- (a) may be given at the time the reporting direction is given or subsequently; and
- (b) may be varied or revoked by the court or an appellate court.

(12) In this section —

- (a) “appellate court”, in relation to any proceedings in a court, means a court dealing with an appeal (including an appeal by way of case stated) arising out of the proceedings or with an further appeal;
- (b) references to the quality of a witness’s evidence are to its quality in terms of completeness, coherence and accuracy (and for this purpose “coherence” refers to a witness’s ability in giving evidence to give answers which address the questions put to the witness and can be understood both individually and collectively);
- (c) references to the preparation of the case of a party to any proceedings include, where the party is the prosecution, the carrying out of investigations into any offence at any time charged in the proceedings.

Reports relating to directions under Chapter I or II

Restrictions on reporting directions under Chapter I or II

34.—(1) Except as provided by this section, no publication shall include a report of a matter falling within subsection (2).

(2) The matters falling within this subsection are —

- (a) a direction under sections 7 or 24 or an order discharging, or (in the case of a direction under section 7) varying, such a direction;
- (b) proceedings —
 - (i) on an application for such a direction or order, or
 - (ii) where the court acts of its own motion to determine whether to give or make any such direction or order.

(3) The court dealing with the matter falling within subsection (2) may order that subsection (1) is not to apply, or is not to apply to specified extent, to a report of that matter.

(4) Where —

- (a) there is only one accused in the relevant proceedings, and
- (b) he objects to the making of an order under subsection (3),

the court shall make the order if (and only if) satisfied after hearing the representations of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.

(5) Where —

- (a) there are two or more accused in the relevant proceedings, and
- (b) one or more of them object to the making of an order under subsection (3),

the court shall make the order if (and only if) satisfied after hearing the representations of each of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.

(6) Subsection (1) does not apply to the inclusion in a publication of a report of matters after the relevant proceedings are either —

- (a) determined (by acquittal, conviction or otherwise), or
- (b) abandoned.

(7) In relation to the accused or (if there is more than one) in relation to each of the accused.

(8) In this section “the relevant proceedings” means the proceedings to which any such direction as is mentioned in subsection (2) relates or would relate.

(9) Nothing in this section affects any prohibition or restriction by virtue of any other enactment on the inclusion of matter in a publication.

Other restrictions

Amendment relating to other reporting restrictions

35. Schedule 1 shall have effect to make amendments relating to reporting restrictions under the Children and Young Persons Act 1933 and the Sexual Offences (Amendment) Act 1976 in their respective application to the Falkland Islands.

Offences

Offences under Chapter IV

36.—(1) This section applies if a publication —

(a) includes any matter in contravention of section 31(2) or of a direction under 32(3) or 33(2); or

(b) includes a report in contravention of section 34.

(2) Where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical commits an offence.

(3) Where the publication is a relevant programme —

(a) any body corporate engaged in providing the programmed service in which the programme is included, and

(b) any person having functions in relation to the programme corresponding to those of an editor of a newspaper,

commits an offence.

(4) In the case of any other publication, any person publishing it commits an offence.

(5) A person who is convicted of an offence under this section is liable to a fine not exceeding the maximum of level five on the standard scale.

(6) Proceedings for an offence under this section may not be instituted otherwise than by or with the consent of the Attorney General.

Defences

37.—(1) Where a person is charged with an offence under section 36 it shall be a defence to prove that at the time of the alleged offence he was not aware, and neither suspected nor had reason to suspect that the publication included the matter or report in question.

(2) Where —

(a) a person is charged with an offence under section 36, and

(b) the offence relates to the inclusion of any matter in a publication in contravention of section 31(2),

it shall be a defence to prove that at the time of the alleged offence he was not aware, and neither suspected nor had reason to suspect, that the criminal investigation in question had begun.

(3) Where —

(a) paragraphs (a) and (b) of subsection (2) apply, and

(b) the contravention of section 31(2) does not relate to either —

(i) the person by whom the offence mentioned in that provision is alleged to have been committed, or

(ii) (where that offence is one in relation to which section 1 of the Sexual Offences (Amendment) Act 1992, in its application to the Falkland Islands, applies) a person who is alleged to be a witness to the commission of the offence,

it shall be a defence to show to the satisfaction of the court that the inclusion in the publication of the matter in question was in the public interest on the ground that, to the extent that they operated to prevent that matter from being so included, the effect of the restrictions imposed by section 31(2) was to impose a substantial and unreasonable restriction on the reporting of matters connected with that offence.

(4) Subsection (5) applies where —

(a) paragraphs (a) and (b) of subsection (2) apply, and

(b) the contravention of section 31(2) relates to a person (“the protected person”) who is neither —

(i) the person mentioned in subsection (3)(b)(i), nor

(ii) a person within subsection (3)(b)(ii) who is under the age of 16.

(5) In such a case it shall be a defence, subject to subsection (6), to prove that written consent to the inclusion of the matter in question in the publication had been given —

(a) by an appropriate person, if at the time when the consent was given the protected person was under the age of 16, or

(b) by the protected person, if that person was aged 16 or 17 at that time,

and (where the consent was given by an appropriate person) that written notice had been previously given to that person drawing to his attention the need to consider the welfare of the protected person when deciding whether to give consent.

(6) The defence provided by subsection (5) is not available —

(a) (where the consent was given by an appropriate person) it is proved that written or other notice withdrawing the consent —

(i) was given to the appropriate recipient by any other appropriate person or by the protected person, and

(ii) was so given in sufficient time to enable the inclusion in the publication of the matter in question to be prevented; or

(b) subsection (8) applies.

(7) Where —

(a) a person is charged with an offence under section 36, and

(b) the offence relates to the inclusion of any matter in a publication in contravention of a direction under section 33(2),

it shall be a defence, unless subsection (8) applies, to prove that the person in relation to whom the direction was given had given written consent to the inclusion of that matter in the publication.

(8) Written consent is not a defence if it is proved that any person interfered —

(a) with the peace or comfort of the person giving the consent, or

(b) (where the consent was given by an appropriate person) with the peace or comfort of either that person or the protected person,

with intent to obtain the consent.

(9) In subsection (8) “an appropriate person” means (subject to subsection (10)) a person who is a parent or guardian of the protected person; and “guardian” in relation to the protected person, means any person who is not a parent of the protected person but who has parental responsibility for the protected person within the meaning of the Children Ordinance 1994.

(10) Where the protected person is (within the meaning of the Children Ordinance 1994) a child who is looked after by the Crown, “an appropriate person” means a person who is —

- (a) the Director of Health and Medical Services, or a public officer acting under his authority, or
- (b) a parent or guardian of the protected person with whom the protected person is allowed to live.

(11) However, no person by whom an offence mentioned in section 31(2) is alleged to have been committed is, by virtue of subsections (9) and (10) an appropriate person for the purposes of this section.

(12) In this section “the appropriate recipient”, in relation to a notice under subsection (6)(a), means —

- (a) the person to whom the notice giving consent was given,
- (b) (if different) the person by whom the matter in question was published, or
- (c) any other person exercising, on behalf of the person mentioned in paragraph (b), any responsibility in relation to the publication of that matter;

and for this purpose “person” includes a body of persons and a partnership.

Offences committed by bodies corporate

38.—(1) If an offence under section 36 committed by a body corporate is proved —

- (a) to have been committed with the consent or connivance of, or
- (b) to be attributable to any neglect on the part of,

an officer, the officer as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.

(2) In subsection (1) “officer” means a director, manager, secretary or similar officer of the body, or a person purporting to act in any such capacity.

(3) If the affairs of a body corporate are managed by its members, “director” in subsection (2) means a member of that body.

Supplementary

Decisions as to public interest for purposes of Chapter IV

39.—(1) Where for the purposes of any provision of this Chapter it falls to a court to determine whether anything is (or, as the case may be, was) in the public interest, the court must have regard, in particular, to the matters referred to in subsection (2) (so far as relevant).

(2) Those matters are —

- (a) the interest in each of the following —
 - (i) the open reporting of crime,
 - (ii) the open reporting of matters relating to human health or safety, and
 - (iii) the prevention and exposure of miscarriages of justice;
- (b) the welfare of any person in relation to whom the relevant restrictions imposed by or under this Chapter apply or would apply (or, as the case may be, applied); and
- (c) any views expressed —

- (i) by an appropriate person on behalf of a person within paragraph (b) who is under the age of 16 (“the protected person”), or
 - (ii) by a person within that paragraph who has attained that age.
- (3) In subsection (2) “an appropriate person”, in relation to the protected person, has the same meaning as it has for the purposes of section 37.

CHAPTER V
COMPETENCE OF WITNESSES AND CAPACITY TO BE SWORN
Competence of witnesses

Competence of witnesses to give evidence

- 40.—(1) At every stage in criminal proceedings all persons are (whatever their age) competent to give evidence.
- (2) Subsection (1) has effect subject to subsections (3) and (4).
- (3) A person is not competent to give evidence in criminal proceedings if it appears to the court that he is not a person who is able to —
- (a) understand questions put to him as a witness, and
 - (b) give answers to them which can be understood.
- (4) A person charged in criminal proceedings is not competent to give evidence in the proceedings for the prosecution (whether he is the only person, or is one of two or more persons, charged in the proceedings).
- (5) In subsection (4) the reference to a person charged in criminal proceedings does not include a person who is not, or is no longer, liable to be convicted of any offence in the proceedings (whether as a result of pleading guilty or for any other reason).

Determining competence of witnesses

- 41.—(1) Any question whether a witness in criminal proceedings is competent to give evidence in the proceedings, whether raised —
- (a) by a party to the proceedings, or
 - (b) by the court of its own motion,
- shall be determined by the court in accordance with this section.
- (2) It is for the party calling the witness to satisfy the court that, on a balance of probabilities, the witness is competent to give evidence in the proceedings.
- (3) In determining the question mentioned in subsection (1) the court shall treat the witness as having the benefit of any directions under section 7 which the court has given, or proposes to give, in relation to the witness.
- (4) Any proceedings held for the determination of the question shall take place in the absence of the jury (if there is one).
- (5) Expert evidence may be received on the question.
- (6) Any questioning of the witness (where the court considers that necessary) shall be conducted by the court in the presence of the parties.

Giving of sworn or unsworn evidence

Determining whether witness to be sworn

- 42.—(1) Any question whether a witness in criminal proceedings may be sworn for the purpose of giving evidence on oath, whether raised —

- (a) by a party to the proceedings, or
 - (b) by the court of its own motion,
- shall be determined by the court in accordance with this section.
- (2) The witness may not be sworn for that purpose unless —
 - (a) he has attained the age of 14, and
 - (b) he has a sufficient appreciation of the solemnity of the occasion and of the particular responsibility to tell the truth which is involved in taking an oath.
 - (3) The witness shall, if he is able to give intelligible testimony, be presumed to have a sufficient appreciation of those matters if no evidence tending to show the contrary is adduced (by any party).
 - (4) If any such evidence is adduced, it is for the party seeking to have the witness sworn to satisfy the court that, on a balance of probabilities, the witness has attained the age of 14 and has a sufficient appreciation of the matters mentioned in subsection (2)(b).
 - (5) Any proceedings held for the determination of the question mentioned in subsection (1) shall take place in the absence of the jury (if there is one).
 - (6) Expert evidence may be received on the question.
 - (7) Any questioning of the witness (where the court considers that necessary) shall be conducted by the court in the presence of the parties.
 - (8) For the purposes of this section a person is able to give intelligible testimony if he is able to—
 - (a) understand questions put to him as a witness, and
 - (b) give answers to them which can be understood.

Reception of unsworn evidence

- 43.—**(1) Subsections (2) and (3) apply to a person (of any age) who —
 - (a) is competent to give evidence to criminal proceedings, but
 - (b) (by virtue of section 42(2)) is not permitted to be sworn for the purpose of giving evidence on oath in such proceedings.
- (2) The evidence in criminal proceedings of a person to whom this subsection applies shall be given unsworn.
 - (3) A deposition of unsworn evidence given by a person to whom this subsection applies may be taken for the purposes of criminal proceedings as if that evidence had been given on oath.
 - (4) A court in criminal proceedings shall accordingly receive in evidence any evidence given unsworn in pursuance of subsection (2) or (3).
 - (5) Where a person (“the witness”) who is competent to give evidence in criminal proceedings gives evidence in such proceedings unsworn, no conviction, verdict or finding in those proceedings shall be taken to be unsafe for the purposes of any provisions of the Court of Appeal Ordinance 1998 by reason only that it appears to the Court of Appeal that the witness was a person falling within section 42(2) (and should accordingly have given his evidence on oath).

Penalty for giving false unsworn evidence

- 44.—**(1) This section applies where a person gives unsworn evidence in criminal proceedings in pursuance of section 43(2) or (3).
- (2) If such a person wilfully gives false evidence in such circumstances that, had the evidence been given on oath, he would have committed the offence of perjury, he shall have committed

that offence and be liable on conviction to imprisonment for a term not exceeding six months or a fine not exceeding £1,000.

(3) In relation to a person under the age of 14, subsection (2) shall have effect as if for the words following "liable to" there was substituted the words "to a fine not exceeding £250".

PART III **GENERAL PROVISIONS**

Removal of restriction

Removal of restriction on use of evidence from computer records

45. Any provision of the written law of the Falkland Islands which would or might render evidence from computer records inadmissible unless conditions relating to proper use and operation of the computer are shown to be satisfied shall cease to have effect and the common law in relation to the admissibility of such evidence shall again apply.

General supplementary provisions

46.—(1) The Chief Justice may in rules of court make such provisions as appear to him to be necessary or expedient for the purposes of this Ordinance (and nothing in this Ordinance shall be taken to affect the generality of any enactment conferring power to make such rules).

(2) In this Ordinance "rules of court" means rules as to the practice and procedure of the Summary Court, the Magistrate's Court and the Supreme Court and appeal rules.

(3) For the purposes of this Ordinance the age of a person shall be taken to be that which it appears to the court to be after considering any available evidence.

Minor consequential amendments and repeals

47.—(1) The minor and consequential amendments specified in Schedule 2 shall have effect.

(2) The enactments specified in Schedule 3 (which include certain spent enactments) are repealed or revoked to the extent specified.

Youth Justice and Criminal Evidence Act 1999 not to have effect in the Falkland Islands

48. Notwithstanding section 78 of the Interpretation and General Clauses Ordinance (Title 67.2) no provision of the Youth Justice and Criminal Evidence Act 1999 shall have effect as part of the law of the Falkland Islands, but nothing in this section shall operate so as to prevent any provision of that Act having effect as part of the law of the Falkland Islands otherwise than by virtue of section 78 of that Ordinance.

SCHEDULE 1

(section 35)

REPORTING RESTRICTIONS: MISCELLANEOUS AMENDMENTS

Children and Young Persons Act 1933 in its application to the Falkland Islands

1. The Children and Young Persons Act 1933 in its application to the Falkland Islands has effect subject to the following amendments.

2.—(1) In section 39 (power of court in any proceedings to restrict reporting about children and young persons concerned in the proceedings), after subsection (2) insert —

“(3) In this section “proceedings” means proceedings other than criminal proceedings.”

(2) Sub-paragraph (1) shall not affect the continued operation of section 39 in relation to any criminal proceedings instituted before the day on which sub-paragraph (1) comes into force.

(3) For the purposes of this Schedule —

(a) proceedings other than proceedings on appeal are to be taken to be instituted when a complaint of information (as the case may be) is filed in the court office; and

(b) proceedings on appeal are to be taken to be instituted at the time when the notice of appeal is given.

3.—(1) Section 49 (restrictions on reports of proceedings in which children or young persons concerned) is amended as follows.

(2) For subsection (1) substitute —

“(1) No matter relating to any child or young person concerned in proceedings to which this section applies shall while he is under the age of 18 be included in any publication if it is likely to lead members of the public to identify him as someone concerned in the proceedings.”

(3) For subsection (3) substitute —

“(3) In this section “publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings.

(3A) The matters relating to a person in relation to which the restrictions imposed by subsection (1) above apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

(a) his name,

(b) his address,

(c) the identity of any school or other educational establishment attended by him,

(d) the identity of any place of work, and

(e) any still or moving picture of him.”

(4) In subsection (4), for the words from “whether as being” onwards, substitute —

“if he is —

(a) a person against or in respect of whom the proceedings are taken, or

(b) a person called, or proposed to be called, to give evidence in the proceedings.”

(5) In subsection (4A), for “requirements of this section” substitute “restrictions imposed by subsection (1) above”.

(6) In subsection (8), after “subsection” insert “(4A) or”.

(7) For subsection (9) substitute —

“(9) If a publication includes any matter in contravention of subsection (1) above, the following persons commit an offence and are liable to a fine not exceeding the maximum of level 5 on the standard scale —

(a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;

(b) where the publication is a relevant programme —

- (i) any body corporate engaged in providing the programmed service in which the programme is included; and
- (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;
- (c) in the case of any other publication, any person publishing it.
- (9A) Where a person is charged with an offence under subsection (9) it shall be a defence to prove that at the time of the alleged offence he was not aware, and neither suspected nor had reason to suspect, that the publication included the matter in question.
- (9B) If an offence under subsection (9) above committed by a body corporate is proved —
 - (a) to have been committed with the consent or connivance of, or
 - (b) to be attributable to any neglect on the part of,
 an officer, the officer as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.
- (9C) In subsection (9B) “officer” means a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.
- (9D) If the affairs of a body corporate are managed by its members, “director” in subsection (9C) means a member of that body.”
- (8) In subsection (11), for the definition of “programme” and “programme service” substitute —
 - ““picture” includes a likeness however produced;
 - “relevant programme” has the same meaning as it has under section 2(1) of the Criminal Justice (Evidence) Ordinance 2000.”
- (9) The amendments made by this paragraph do not apply to the inclusion of matter in a publication if —
 - (a) where the publication is a relevant programme, it is transmitted, or
 - (b) in the case of any other publication, it is published,
 before the coming into force of this paragraph.

Sexual Offences (Amendment) Act 1976

- 4.—(1) The Sexual Offences (Amendment) Act 1976 in its application to the Falkland Islands has effect subject to the following amendments.
- (2) Omit sections 4 and 5 (which provide for the anonymity of complainants in rape etc cases and are superseded by the amendments made by this Schedule to the Sexual Offences (Amendment) Act 1992 in its application to the Falkland Islands).

Sexual Offences (Amendment) Act 1992

5. In its application to the Falkland Islands has effect subject to the following amendments.
- 6.—(1) Section 1 (anonymity of victims of certain sexual offences) is amended as follows.
- (2) In subsection (1), for the words from “neither the name” to the end of paragraph (b) substitute “no matter relating to that person shall during that person’s lifetime be included in any publication.”
- (3) In subsection (2), for the words after “complainant’s lifetime” substitute “be included in any publication.”
- (4) For subsection (3) substitute —
- “(3) This section —

- (a) does not apply in relation to a person by virtue of subsection (1) at any time after a person has been accused of the offence, and
- (b) in its application in relation to a person by virtue of subsection (2), has effect subject to any direction given under section 3.

(3A) The matters relating to a person in relation to which the restrictions imposed by subsection (1) or (2) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular —

- (a) the person's name,
- (b) the person's address,
- (c) the identity of any school or other educational establishment attended by the person,
- (d) the identity of any place of work, and
- (e) any still or moving picture of the person."

(5) In subsection (4), for "publication or inclusion in a relevant programme" substitute "inclusion in a publication".

7.—(1) Section 2 (offences to which Act applies) is amended as follows.

(2) In subsection (1), after "this Act applies to the following offences" insert "against the law of the Falkland Islands —

- (aa) rape;
- (ab) burglary with intent to rape".

(3) In subsection (1)(e), for "(a)" substitute "(aa)".

(4) In subsection (1), after paragraph (g), insert —

"(h) aiding, abetting, counselling or procuring the commission of any of the offences mentioned in paragraphs (aa) to (e) and (g);".

(5) In subsection (2), after paragraph (m) insert —

"(7) Section 17 (abduction of woman by force)."

8.—(1) Section 5 (offences) is amended as follows.

(2) For subsection (1) substitute —

"(1) If any matter is included in a publication in contravention of section 1, the following persons commit an offence and are liable to a fine not exceeding the maximum of level 5 on the standard scale —

(a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;

(b) where the publication is a relevant programme —

(i) any body corporate engaged in providing the programme service in which the programme is included; and

(ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;

(c) in the case of any other publication, any person publishing it."

(3) In subsection (2) (defence where victim consented to publication) —

(a) for "publication of any matter or the inclusion of any matter in a relevant programme" substitute "inclusion of any matter in a publication", and

(b) omit "or programme".

- (4) In subsection (3) (cases where written consent not a defence), at the end insert “, or that person was under the age of 16 at the time when it was given.”
- (5) In subsection (5) (defence for person unaware of inclusion of prohibited matter), for the words from “or programme” onwards, substitute “included the matter in question.”
- (6) After subsection (5) insert —
- “(5A) Where —
- (a) a person is charged with an offence under this section, and
- (b) the offence relates to the inclusion of any matter in a publication in contravention of section 1(1), it shall be a defence to prove that at the time of the alleged offence he was not aware and neither suspected nor had reason to suspect, that the allegation in question had been made.”

9.—(1) Section 6 (interpretation) is amended as follows.

(2) In subsection (1), omit the definition of “written publication” (and the word “and” preceding it) and after the definition of “picture” insert —

““publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings;”.

(3) In subsection (2A) (victims of conspiracy etc), for the words from “accusation that” to “committed, the” substitute —

“accusation —

(a) that an offence of conspiracy of incitement of another to commit an offence mentioned in subsection (2)(aa) to (d) or (3)(a) to (h) has been committed, or

(b) that an offence of aiding, abetting, counselling or procuring the commission of an offence of incitement of another to commit an offence mentioned in section 2(1)(a) to (d) or (3)(a) to (h) has been committed,

the”.

SCHEDULE 2

(section 47)

MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Evidence Act 1898

1.—(1) Schedule 1 of the Criminal Evidence Act 1898 in its application to the Falkland Islands (competent of accused as witness for the defence) is amended as follows.

(2) Omit the words from the beginning to “provided as follows: —”.

(3) In paragraph (a) of the proviso —

(a) for “so charged” substitute “charged in criminal proceedings”; and

(b) for “in pursuance of this Act” substitute “in the proceedings”.

(4) In paragraph (e) of the proviso —

(a) for “and being a witness in pursuance of this Act” substitute “in criminal proceedings who is called as a witness in the proceedings”; and

(b) for “the offence charged” substitute “any offence with which he is charged in the proceedings”.

- (5) In paragraph (f) of the proviso —
- (a) for “and called as a witness in pursuance of this Act” substitute “in criminal proceedings who is called as a witness in the proceedings”;
 - (b) for “that wherewith” substitute “one with which”; and
 - (c) in sub-paragraph (i), for “the offence wherewith” substitute “an offence with which”.
- (6) In paragraph (g) of the proviso, for “called as a witness in pursuance of this Act” substitute “charged in criminal proceedings who is called as a witness in the proceedings who is called as a witness in the proceedings”.
- (7) Paragraphs (a), (e), (f) and (g) of the proviso shall be respectively numbered as subsections (1), (2), (3) and (4) of the section.

Children and Young Persons Act 1933

- 2.—(1) The Children and Young Persons Act 1933 has effect subject to the following amendments.
- (2) In section 37(1) (power to clear court, where child or young person giving evidence, of persons other than bona fide representatives of newspapers or news agencies), for “newspaper or news agency” substitute “news gathering or reporting organisation”.
- (3) In section 47(2)(c) (bona fide representatives of newspapers or news agencies entitled to be present at sitting of youth court), for “newspapers or news agencies” substitute “news gathering or reporting organisations”.

Criminal Justice Act 1982

3. In section 72(1) of the Criminal Justice Act 1982 in its application to the Falkland Islands (accused to give evidence on oath), after “if he gives evidence, he shall do so” insert “(subject to sections 42 and 43 of the Criminal Justice (Evidence) Ordinance 2000)”.

Police and Criminal Evidence Act 1984

4. The Police and Criminal Evidence Act 1984 insofar as it has effect in the Falkland Islands has effect subject to the following amendments.
- 5.—(1) Section 80 (competence and compellability of accused’s spouse and which replaces provisions of the Criminal Evidence Act 1898) is amended as follows.
- (2) Omit subsections (1) and (8).
- (3) For subsections (2) to (4) substitute —
- “(2) In any proceedings the wife or husband of a person charged in the proceedings shall, subject to subsection (4) below, be compellable to give evidence on behalf of that person.
 - (2A) In any proceedings the wife or husband of a person charged in the proceedings shall, subject to subsection (4), be compellable —
 - (a) to give evidence on behalf of any other person charged in the proceedings but only in respect of any specified offence with which that other person is charged; or
 - (b) to give evidence for the prosecution but only in respect of any specified offence with which any person is charged in the proceedings.
 - (3) In relation to the wife or husband of a person charged in any proceedings, an offence is a specified offence for the purposes of subsection (2A) if —

- (a) it involves an assault on, or injury or a threat of injury to, the wife or husband or a person who was at the material time under the age of 16;
- (b) it is a sexual offence alleged to have been committed in respect of a person who was at the material time under that age; or
- (c) it consists of attempting or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, an offence falling within paragraph (a) or (b) of this subsection.

(4) No person who is charged in any proceeding shall be compellable by virtue of subsection (2) or (2A) above, to give evidence in the proceedings.

(4A) References in this section to a person charged in any proceedings do not include a person who is not, or is no longer, liable to be convicted of an offence in the proceedings (whether as a result of pleading guilty or for any other reason)."

(4) In subsection (5), omit "competent and" and, in the side-note, omit "competence and".

6. After section 80 insert —

"Rule where accused's spouse not compellable

80A. The failure of the wife or husband of a person charged in any proceedings to give evidence in the proceedings shall not be made the subject of any comment by the prosecution."

Criminal Justice Act 1988

7. The Criminal Justice Act 1988 in its application to the Falkland Islands has effect subject to the following amendments.

8. In subsection (1) of each of sections 23 and 24 (first-hand hearsay; business etc documents), at the end of paragraph (a) insert "and".

9. In section 34(3) (unsworn evidence may corroborate other evidence), for "section 52 of the Criminal Justice Act 1991" substitute "section 43 of the Criminal Justice (Evidence) Ordinance 2000.

Crimes Ordinance 1989

10. The Crimes Ordinance 1989 has effect to the following amendments.

11.—(1) Section 40E (inserted by the Criminal Law (Amendment) Ordinance 1996) (intimidation etc of witnesses, jurors and others) is amended as follows.

(2) For subsections (1) to (3) (offences of intimidating, and of doing or threatening harm to, witnesses etc), substitute —

"(1) A person commits an offence if —

- (a) he does an act which intimidates, and is intended to intimidate, another ("the victim")
- (b) he does the act knowing or believing that the victim is assisting in the investigation of an offence or is a witness or potential witness or a juror or potential juror in proceedings for an offence, and
- (c) he does it intending thereby to cause the investigation or the course of justice to be obstructed, perverted or interfered with.

- (2) A person commits an offence if —
- (a) he does an act which harms, and is intended to harm, another person or, intending to cause another person to fear harm, he threatens to do an act which would harm that other person,
 - (b) he does or threatens to do the act knowing or believing that the person harmed or threatened to be harmed (“the victim”) or some other person, has assisted in an investigation into an offence or has given evidence or particular evidence in proceedings for an offence, or has acted as a juror or concurred in a particular verdict in proceedings for an offence, and
 - (c) he does or threatens to do it because of that knowledge or belief.
- (3) For the purposes of subsections (1) and (2) it is immaterial that the act is or would be done, of that the threat is made —
- (a) otherwise than in the presence of the victim, or
 - (b) to a person other than the victim.”
- (3) In subsection (8) (presumption in proceedings for offence under subsection (2)) —
- (a) for “he did or threatened to do an act falling within paragraph (a) within the relevant period” —
- “within the relevant period —
- (a) he did an act which harmed, and was intended to harm, another person, or
 - (b) intending to cause another person fear of harm, he threatened to do an act which would harm that other person,
- and that he did the act, or (as the case may be) threatened to do the act,”; and
- (b) after “to have done the act” insert “or (as the case may be) threatened to do the act”.

SCHEDULE 3

(section 47(2))

PROVISIONS OF IMPERIAL STATUTES WHICH SHALL NO LONGER APPLY IN THE FALKLAND ISLANDS

Reference	Short title or title	Extent of repeal or revocation
61 & 62 Vict c 36	Criminal Evidence Act 1898	In section 1, the words from the beginning to “Provided as follows:—”.
23 & 24 Geo 5 c 12	Children and Young Persons Act 1933	Section 38.
1968 c 60	Theft Act 1968	In section 30(2), the words from “and a person bringing” onwards.
1976 c 82	Sexual Offences (Amendment) Act 1976	Sections 2 to 5.
1980 c 43	Magistrate’s Courts Act 1980	In section 125(4)(c)(iii), the “and” at the end. In section 126(d), the “and” at the end. In Schedule 7, paragraph 148.

1984 c 60	Police and Criminal Evidence Act 1984	Sections 69 and 70. Section 80(1). In section 80(5), the words "competent and". Section 80(8). In section 82(1), in the definition of "proceedings", in paragraph (a) the words after "court-martial" and, in paragraph (b)(i), the words "so constituted". Schedule 3.
1988 c 33	Criminal Justice Act 1988	In section 23(1), paragraph (c) and the "and" preceding it. In section 24(1), paragraph (c) and the "and" preceding it. In section 32(1), paragraph (b) and the "or" preceding it. Section 32(2), (3A) to (3E) and (6). Section 32A. Section 33A. Section 34A. Section 158(2) to (4). In Schedule 13, in paragraph 8, sub-paragraph (2)(b) and the "and" preceding it and, in sub-paragraph (3), "(2)". In Schedule 15, paragraph 53.
1990 c 42 1992 c 34	Broadcasting Act 1990 Sexual Offences (Amendment) Act 1992	In Schedule 20, paragraphs 26 and 27. In section 5(2), the words "or programme". In section 6(1), the definition of "written publication" and the "and" preceding it.

Passed by the Legislature of the Falkland Islands this 18th day of September 2000.

M. M. STRANGE,
Acting Clerk of Councils.

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

M. M. STRANGE,
Acting Clerk of Councils.

SUBSIDIARY LEGISLATION

STANLEY COMMON

Canache (Mooring of Water Craft) Development Regulations 2000

S. R. & O. No: 22 of 2000

Made: 6 September 2000

Published: 29 September 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 10 of the Stanley Common Ordinance 1999(a) and of all other powers enabling me in that behalf, I make the following Regulations —

Citation and commencement

1. These Regulations may be cited as the Canache (Mooring of Water Craft) Development Regulations 2000 and shall come into force upon publication.

Interpretation

2. In these Regulations, unless the context otherwise requires —

“building” includes any structure or erection except a dwelling house or any office or commercial accommodation;

“development” has the same meaning as it has under section 26 of the Planning Ordinance 1991;

“mooring point” includes a jetty, pontoon landing and any other form of secure mooring for water craft;

“the Canache mooring area” means that part of the Common, the boundaries of which are indicated on the map appearing in the Schedule to these Regulations;

“the Common” has the same meaning as it has under the Ordinance;

“the Ordinance” means the Stanley Common Ordinance 1999;

“planning permission” has the same meaning as it has in the Planning Ordinance 1991; and

(a) No 9 of 1999

“water craft” includes every description of vessel used in navigation including those propelled by oars.

Designation of the Canache mooring area

3. The Canache mooring area is designated as an area which may be used in connection with the mooring of water craft provided that no water craft may be moored there without the permission of the Harbour Master.

Development of the Canache mooring area

4.—(1) Development within the Canache mooring area of any kind specified in paragraph (2) of this regulation is permitted if that development is undertaken for the purposes of or in connection with the construction of a mooring point for water craft and provided that any necessary planning permission for the development has been obtained.

(2) The development to which paragraph (1) relates are —

(a) the construction of a mooring point;

(b) the construction or erection of any building to be used in conjunction with and ancillary to a mooring point;

(c) the carrying out of land renewal, land reclamation and land management associated with the use of a mooring point; and

(d) the erection of any temporary structures reasonably required so as to assist with the carrying out of any development permitted pursuant to these Regulations.

Made this sixth day of September 2000

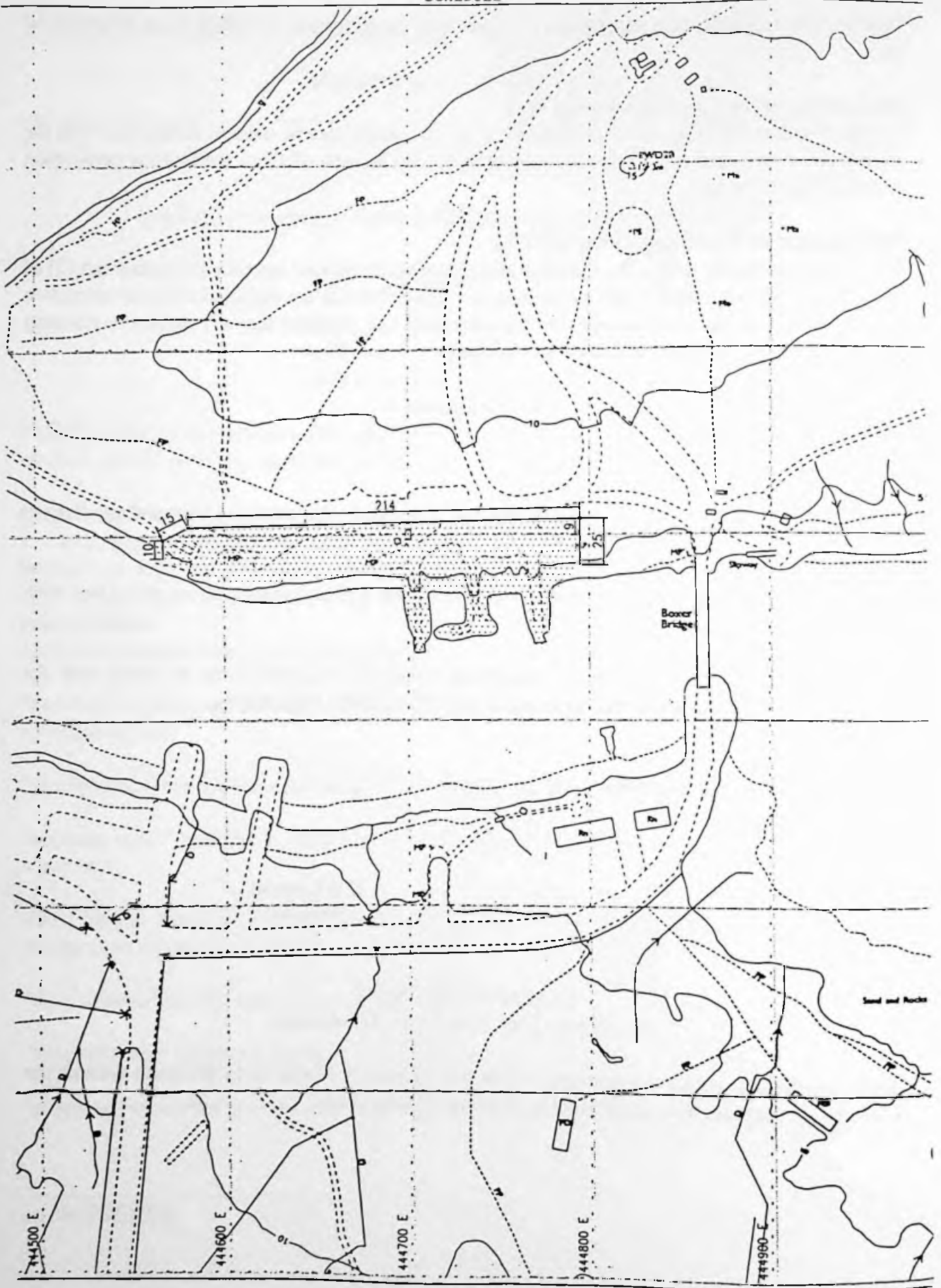
D A Lamont
Governor

EXPLANATORY NOTE

(not forming part of the above Regulations)

These Regulations permit development in that part of Stanley Common to the north west of the Canache for purposes associated with the mooring of water craft.

SCHEDULE





**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

1st November 2000

No.16

The following are published in this Supplement -

**Fitzroy Track (Designation and Speed Limits) Order 2000 (Rectification) Order 2000,
(S.R. & O. No. 24 of 2000);**

Falklands Landholdings Corporation Bill 2000;

Falkland Islands Development Corporation (Amendment) Bill 2000;

Organic Foods Bill 2000;

Retirement Pensions (Amendment) Bill 2000.

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Fitzroy Track (Designation and Speed Limits) Order 2000 (Rectification) Order 2000

S. R. & O. No. 24 of 2000

Made: 13 October 2000

Published: 1 November 2000

Coming into force: upon publication

IN EXERCISE of my powers under section 93(1) of the Interpretation and General Clauses Ordinance(a), and of all other powers enabling me in that behalf, I make the following Order —

Citation and commencement

1. This Order may be cited as the Fitzroy Track (Designation and Speed Limits) Order 2000 (Rectification) Order 2000 and shall come into force upon its publication in the Gazette.

Rectification of Fitzroy Track (Designation and Speed Limits) Order 2000

2. The Fitzroy Track (Designation and Speed Limits) Order 2000(b) is rectified —
(a) in the preamble by replacing “9N” with “29”; and
(b) in article 4 by replacing “9N” with “29”.

Made this 13th day of October 2000

D G Lang
Attorney General

EXPLANATORY NOTE
(not forming part of the above Order)

This Order amends the Fitzroy Track (Designation and Speed Limits) Order 2000 by rectifying the incorrect references to section numbers of the Road Traffic Ordinance as set out in the Revised Laws of the Falkland Islands.

(a) Title 67.2

(b) No 21 of 2000

Falklands Landholdings Corporation Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title
2. Interpretation
3. Establishment and powers of Falklands Landholdings Corporation
4. Board of the Corporation
5. Secretary of the Corporation
6. Remuneration of the Board
7. Transfer of the assets, liabilities and personnel of the company
8. Accounts
9. Submission of estimates
10. Contracts
11. Sealing of documents
12. No personal liability
13. Powers of the Corporation
14. Regulations

Schedule

FALKLANDS LANDHOLDINGS CORPORATION BILL 2000

(No: of 2000)

(assented to: 2000)

(commencement: 2000)

(published: 2000)

A BILL

for

AN ORDINANCE

To establish the Falklands Landholdings Corporation, to provide for its powers and duties, and to transfer to it the assets, liabilities and undertaking of Falklands Landholdings Limited and to dissolve that company.

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

Short title

1. This Ordinance may be cited as the Falklands Landholdings Corporation Ordinance 2000.

Interpretation

2. In this Ordinance “the Company” means Falklands Landholdings Limited a company incorporated in the Falkland Islands under the provisions of the Companies and Private Partnerships Ordinance and registered in the Companies Registry Stanley under registered number 9076 and “the operative date” means the date fixed by the Governor by Order under section 7(5).

Establishment and powers of Falklands Landholdings Corporation

- 3.—(1) There is hereby established a body corporate under the name of Falklands Landholdings Corporation with perpetual succession and a common seal.
- (2) The Corporation has the powers set out in the Schedule to this Ordinance and any other powers which may be necessary or expedient for the fulfilment of any objectives specified for it by the Governor on the advice of the Executive Council.
- (3) The Corporation shall not exercise its powers to take or acquire or dispose of any land without the prior consent of the Governor advised by the Executive Council, but any failure by the Corporation to comply with this subsection shall not invalidate any transaction.
- (4) The Corporation shall not borrow any money, give any guarantee, or give any security over any of its assets without the prior consent of the Governor advised by the Executive Council.

Board of the Corporation

- 4.—(1) There shall be a Board of the Corporation consisting of —
- (a) an Executive Chairman, appointed by the Governor;
 - (b) the Chief Executive of the Falkland Islands Government if he is not the Executive Chairman;
 - (c) one member of the farming community appointed by the Governor;
 - (d) one member of the farming community appointed by the Governor after consulting the Rural Business Association;
 - (e) one member of the non-agricultural business community appointed by the Governor;
 - (f) one member of the non-agricultural business community appointed by the Governor after consultation with the Falkland Islands Chamber of Commerce;
 - (g) the General Manager of the Corporation;
 - (h) two persons nominated by the Legislative Council from among the elected members of that Council and appointed by the Governor.
- (2) A person appointed pursuant to paragraph (a), (c), (d), (e) or (f) shall hold office until the expiry of such period as is specified in the instrument of his appointment, or until he resigns his appointment by notice in writing delivered to the Governor, becomes an elected member of the Legislative Council or another person is appointed in his place, whichever first occurs.
- (3) A person appointed pursuant to paragraph (h) shall hold office until such time as he resigns his appointment by notice in writing delivered to the Governor, ceases to be an elected member of the Legislative Council or another person is appointed in his place, whichever first occurs.
- (4) The Financial Secretary of the Falkland Islands Government or his representative and the Secretary of the Corporation may attend meetings of the Board and may speak to any matter before the Board, but may not vote.
- (5) The Board may act notwithstanding any vacancy in its number, provided that four persons personally attending from among the persons appointed under paragraphs (a), (c), (d), (e), (f) and (h) of subsection (1) is present.

Secretary of the Corporation

- 5.—(1) The Board shall appoint a suitable person to be the Secretary of the Corporation.
- (2) The Secretary shall keep minutes of all meetings of the Board and shall have custody of the records of the Corporation.

Remuneration of the Board

- 6.—(1) Subject to this section, the Executive Chairman and members of the Board shall be eligible to receive such remuneration and allowances as may be determined by the Governor.
- (2) A person who is a member of the public service shall not, by virtue of being the Executive Chairman or a member of the Board be entitled to receive any payment other than reimbursement of any expenses incurred by him.

Transfer of the assets, liabilities and personnel of the company

- 7.—(1) All the property and assets of the company whatsoever, including cash and liquid assets and the benefit of contracts, shall on the operative date vest in the Corporation by virtue of this subsection and without further assurance and all liabilities of the company actual or contingent subsisting on that date shall become those of the Corporation which shall perform or discharge them in the place of the Company.
- (2) All contracts made by the Company in so far as they remain unperformed or any money is or may become due and payable or may become receivable thereunder shall have effect in favour of and against the Corporation on and after the operative date as if the Corporation had been a party thereto instead of the Company.
- (3) Subsection (2) has effect in relation to the contract of employment of any person with the Company and employed by the Company immediately before the operative date —
- (a) so that on and after that date any such person shall be treated as if he had been engaged by the Corporation on the date on which he was engaged by the Company;
 - (b) so that the employment of any such person by the Company before the operative date and by the Corporation on and after that date shall be regarded as continuous employment;
 - (c) so that the terms of employment of that person on the operative date are the same, except as to identity of employer, as they were on the preceding day.
- (4) All rights of action which, if this Ordinance had not been enacted, would subsist against the Company shall subsist against the Corporation in its stead, but so that the Corporation shall be entitled to avail itself of any defence, counterclaim or right of set-off which would have been available to the Company.
- (5) The Governor may by Order fix the operative date for the purposes of this section.
- (6) The Company is on the operative date dissolved.

Accounts

- 8.—(1) The Corporation shall keep proper accounts and other records in respect of its receipts and expenditure and shall cause to be prepared an annual statement of accounts in respect of each financial year, except that the first such statement may be for the period ending on 30th June 2002 if the Governor on the advice of the Executive Council so authorises.
- (2) The financial year of the Corporation shall be the period of twelve months ending on 30th June in each year.
- (3) The accounts of the Corporation shall be audited by the Principal Auditor in accordance with the Finance and Audit Ordinance.
- (4) As soon as is reasonable after the end of the financial year the Corporation shall transmit to the Governor and all elected members of the Legislative Council its audited accounts and any report made by the Principal Auditor thereon and such explanations as the Corporation may consider appropriate.

(5) Without prejudice to the foregoing provisions of this section, the Corporation shall at intervals no greater than six months submit to the Governor a report in writing containing such financial and other information or accounts as the Financial Secretary may require.

Submission of estimates

9. The Corporation shall not later than 31st March in each year submit to the Financial Secretary estimates of its expenditures and receipts for the ensuing financial year and of unexpended funds carried forward to it and the Financial Secretary shall cause the same to be considered by the Executive Council.

Contracts

10. Contracts which if made between natural persons would by law be —
- (a) required to be made by deed, shall be made varied or discharged by the Corporation under seal;
 - (b) required to be in writing or evidenced in writing may be made, varied or discharged on behalf of the Corporation by any person signing with its express or implied authority;
 - (c) valid if made by word of mouth only may be made, varied or discharged by word of mouth on behalf of the Corporation by any person acting with its express or implied authority.

Sealing of documents

11. The common seal of the Corporation shall, when applied to a document, be attested by two members of the Board or by one member of the Board and the Secretary and, if so attested be prima facie evidence that the document has been properly executed on behalf of the Corporation.

No personal liability

12. No personal liability shall attach to any member of the Board or employee of the Corporation in respect of anything done in good faith without negligence in pursuance or purportedly in pursuance of this Ordinance.

Powers of the Corporation

13. The Schedule to this Ordinance shall have effect.

Regulations

14. The Governor may make such regulations as he thinks necessary or expedient for the giving better effect to the purposes of this Ordinance.

THE SCHEDULE

Powers of the Corporation

1. The Corporation has power —
- (a) to hold freehold and leasehold land and to acquire and hold land on licence;
 - (b) to acquire the freehold or leasehold interest in any land in the Falkland Islands;
 - (c) to acquire any easement licence or other interest in or over land in the Falkland Islands;

(d) to sell or exchange freehold or leasehold land belonging to it and grant any easement licence or other interest over freehold land belonging to it, and, if permitted under the lease of the relevant land, to grant a licence over leasehold land;
(e) to grant leases of any land owned by it;
(f) to hold, acquire and dispose of fishing rights in any waters,
in each case, subject to this Ordinance, on such terms as it thinks fit.

2. The Corporation also has power —

- (a) to carry on business as farmers, agriculturalists, nurserymen, and horticulturalists;
- (b) to develop any land owned or leased by it, and to engage in and carry on whether or not with a view to profit or economic return any rural development (including social, cultural and economic development);
- (c) to undertake for the benefit of the agricultural community of the Falkland Islands and whether with a view to profit or economic return or not, marketing activities in the Falkland Islands and overseas, field trials, stud farming and the provision of seed stock and stud stock.

3. The Corporation has power to employ persons in connection with the carrying out of its activities on such terms as it thinks fit.

4. Without prejudice to the foregoing the Corporation has power to do anything it is necessary or expedient in the opinion of the Board for it to do to fulfil any objectives notified to it by the Governor on the advice of the Executive Council.

OBJECTS AND REASONS

To provide for the replacement of Falklands Landholdings Limited by a statutory corporation.

Falkland Islands Development Corporation (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

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

Schedule

FALKLAND ISLANDS DEVELOPMENT CORPORATION (AMENDMENT) BILL 2000

(No: of 2000)

(assented to: 2000)

(commencement: 2000)

(published: 2000)

A BILL

for

AN ORDINANCE

To amend the Falkland Islands Development Corporation Ordinance.

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

Short title and commencement

1. This Ordinance may be cited as the Falkland Islands Development Corporation (Amendment) Ordinance 2000 and comes into force on 1st January 2001.

Amendment of the Falkland Islands Development Corporation Ordinance

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

(a) Title 28.1

THE SCHEDULE

Amendment of the Falkland Islands Development Corporation Ordinance

1. Section 4 of the Falkland Islands Development Corporation Ordinance (hereafter in this Schedule called "the Ordinance") is replaced by the following section —

"4. The Corporation shall —

- (a) encourage and assist in the economic development of the Falkland Islands;
- (b) advise the Falkland Islands Government on rural development, in particular the growth of business including agriculture in Camp, and the improvement of quality of life in Camp;
- (c) advise the Falkland Islands Government on government expenditure in agriculture;
- (d) advise the Falkland Islands Government on such other matters relating to the economic development of the Falkland Islands as the Government may refer to the Corporation or as the Corporation may consider fit; and
- (e) examine and advise upon proposals referred to the Corporation by the Executive Council relating to the imposition or revision of tariffs, taxes, duties, quotas or other protective or developmental measures."

2. Section 7 of the Ordinance is replaced by the following section —

"7.—(1) The Corporation shall have a Board, to be known as the Falkland Islands Development Board, consisting of —

- (a) a person to be appointed by the Governor to be the Executive Chairman of the Corporation;
- (b) the Chief Executive of the Falkland Islands Government, if he is not the person appointed under paragraph (a);
- (c) the General Manager of the Corporation;
- (d) the Director of Agriculture of the Falkland Islands Government;
- (e) a member of the farming community appointed by the Governor on the advice of the Executive Council;
- (f) a member of the farming community appointed by the Governor after consultation with the Rural Business Association;

(g) a representative of the business community, not engaged in agriculture, appointed by the Governor on the advice of the Executive Council;

(h) a member of the business community, not engaged in agriculture, appointed by the Governor after consultation with the Falkland Islands Chamber of Commerce; and

(i) two persons nominated by the elected Legislative Council from among the elected members appointed by the Governor.

(2) A person appointed pursuant to paragraphs (a), (e), (f), (g) or (h) shall hold office until the expiry of such period as is specified in the instrument of his appointment, or until he resigns his appointment by notice in writing delivered to the Governor, becomes an elected member of the Legislative Council or another person is appointed in his place, whichever first occurs.

(3) A person appointed pursuant to paragraph (i) shall hold office until such time as he resigns his appointment by notice in writing delivered to the Governor, ceases to be an elected member of the Legislative Council or another person is appointed in his place whichever first occurs.

(4) The Financial Secretary of the Falkland Islands Government (or his representative) and the Financial Controller of the Corporation may attend meetings of the Board and may speak to any matter before the Board, but may not vote.

(5) Whenever the General Manager of the Corporation is absent from a meeting of the Board or a part of any such meeting, any person holding appointment as the Acting General Manager may attend in his place, may speak to any matter and may vote upon any matter.

(6) A person who has ceased to be a member of the Board by reason of the expiration of the period for which he was appointed is eligible for re-appointment.

(7) The Board shall in relation to the performance of the duties of the Corporation regularly consult the Rural Business Association and the Falkland Islands Chamber of Commerce or panels of their members, formed for the purpose.”

3. Section 8 of the Ordinance is replaced by the following section —

“8. In the absence of the Executive Chairman from any meeting or part of a meeting of the Board such member of the Board as is nominated by the Governor for the purpose, or in the absence of any such nomination such member of the Board as is chosen by the Board at that meeting shall take the chair.”

4. Section 10(4) of the Ordinance is repealed.

5. In section 12(1) of the Ordinance “(c), (d) and (e)” are replaced by “(e) to (i)”.

6. Section 19 of the Ordinance is amended by the addition of the following subsection —

“(4) Without prejudice to the foregoing provisions of this section, the Corporation shall at intervals no greater than six months submit to the Governor a report in writing containing such financial and other information or accounts as the Financial Secretary may require.”

Organic Foods Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

1. Short title and commencement
2. Interpretation
3. Organic productions methods: preliminary provisions
4. Rules of production
5. Schedules 1 and 2
6. Notifications to the competent authority
7. Establishment etc of the inspection system
8. Indications that products are covered by the inspection scheme
9. Labelling
10. Schedules 3, 4, 5, 6 and 7
11. Power to make Regulations

Schedule 1

Schedule 2

Schedule 3

Schedule 4

Schedule 5

Schedule 6

Schedule 7

Note: the references "a.1" "a.2" etc. in the headings of clauses are to the corresponding articles of EC Regulation 2092/91.

ORGANIC FOODS BILL 2000

(No. of 2000)

A BILL

for

AN ORDINANCE

To establish Falkland Islands standards in relation to the growing, rearing and marketing of agricultural products as organically produced products, to provide assurance to consumers in the Falkland Islands and elsewhere that products described as having originated in the Falkland Islands and as having been organically produced meet proper standards, to facilitate the sale in the Falkland Islands and elsewhere of fresh and processed food described as having been produced in the Falkland Islands and for purposes connected with the foregoing purposes.

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

PART I INTRODUCTORY

Short title and commencement

1. This Ordinance may be cited as the Organic Foods Ordinance 2000 and shall come into force on such date as the Governor may notify by notice published in the *Gazette*.

Interpretation

2.—(1) In this Ordinance —

“agricultural product” means any agricultural commodity or product, whether raw or processed, living or dead, including any commodity or product derived from livestock reared in the Falkland Islands and marketed there or elsewhere for human or livestock consumption;

“approved inspection body” means an inspection body approved under section 7 by the competent authority;

“certain products used in animal nutrition” means nutritional products within the scope of Council Directive 82/471/EEC of 30 June 1982;

“the Community” means the European Economic Community;

“the Community Regulation” means the Regulation dated 24 June 1991 of the Council of the European Union (and numbered No. 2092/91) on organic production of agricultural products and indications referring thereto, as amended from time to time;

“conventional feedingstuffs” and “conventional feed materials” means feedingstuffs or, as the case may be, feed materials which are not organically-produced feedingstuffs, organically-produced feed materials, in-conversion feedingstuffs or in-conversion feed materials;

“the competent authority” means the Director of Agriculture or such other person or body as may for the time being hold appointment by the Governor to be the competent authority for the purposes of this Ordinance;

“Council Directive” and “Directive” means a Directive of the Council or of the Community;

“Council” means the Council of the European Economic Community;

“detergents” means substances and preparations made up of essential constituents (surfactants) and, in general, additional constituents (adjurants intensifying agents, fillers, additives and other auxiliary constituents);

“feed additives” means products as defined in Article 2(a) of Council Directive 70/524/EEC of 23 November 1970;

“feed materials” means products as defined in Article 2(a) of Council Directive 96/25(CE) of 29 April 1996;

“feedingstuffs” means products as defined in Article 2(a) of Council Directive 79/373/EEC of 2 April 1979 and “compound feedingstuffs” means products as defined in Article 2(b) of Directive 79/373/EEC;

“genetically modified organism (GMO)” shall mean any organism as defined in Article 2 of Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms;

“GMO derivative” means any substance which is either produced from or produced by GMOs, but does not contain them and “use of GMOs and GMO derivatives” means use of them as foodstuffs, food ingredients (including additives and flavourings), processing aids (including extraction solvents), feedingstuffs, compound feedingstuffs, feed materials, feed additives, processing aids for feedingstuffs, certain products used in animal nutrition (under Directive 82/471/EEC), plant protection products, veterinary medicinal products, fertilisers, soil conditioners, seeds, vegetative reproductive material and livestock;

“in-conversion feedingstuffs” and “in-conversion feed materials” shall mean feeding stuff or, as the case may be, feed materials complying with the rules of production laid down in section 4, except for the conversion period where those rules apply for at least 1 year before the harvest;

“ingredients” means the substances, including additives, used in the preparation of any relevant product that are still present, albeit in modified form, in the final product;

“the inspection authority” means an inspection authority designated under section 7(1);

“the inspection system” means the inspection system established pursuant to section 7(1);

“labelling” means any words, particulars, trade marks, brand names, pictorial matter or symbols relating to a foodstuff and placed on any packaging, document, notice, label, ring or collar accompanying or referring to a relevant product;

“list of ingredients” means a list of ingredients in accordance with Article 6 of Directive 2000/13/EC and Annexes I, II and III of that Directive;

“marketing” means holding or displaying for sale, offering for sale, selling, delivering or placing on the market in any other form and “markets” has a cognate meaning;

“livestock production” means the production of domestic or domesticated terrestrial animals (including insects) and aquatic species farmed in fresh, salt or brackish water, and the products of hunting and fishing of wild animals shall not be considered as organic production;

“operator” means any natural or legal person who —

(a) produces, prepares, imports from any other country, or exports to any other country, any relevant product with a view to the subsequent marketing of that product; or

(b) markets any relevant product;

“organic-production holding”, “organic-production stock-farm” and “organic-production unit” means a unit, holding or stock-farm (as the case may be) complying with the provisions of this Ordinance;

“organically-produced feedingstuffs/feed materials” means feedingstuffs/feed materials produced in accordance with the rules of production laid down in section 4;

“plant protection products” means active substances and preparations containing one or more active substances intended —

(a) to destroy organisms harmful to plants or plant products or to protect them from such organisms, insofar as such substances or preparations are not defined in paragraphs (b) to (e) of this definition;

(b) to influence the life processes of plants, other than as a nutrient;

(c) to preserve plant products;

(d) to destroy undesired plants; or

(e) to destroy parts of plants,

and for the purposes of this definition “active substances” means substances, micro-organisms and viruses having general or specific action (i) against harmful organisms, or (ii) on plants, parts of plants or plant products, “substances” means chemical elements and their compounds, as they occur naturally or by manufacture and “preparations” means mixtures or solutions composed of two or more substances, or of micro-organisms or viruses used as plant protection products;

“pre-packaged foodstuff” means any single item for presentation as such to the ultimate consumer and to mass caterers, consisting of a foodstuff and the packaging into which it was put before being offered for sale, whether such packaging encloses the foodstuff completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;

“preparation” means the operations of preserving and processing or preserving or processing of agricultural products (including slaughter and cutting for livestock products), and also packaging and alterations or packaging or alterations made to the labelling concerning the presentation of the organic production method of the fresh, preserved and processed products or the fresh, preserved or processed products;

“production” means the operations on the agricultural holding involved in producing, packaging and initially labelling as products of organic production agricultural products produced on that holding;

“provisions” means provisions of this Ordinance, of any regulations made hereunder and any provisions of any Council Directive or Council Regulation and any Council Directive or, as the case may be, Council Regulation amending or augmenting any Directive or Regulation.

“relevant product” means any product of a kind mentioned in section 3(1);

“veterinary medicinal products” means products as defined in Article 1(2) of Council Directive 65/65/EEC of 26 January 1965 and “homeopathic veterinary medicinal products” means products as defined in Article 1(1) of Council Directive 92/74/EEC of 22 September 1992.

(2) Any reference in this Ordinance to a Council Directive or Council Regulation identified by number includes a reference to any Council Directive or Council Regulation amending or augmenting that any Directive or Regulation.

PART II PRODUCTION AND MARKETING OF ORGANIC FOODS

Rules of production

Organic production methods: preliminary provisions (a.1 and a.2)

3.—(1) This Ordinance applies to the following products, where such products bear, or are intended to bear, indications referring to the organic protection method —

(a) unprocessed agricultural crop products; also livestock and unprocessed livestock products, to the extent that principles of production and specific inspection rules for them are introduced in Schedules 1 and 3;

(b) processed agricultural crop and livestock products intended for human consumption prepared essentially from one or more ingredients of plant or animal origin;

(c) feedingstuffs, compound feedingstuffs and feed materials not covered under paragraph (a).

(2) Where the detailed production rules are not laid down in Schedule 1 for certain animal species, the rules provided for labelling in section 9 and for inspections in sections 6 and 7 shall apply for those species and the products thereof, with the exception of aquaculture and aquaculture products.

(3) Without prejudice to the generality of subsection (1), a product shall be regarded as having been described in the manner referred to in that subsection if —

(a) it is described as organic or organically produced; or

(b) it is described by use of any word or expression in a foreign language the meaning of which in English is organic or organically produced,

unless it is clear that the word or expression has no connection with the method of production or is not applied to agricultural products in foodstuffs.

(4) For the purposes of this Ordinance the words in foreign languages listed in Article 2 of the Community Regulation shall be taken to mean organic or organically produced.

Rules of production (a.6)

4.—(1) The organic production method implies that for the production of products referred to in section 3(1)(a) other than seeds and vegetative propagating material —

(a) at least the requirements of Schedule 1 and, where appropriate, any provisions relating thereto, must be satisfied;

(b) only products composed of substances mentioned in Schedule 1 or listed in Schedule 2 may be used as plant protection products, fertilisers, soil conditioners, feedingstuffs, feed materials, compound feedingstuffs, feed additives, substances used in animal nutrition under Directive 82/471/EEC, cleaning and disinfecting products for livestock buildings and installations, products for pest and disease control of livestock buildings and installations or for another purpose where such purpose is specified in Schedule 2 in relation to certain

products. They may be used only under the specific conditions laid down in Schedules 1 and 2 insofar as the corresponding use is authorised in general agriculture in the Falkland Islands;

(c) only seed or vegetative propagating material produced by the organic production method referred to in subsection (2) is used;

(d) genetically modified organisms or any product derived from such organisms must not be used, with the exception of veterinary medicinal products.

(2) The organic production method implies that for seeds and vegetative reproductive material, the mother plant in the case of seeds and the parent plant or plants in the case of vegetative propagating material have been produced —

(a) without the use of genetically modified organisms or any products derived from such organisms, and

(b) in accordance with paragraphs (a) and (b) of subsection (1) for at least one generation or, in the case of perennial crops, two growing seasons.

(3) Subject to subsection (4), no product may be used —

(a) for plant protection,

(b) as a detergent,

(c) as a fertiliser, or

(d) as a soil conditioner

unless —

(i) it is used in accordance with the conditions as to its use specified in Schedules 1 and 2; and

(ii) the corresponding use in general agriculture is authorised in the Falkland Islands.

(4) For the purposes of the subsequent subsections of this section, “seedlings” means whole seedlings intended for planting for plant production.

(5) The organic production methods implies that when producers use seedlings, the seedlings have been produced in accordance with the preceding provisions of this section.

Schedules 1 and 2

5.—(1) Schedules 1 and 2 to this Ordinance shall have effect.

(2) The Governor may by Order amend Schedules 1 and 2 or either of them in such way as he may think necessary to cause Schedules 1 and 2 to correspond to Annexes I and II to the Community Regulation as amended from time to time pursuant to article 7 of the Community Regulation.

(3) An Order under subsection (2) may be expressed to have retrospective effect but it shall not be expressed to have retrospective effect by relation to a date earlier than that on which the corresponding amendment or amendments to the Community Regulation took effect.

Inspection system

Notifications to the competent authority (a.8)

6.—(1) Any operator who produces, prepares or imports from or exports to another country any relevant product for the purpose of marketing it shall —

(a) notify the competent authority; and

(b) submit his undertaking to the inspection system.

(2) Any notification pursuant to subsection (1)(a) shall contain the information specified in Schedule 4.

- (3) The competent authority shall maintain at an address in Stanley a register of names and addresses of persons for the time being subject to the inspection system and shall permit any person to inspect that register at all reasonable times.
- (4) The register may be maintained on computer.

Establishment etc of the inspection system (a.9)

- 7.—(1) The Governor shall establish an inspection system operated by a designated inspection authority or by one or more approved private bodies to which the operators producing preparing or importing relevant products are subject.
- (2) The inspection system shall comprise at least the application of the precautionary and inspection measures specified in Schedule 3 and such other measures as are prescribed by regulations.
- (3) The competent authority shall be responsible for the approval and supervision of private inspection bodies.
- (4) In considering whether to approve a private inspection body, the competent authority shall take the following matters into account —
- (a) the standard inspection procedure to be followed (which must contain a detailed description of the inspection measures and precautions which the body undertakes to impose on operators subject to its inspection);
 - (b) the penalties which the body intends to apply if an irregularity or infringement is found;
 - (c) the availability of appropriate resources in the form of qualified staff, administrative and technical facilities, inspection experience and reliability;
 - (d) the objectivity of the inspection body vis-a-vis the operators subject to its inspection.
- (5) After an inspection body has been approved, the competent authority shall —
- (a) ensure that the inspections carried out by the inspection body are objective;
 - (b) verify the effectiveness of its inspections;
 - (c) take cognisance of any infringements or irregularities found and penalties applied;
 - (d) withdraw approval of the inspection body if it —
 - (i) fails to satisfy the requirements of (a) or (b);
 - (ii) no longer fulfils the criteria indicated in subsection (4); or
 - (iii) fails to satisfy the requirements specified in subsections (7),(8) and (9).
- (6) The inspection authority and any approved inspection body —
- (a) shall ensure that the inspection measures and precautions specified in Schedule 3 and other provisions (if any) are applied to undertakings subject to their inspection; and
 - (b) shall not disclose information and data they obtain in their inspection activity to persons other than the person responsible for the undertaking concerned and the competent public authorities.
- (7) An approved inspection body shall —
- (a) give to the competent authority, for inspection purposes, access to its offices premises and facilities and any information the competent authority requires in relation the performance of its obligations under this Ordinance; and
 - (b) send to the competent authority by 31st January each year a list of operators subject to its inspection on 31st December of the previous year; and
 - (c) present to the competent authority a concise annual report.
- (8) The inspection authority and any inspection body shall —
- (a) ensure that where an irregularity is found regarding the implementation of —

- (i) section 4 (rules of production),
 - (ii) section 9 (labelling), or
 - (iii) of the measures referred to in Schedule 3,
- all organic production indications are removed from the entire lot or production run affected by the irregularity concerned;
- (b) if a manifest infringement, or an infringement with prolonged effects is found, prohibit the operator for a period agreed with the competent authority from marketing products with organic production indications.
- (9) Without prejudice to the provisions of paragraphs (4) and (5), approved inspection bodies must satisfy the requirements laid down in the conditions of standard EN45011 of 26 June 1989.
- (10) The Governor may make regulations —
- (a) prescribing detailed rules concerning the requirements indicated in subsection (5) and the measures mentioned in subsection (6); or
 - (b) prescribing implementation measures concerning the provisions of subsection (5).
- (11) The Governor may by Order amend Schedule 3 in such way as he may think necessary to cause that Schedule to correspond to Annex 3 to the Community Regulation as amended from time to time.

Indications that products are covered by the inspection scheme (a.10)

- 8.—(1) The indication that products are covered by the specific inspection scheme (that is to say, “Organic Farming: Falkland Islands National Control System”) may appear on a relevant product only where it —
- (a) satisfies the requirements of section 9 (labelling) and section 4 (rules of production) as well as any regulations made for the purposes of those sections;
 - (b) has been subject to the inspection arrangements referred to in section 7(3) throughout the production and preparation process;
 - (c) is sold directly by the producer or preparer to the ultimate consumer in sealed packaging, or placed on the market as pre-packaged foodstuffs; in the case of direct sales by the producer or preparer to the ultimate consumer, the sealed packaging is not required when the labelling enables the product requiring this indication to be identified clearly and unambiguously;
 - (d) show on the labelling the name or business name or name and business name of the producer, preparer or vendor together with the name or code number of the inspection authority or body.
- (2) No claim may be made on the label or advertising material that suggests to the purchaser that the indication constitutes a guarantee of superior organoleptic, nutritional or salubrious quality.
- (3) The inspection authority and any inspection body must —
- (a) ensure that, where a non-compliance with section 9 (labelling), section 4 (rules of production) or with the measures referred to in Schedule 3 is found, the indication mentioned in subsection (1) of this section is removed from the entire lot or production run affected by the irregularity concerned;
 - (b) if a manifest infringement, or infringement with prolonged effects is found, withdraw from the operator concerned the right to use that indication for a period to be agreed with the competent authority.
- (4) The Governor may make regulations in relation to the withdrawal of the indication.

Labelling (a.5)

9.—(1) The labelling and advertising of a product mentioned in section 3(1)(a) or (b) may refer to organic production methods only where —

- (a) such indications show clearly that they relate to a method of agricultural production
- (b) the product was produced in accordance with the rules specified by section 7;
- (c) the product was produced or imported by an operator who is subject to the inspection measures laid down in section 7; and
- (d) the labelling includes a reference to the name or code number of the inspection authority or body to which the operator is subject.

(2) The labelling and advertising of a product specified in section 3(1)(b) may bear indications referring to organic production methods in the sales description of the product only where —

- (a) at least 95% of the ingredients of agricultural origin of the product are, or are derived from, products obtained in accordance with the requirements of section 4 or are imported from the Community or any country where a provision corresponding to this paragraph applies;
- (b) all the other ingredients of agricultural origin of the product are included in Schedule 5, Part 3;
- (c) the product contains only substances listed in Schedule 5, Part 1 as ingredients of non-agricultural origin;
- (d) the product or its ingredients of agricultural origin, referred to in paragraph (a) have not been subjected to treatments involving the use of substances not listed in Schedule 5, Part 2;
- (e) the product or its ingredients have not been subjected to treatments involving the use of ionising radiation;
- (f) the product has been prepared or imported by an operator who is subject to the inspection measures laid down in sections 6 and 7;
- (g) the labelling refers to the name and code number or the code number of the inspection authority or inspection body to which the operator who has carried out the most recent preparation operation is subject;
- (h) the product has been produced without the use of genetically modified organisms and/or any products derived from such organisms,

other indications referring to organic production methods must make it clear that they relate to a method of agricultural production and must be accompanied by a reference to the ingredients of agricultural origin concerned, unless such reference is clearly given in the list of ingredients.

(3) Crops products labelled or advertised in accordance with subsection (1) or (2) may bear indications referring to conversion to organic production methods, provided that —

- (a) the requirements referred to in subsection (1) or subsection (2) (whichever is appropriate in the circumstances of the case) are fully satisfied, with the exception of that concerning the length of the conversion period referred to in paragraph 1 of Schedule 1;
- (b) a conversion period of at least 12 months before the harvest has been complied with;
- (c) such indications do not mislead the purchaser of the product regarding its difference from products which satisfy all the requirements of subsection (1) or (2) (whichever in the circumstances of the case is appropriate),

and the indications must take the form of the words “product under conversion to organic farming”, and must appear in a colour, size and style of lettering which is not more prominent than the sales description of the product; in this indication the words “organic farming” shall not be more prominent than the words “product under conversion to”.

- (d) the product contains only one crop ingredient of agricultural origin;
 - (e) the labelling refers to the name and code number or the code number of the inspection authority or inspection body to which the operator who has carried out the most recent production or preparation operation is subject;
 - (f) the product has been produced without the use of genetically modified organisms or any products derived from such organisms.
- (4) Without prejudice to the provisions of sub-clause (2), the labelling and advertising of a product referred to in section 3(1)(b) may only bear indications referring to organic production methods where —
- (a) at least 70% of the ingredients of agricultural origin are, or are derived from, products obtained in accordance with the rules laid down in section 4 or are imported from the European Economic Community and produced in accordance with the rules laid down in article 6 of the Community Regulation;
 - (b) all the other ingredients of agricultural origin of the product are included in Schedule 5, Part 3;
 - (c) the indications referring to organic production methods appear in the list of ingredients and only in clear relation to those ingredients obtained according to the rules laid down in section 4 or imported from the European Economic Community and obtained according to the rules laid down in Article 6 of the Community Regulation; they appear in the same colour and with an identical size and style of lettering as the other indications in the list of ingredients. Such indications must also appear in a separate statement set in the same visual field as the sales description and indicating the percentage of the ingredients of agricultural origin or derived therefrom which were obtained in accordance with the rules laid down in section 4 or the said Article 6. The statement may not appear in a colour, size and style of lettering which is more prominent than the sales description of the product. The statement shall be in the following form: “X% of the agricultural ingredients were produced in accordance with the rules of organic production”;
 - (d) the product contains only substances listed in Schedule 5, Part 1, as ingredients of non-agricultural origin;
 - (e) the product or its ingredients of agricultural origin referred to in paragraph (a) have not been subjected to treatments involving the use of substances not listed in Schedule 5, Part 2;
 - (f) the product or its ingredients have not been subjected to treatments involving the use of ionising radiation;
 - (g) the product has been prepared or imported by an operator who is subject to the inspection measures laid down in sections 6 and 7;
 - (h) the labelling refers to the name and code number or the code number of the inspection authority or inspecting body to which the operator who has carried out the most recent production or preparation operation is subject;
 - (i) the product has been produced without the use of genetically modified organisms.
- (5) In a relevant product, an ingredient obtained according to the rules laid down in section 4 shall not be present together with the same ingredient not obtained according to those rules.

Schedules 3, 4, 5, 6 and 7

10.—(1) Schedules 3 to 7 to this Ordinance shall have effect.

(2) The Governor may by Order amend Schedules 3, 4, 5, 6 and 7 or any of them in such way as he may think necessary to cause any of those Schedules to correspond with the corresponding Annexes to the Community Regulation as amended from time to time.

(3) An Order under subsection (2) may be expressed to have retrospective effect but it shall not be expressed to have retrospective effect by relation to a date earlier than that on which the corresponding amendment or amendments to the Community Regulation took effect.

Power to make Regulations

11.—(1) Without prejudice to any power conferred by any previous provision of this Ordinance, the Governor may make such regulations as he considers necessary or expedient for the purposes of this Ordinance.

(2) Such regulations may provide that any contravention of the regulations specified therein for the purpose constitutes a criminal offence punishable by a fine not exceeding such amount or the maximum of such level on the standard scale as is specified therein in relation to that contravention.

SCHEDULE 1

PART 1

PRINCIPLES OF ORGANIC PRODUCTION AT FARM LEVEL

Plants and plant products

1. The principles set out in this Schedule normally must have been applied on the parcels during a conversion period of at least 2 years before sowing or, in the case of perennial crops other than grassland, at least 3 years before the first harvest of products referred to in section 3(1)(a). If the Community Regulation would, within the Community, permit an inspection body, with the approval of the competent authority, to do so in corresponding circumstances, then in the Falkland Islands the inspection body may, with the approval of the competent authority, extend or reduce that period, having regard to previous parcel use.

2.—(1) The fertility and the biological activity of the soil must be maintained or increased where appropriate, by —

(a) cultivation of legumes, green manures or deep-rooting plants in an appropriate multi-annual rotation programme;

(b) incorporation of livestock manure from organic livestock production in accordance with the provisions and within the restrictions of paragraph 12(a) of this Schedule;

(c) incorporation of other organic material, composted or not, from holdings producing according to the provisions of this Ordinance.

(2) Other organic or mineral fertilisers, mentioned in Schedule 2, may, exceptionally, be applied, as a complement to the extent that —

(a) adequate nutrition of the crop being rotated or soil conditioning are not possible by the methods set out in (a), (b) and (c) of subparagraph (1);

(b) with regard to the products in Schedule 2 referring to manure and/or animal excrements, that these products may only be used to the extent that, in combination with the livestock manure referred to in subparagraph (1)(b), the restrictions as referred to in paragraph 12(a) of this Schedule are satisfied.

(3) For compost activation appropriate plant-based preparations or preparations of micro-organisms, not genetically modified, may be used.

So called "biodynamic preparations" from stone meal, farmyard manure or plants may also be used for the purposes of this subparagraph and those of subparagraphs (1).

(4) Appropriate preparations of micro-organisms, not genetically modified may be used to improve the over all condition of the soil or the availability of nutrients in the soil or in the crops, where the need for such use has been recognised by the inspection body or inspection authority

3. Pests, diseases and weeds shall be controlled by a combination of the following measures —

- (a) choice of appropriate species and varieties,
- (b) appropriate rotation programmes,
- (c) mechanical cultivation procedures,
- (d) protection of natural enemies of pests through provisions favourable to them (e.g. hedges, nesting sites, release of predators),
- (e) flame weeding,

and only in cases of immediate threat to the crop may recourse be had to products referred to in Schedule 2.

4. The collection of edible plants and parts thereof, growing naturally in natural areas woodlands and agricultural areas, is considered an organic production method provided that those areas have received no treatments with products other than those referred in Schedule 2 for a period of 3 years before the collection and that the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

5. For production of mushrooms, substrates may be used if they are composed only of the following components —

- (a) farmyard manure and animal excrements from holdings producing according to the organic production method;
- (b) products of animal origin, other than those covered under sub-paragraph (a) (for example straw), from holdings producing according to the organic production method;
- (c) peat not chemically treated;
- (d) wood, not treated with chemical products after felling;
- (e) mineral products listed in Schedule 2, Part 1, water and soil.

PART 2

LIVESTOCK AND LIVESTOCK PRODUCTS FROM THE FOLLOWING SPECIES:
BOVINE (INCLUDING BUBALUS AND BISON SPECIES), PORCINE, OVINE, CAPRINE,
EQUIDAE AND POULTRY

6. GENERAL PRINCIPLES

- (a) Livestock production forms an integral part of many agricultural holdings practising organic farming.
- (b) Livestock production must contribute to the equilibrium of agricultural production system by providing for the nutrient requirements of crops and by improving the soils organic matter. It can thus help establish and maintain soil-plant, plant-animal and animal-soil interdependence. As part of this concept, landless production is not in conformity with this Ordinance.

(c) By utilising renewable natural resources (livestock manure, legume and fodder crops), the cropping/stock-farming system and the pasturage system allow soil fertility to be maintained and improved in the long term and contributes to the development of sustainable agriculture.

(d) Organic stock-farming is a land-related activity. Except where authorised by way of exception in this Schedule, livestock must have access to a free-range area and the number of animals per unit of area must be limited to ensure integrated management of livestock and crop production on the production unit, so minimising any form of pollution, in particular of the soil and of surface and ground water. The number of livestock must be closely related to the area available in order to prevent problems of over-grazing and erosion and to allow for the spreading of livestock manure so that any adverse affect on the environment can be avoided.

(e) Inorganic stock-farming, all livestock on one and the same production unit must be reared in accordance with the provisions of this Ordinance, except as provided by sub-paragraph (f).

(f) Livestock not reared in accordance with the provisions of this Ordinance may be present on the holding provided they are reared on units where the buildings and parcels are separated clearly from the units producing in accordance with the provisions of this Ordinance, and a different species is involved.

(g) By derogation from the requirements of paragraphs (e) and (f) livestock not reared in accordance with the provisions of this Ordinance can use, for a limited period of time each year, the pasturage of units complying with this Ordinance, provided that such animals come from extensive husbandry (as defined in Article 6(5) of Regulation (EC) number 950/97 or, for other species not mentioned in that Regulation, the number of animals per hectare corresponding to 170kg of Nitrogen per year per hectare as defined in Schedule 6 to this Ordinance) and provided that other animals which are subject to the requirements of this Ordinance are not present on this pasturage at the same time. Use of this derogation must be authorised in advance by the inspection authority or inspection body.

7. CONVERSION

(a) *Conversion of land associated with organic livestock production*

(i) Where a production unit is converted, the whole area of the unit used for animal feed must comply with the rules on organic farming, using the conversion periods established in Part 1 of this Schedule relating to plants and plant products.

(ii) By way of derogation from the principles stated in sub-paragraph (i), the conversion period may be reduced to one year for pasturages, open air runs and exercise areas used by non-herbivore species. This period may be reduced to 6 months where the land concerned has not in the recent past received treatments with products other than those referred to in Schedule 2. This derogation must be authorised by the inspection authority or body.

(b) *Conversion of livestock and livestock products*

(i) if livestock products are to be sold as organic products, the livestock must be reared according to the rules laid down in this Ordinance for at least —

- 12 months in the case of equidae and bovines (including bubalus and bison species) for meat production, and in any case at least three quarters of their lifetime,

- 6 months in the case of small ruminants and pigs (but for a transitional period expiring on 24 August 2003, the period for pigs is 4 months),
- 6 months in the case of animals for milk production (however during a transitional period expiring on 24 August 2003, the period is 3 months),
- 10 weeks for poultry for meat production, brought in before they are 3 days old,
- 6 weeks in the case of poultry for egg production.

(ii) by way of derogation from sub-paragraph (i) and for the constitution of a herd or flock, calves and small ruminants for meat production can be sold as organically reared during a transitional period expiring 31 December 2003, provided that —

- they come from extensive husbandry,
- they are reared in the organic-production unit until the time of sale or slaughter, for a minimum period of 6 months for calves and 2 months for small ruminants,
- the origin of the animals complies with the conditions expressed in the fourth and fifth indents of paragraph 8(d).

(c) *Simultaneous conversion*

(i) by derogation from paragraphs 7(b)(i), 9(2) and 9(4) if there is a simultaneous conversion of the complete production unit, including livestock, pasturage and/or any land used for animal feed. the total combined conversion period for both livestock, pasturage and any land used for animal feed is reduced to 24 months subject to the following conditions —

- (A) the derogation applies only to the existing animals and their offspring and at the same time also to the land used for animal feed or pasturage before starting the conversion; and
- (B) the animals are mainly fed with products from the production unit.

8. ORIGIN OF THE ANIMALS

(a) In the choice of breeds or strains, account must be taken of the capacity of animals to adapt to local conditions, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production (for example, porcine stress syndrome, PSE syndrome, sudden death, spontaneous abortion, difficult births requiring caesarian operations, etc). Preference is to be given to indigenous breeds and strains.

(b) Livestock must come from the production units which comply with the rules on the various types of livestock production laid down in section 4 and in this Schedule. Throughout their life this system of production must be applied.

(c) By way of a first derogation, subject to the prior approval by the inspection authority or body, livestock existing on the livestock production unit, not complying with the provisions of this Ordinance can be converted.

(d) By way of a second derogation, when a herd is constituted for the first time and organically reared animals are not available in sufficient numbers, non-organically reared livestock may be brought into an organic livestock production unit, subject to the following conditions —

- pullets for the production of eggs must not be more than 18 weeks old,
- chicks for broiler production must be less than 3 days old at the time when they leave the production unit where they were produced,
- buffalo must be less than 6 months old,

- calves and horses must be reared according to the rules of this regulation as soon as they are weaned and in any case they must be less than 6 months old,
 - ewes and goats must be reared according to the requirements of this Ordinance as soon as they are weaned and they must weigh less than 25 kilogrammes.
- (e) The derogation contained in paragraph (d) must be authorised beforehand by the inspection authority or body and applies for a transitional period expiring on 31 December 2003.
- (f) By way of a third derogation, the renewal or reconstitution of the herd or flock must be authorised by the inspection authority or body when organically reared animals are not available, and in the following cases —
- (i) high mortality of animals caused by health or catastrophic circumstances;
 - (ii) for a transitional period expiring on 31 December 2003, pullets for egg production no more than 18 weeks old;
 - (iii) for a transitional period expiring on 31 December 2003, poultry for meat production less than 3 days old, and pigs as soon as they are weaned and provided that they weigh less than 25 kilogrammes.
- (g) By way of a fourth derogation, subject to a maximum of 10 percent of adult equine or bovine (including bubalus and bison species) livestock and 20 percent of the adult porcine, ovine and caprine livestock, livestock may be brought in, as female (nulliparous) animals, from non-organic production stock-farms per year, when organically reared animals are not available, and only when authorised by the inspection authority or body.
- (h) The percentages provided for by the derogation contained in paragraph (g) does not apply to production units with less than 10 equine or bovine animals, or with less than 5 porcine, ovine or caprine animals and for these units any renewal as provided for in paragraph (g) is limited to a maximum of 1 animal per year.
- (i) The percentages mentioned in paragraph (g) may be increased to up to 40 percent following the opinion and agreement of the inspection authority or body in the following special cases —
- when a major extension to the stock-farm is undertaken;
 - when a breed is changed;
 - when a new livestock specialisation is developed.
- (j) By way of a fifth derogation, males for breeding may be brought in from non-organic production stock-farms provided that the animals are subsequently reared and always fed in accordance with the provisions of this Ordinance.
- (k) Where livestock comes from units not complying with this Ordinance in accordance with the conditions and restrictions set out in paragraphs (c) to (k), the periods laid down in paragraph 7(b)(i) must be observed if the products are to be sold as being from organic production and during these periods all the requirements of this Ordinance must be complied with in relation to such livestock.
- (l) Where livestock is obtained from units not complying with the requirements of this Ordinance, special attention must be paid to animal health measures. The inspection authority or body may apply, as it sees fit, special measures, such as screening tests and quarantine periods.

9. FEED

- (a) Feed is intended to ensure quality production rather than maximising production, while meeting the nutritional requirements of the livestock at various stages of their development. Fattening practices are authorised insofar as they are reversible at any stage of the rearing process. Force-feeding is forbidden.
- (b) Livestock must be fed on organically produced feedingstuffs.
- (c) Furthermore, livestock must be reared in accordance with the rules set out in this Schedule, preferably using feed from the unit or, when this is not possible, using feed from other units or enterprises subject to the provisions of this Ordinance.
- (d) Up to 30 percent of the feed formula of rations on average may compromise in-conversion feedingstuffs. When the in-conversion feedingstuffs come from a unit of the same holding, this percentage may be increased to 60 percent.
- (e) The feeding of young mammals must be based on natural milk, preferably maternal milk. All mammals must be fed on natural milk for a minimum period, depending on the species concerned, which shall be 3 months for bovines (including bubalus and bison species) and equidae, 45 days for sheep and goats and 40 days for pigs.
- (f) Rearing system for herbivores must be based on maximum use of pasturage according to the availability of pastures in the different periods of the year. At least 60 percent of the dry matter in daily rations is to consist of roughage, fresh or dried fodder, or silage. Nevertheless the inspection authority or body can permit a reduction to 50 percent for animals in dairy production for a maximum period of 3 months in early lactation.
- (g) By way of a derogation from paragraph (b), for a transitional period expiring on 24 August 2005, the use of a limited proportion of convenient feedingstuffs is authorised where the farmer is unable to obtain feed exclusively from organic production. The maximum percentage of conventional feedingstuffs authorised per year is 10 percent in the case of herbivores and 20 percent for other species. These figures are to be calculated annually as a percentage of the dry matter of feedingstuffs from agricultural origin. The maximum percentage authorised of conventional feedingstuffs in the daily ration must be 25 percent calculated as a percentage of the dry matter.
- (h) By derogation from paragraph (g), when forage production is lost, in particular as a result of exceptional weather conditions, the competent authority may authorise for a limited period and in relation to a specific area, a higher percentage of conventional feedingstuffs where such a derogation is warranted. Upon approval by the competent authority, the inspection authority or inspection body shall apply this derogation to individual operators.
- (i) For poultry, the feed formula used in the fattening stage must contain at least 65 percent cereals.
- (j) Roughage, fresh or dried fodder, or silage must be added to the daily ration for pigs and poultry.
- (k) Only products listed in Schedule 2, Part 4, paragraphs 1(e) and 3(a) can be used as additives and processing aids, respectively, in silage.
- (l) Conventional feed materials of agricultural origin can be used for animal feeding only if listed in Schedule 2, Part 2, paragraph 1 (feed materials from plant origin) subject to the quantitative restrictions imposed in this Schedule, and only if they are produced or prepared without the use of chemical solvents.

(m) Feed materials from animal origin (whether conventional or organically produced) can only be used if listed in Schedule 2, Part 3, paragraph 2, and subject to the quantitative imposed in this Schedule.

(n) In order to satisfy nutritional requirements of livestock, only products listed in Schedule 2, Part 3, Section C (feed materials from mineral origin) and Part 4 paragraph (a) (trace elements) and (b) (vitamins, pro-vitamins and chemically well defined substances having a similar effect), can be used for animal feeding.

(o) Only products listed in Schedule 2, Part 4, Section A, paragraphs (c) (enzymes), (d) (micro-organisms), (f) (binders, anti-caking agents and coagulants), Schedule 2, Part 4, Section B (certain products used in animal nutrition) and Schedule 2, Part 4, Section C (processing aids in feedingstuffs) can be used in animal feeding for the purposes indicated with respect to the above-mentioned categories. Antibiotics, coccidiostatics, medicinal substances, growth promoters or any other substance intended to stimulate growth or production shall not be used in animal feeding.

(p) Feedingstuffs, feed materials, compound feedingstuffs, feed additives, processing aids for feedingstuffs and certain products used in animal nutrition must not have been produced with the use of genetically modified organisms or products derived therefrom.

10. DISEASE PREVENTION AND VETERINARY TREATMENT

(a) Disease prevention in organic livestock production shall be based on the following principles —

(i) the selection of appropriate breeds or strains of animals as detailed in paragraph 8;

(ii) the application of animal husbandry practices appropriate to the requirements of each species, encouraging strong resistance to disease and the prevention of infections;

(iii) the use of high quality feed together with regular exercise and access to pasturage, having the effect of encouraging the natural immunological defence of the animal; and

(iv) ensuring an appropriate density of livestock, thus avoiding overstocking and any resulting animal health problems.

(b) The principles set out in paragraph (a) should limit animal-health problems so that they can be controlled mainly by prevention.

(c) If, despite all of the above preventive measures, an animal becomes sick or injured, it must be treated immediately, if necessary in isolation, and in suitable housing.

(d) The use of veterinary medicinal products in organic farming shall comply with the following principles —

(i) phytotherapeutic (for example, plant extracts (excluding antibiotics) essences, etc), homeopathic products (for example plant, animal or mineral substances) and trace elements and products listed in Part 3, Section C of Schedule 2, shall be used in preference to chemically-synthesised allopathic veterinary medicinal products or antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended;

(ii) if the use of the above products should not prove, or is unlikely to be, effective in combating illness or injury, and treatment is essential to avoid suffering or distress to the animal, chemically-synthesised allopathic veterinary medicinal products or antibiotics may be used under the responsibility of a veterinary surgeon;

(iii) the use of chemically synthesised allopathic veterinary medicinal products or antibiotics for preventive treatments is prohibited.

- (e) In addition to the above principles, the following rules apply —
- (i) the use of substances to promote growth or production (including antibiotics, coccidostatics and other artificial aids for growth promotion purposes) and the use of hormones or similar substances to control reproduction (for example induction or synchronisation of oestrus) or for other purposes, is prohibited. Nevertheless hormones may be administered to an individual animal, as a form of therapeutic veterinary treatment.
 - (ii) veterinary treatments to animals, or treatments to buildings, equipment and facilities, which are compulsorily under Falkland Islands law are authorised, including the use of immunological veterinary medicinal products when a disease has been recognised as present in a specific area in which the production unit is located.
- (f) Whenever veterinary medicinal products are to be used the type of product must be recorded clearly, (including an indication of the active pharmacological substances involved) together with details of the diagnosis, the posology, the method of administration, the duration of the treatment, and the legal withdrawal period. This information is to be declared to the inspection authority or inspection body before the livestock or livestock products are marketed as organically produced. Livestock treated must be clearly identified, individually in the case of large animals and individually or by batch, in the case of poultry and small animals.
- (g) The withdrawal period between the last administration of an allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced food stuffs from such animals, is to be twice the legal withdrawal period or, in a case in which this period is not specified, 48 hours.
- (h) With the exception of vaccinations, treatments for parasites and any compulsory eradication schemes established by Falkland Islands law, where an animal or group of animals receives more than 2 or a maximum of 3 courses of treatments with chemically-synthesised allopathic veterinary medicinal products or antibiotics within 1 year (or more than one course of treatment if their productive life-cycle is less than 1 year) the livestock concerned, or produce derived from them, may not be sold as being products produced in accordance with this Ordinance, and the livestock must undergo the conversion periods laid down in Part 2 of this Schedule, subject to the agreement of the inspection authority or inspection body.

11. HUSBANDRY MANAGEMENT PRACTICES, TRANSPORT AND IDENTIFICATION OF LIVESTOCK PRODUCTS

(a) *Husbandry practices*

- (i) In principle, the reproduction of organically reared livestock should be based on natural methods. Nevertheless artificial insemination is permitted. Other forms of artificial or assisted reproduction (for example, embryo transfers) are prohibited.
- (ii) Operations such as attaching elastic bands to the tails of sheep, tail docking, cutting of teeth, trimming of beaks and de-horning must not be carried out systematically in organic farming. Some of these operations may, however, be authorised by the inspection authority or inspection body, for reasons of safety (for example de-horning in young animals) or if they are intended to improve the health, welfare or hygiene of the livestock. Such operations must be carried out at the most appropriate age by qualified personnel and any suffering to the animals must be reduced to a minimum.

(iii) Physical castration is allowed in order to maintain the quality of products and traditional production practices (meat-type pigs, bullocks, capons, etc) but only under the conditions set out in the last sentence of (ii).

(iv) Keeping livestock tethered is forbidden. Nevertheless, by derogation from this principle, the inspection authority or inspection body can authorise this practice for individual animals upon justification by the operator that it is necessary for safety or welfare reasons, and that such tethering is only for a limited period of time.

(v) By derogation from the provisions of sub-paragraph (iv), cattle may be tethered in buildings existing before 24 August 2000, provided that regular exercise is provided and rearing takes place in line with animal welfare requirements with comfortably littered areas as well as individual management. This derogation must be authorised by the inspection authority or inspection body and may apply only for a transitional period expiring on 31 December 2010.

(vi) By way of further derogation, cattle in smallholdings may be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have at least twice a week access to pastures, open air runs or exercise areas.

(vii) Where livestock are reared in groups, the size of the group must depend upon their stage of development and the behavioural needs of the species concerned. The keeping of livestock in conditions, or on a diet, which may encourage anaemia is prohibited.

(viii) For poultry, the minimum age at slaughter is —

- 81 days for chickens,
- 150 days for capons,
- 49 days for Peking ducks,
- 70 days for female Muscovy ducks,
- 84 days for male Muscovy ducks,
- 92 days for Mallard ducks,
- 94 days for Guinea fowl,
- 140 days for turkeys and roasting geese.

Where producers do not apply these minimum slaughter ages, they must use slow growing strains.

(b) *Transport*

(i) Transport of livestock must be carried out so as to limit the stress suffered by the animals in accordance with the relevant Falkland Islands law in force. Loading and unloading must be carried out with caution and without the use of any type of electrical stimulation to coerce the animals. The use of any allopathic tranquilliser, prior to and during transport, is prohibited.

(ii) During the period leading up to and at the time of slaughter, livestock must be handled in such a way that stress to the animals is reduced to a minimum.

(c) *Identification of livestock products*

Livestock and livestock products are to be identified at all stages of their production, preparation, transport and marketing.

12. LIVESTOCK MANURE

(a) The total amount of manure, as defined in Directive 91/676/EEC, applied on the holding must not exceed 170 kilogrammes per year per hectare of agricultural area used, the amount

specified in Annex III of that Directive. Where necessary, the total stocking density shall be reduced to avoid exceeding the limit expressed above.

(b) To determine the appropriate density of livestock referred to in sub-paragraph (a), the livestock units equivalent to 170 kilogrammes of Nitrogen per year per hectare of agricultural area used for the various categories of animals shall be set out by the competent authority taking as a guideline the figures laid down in Schedule 6.

(c) Organic-production holdings may establish co-operation with other holdings and enterprises which comply with the provisions of this Ordinance, with the intention of spreading surplus manure from organic production. The maximum limit of 170 kilogrammes of Nitrogen from manure per year per hectare of agricultural area used will be calculated on the basis of all the organic-production units involved in such a co-operation.

(d) Storage facilities for livestock manure must be of a capacity to preclude the pollution of water by direct discharge, or by run-off and infiltration of the soil.

(e) To ensure sound fertiliser management, the capacity of such storage facilities for livestock manure must exceed the storage capacity required for the longest period of the year in which any application of fertiliser to the land is either inappropriate in accordance with the codes of good agricultural practice established by the competent authority, or when such application is prohibited by the competent authority, in cases where the production unit is located within a designated nitrate vulnerable zone.

13. FREE RANGE AREAS AND LIVESTOCK HOUSING

(a) *General principles*

(i) Housing conditions for livestock must meet the livestock's biological and ethological needs (for example, behavioural needs as regards appropriate freedom of movement and comfort). The livestock must have easy access to feeding and watering. Installation, heating and ventilation of the building must ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within limits which are not harmful to the animals. The building must permit plentiful natural ventilation and light to enter.

(ii) Free-range, open-air exercise areas, or open-air runs must, if necessary, provide sufficient protection against rain, wind, sun and extreme temperatures, depending on the local weather conditions and the breed concerned.

(b) *Stocking densities and the avoidance of over-grazing*

(i) Housing for livestock will not be mandatory in areas with appropriate climatic conditions to live outdoors.

(ii) The stocking density in buildings shall provide for the comfort and well-being of the animals which, in particular, shall depend on the species, the breed and the age of the animals. It shall also take account of the behavioural needs of the animals which depend in particular on the size of the group and the animals sex. The optimum density will seek to ensure that animals welfare by providing them with sufficient space to stand naturally, lie down easily, turn around, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.

(iii) The minimum surface areas for indoor housing and outdoor exercise areas and other characteristics of housing for different species and categories of animals are laid out in Schedule 7.

(iv) The outdoor stocking density of livestock kept on pasturage, other grassland, heathland, wetland, heather, and other natural or semi-natural habitats, must be low enough to prevent poaching of the soil and over-grazing of vegetation.

(v) Housing, pens, equipment and utensils must be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Only the products listed in Part 5 of Schedule 2 may be used for such cleaning and disinfection of livestock buildings and installations. Faeces, urine and uneaten or spilt food must be removed as often as necessary to minimise smell and to avoid attracting insects or rodents. Only the products referred to in Part 2, Section B of Schedule 2 can be used for the elimination of insects and other pests in buildings and other installations where livestock is kept.

(c) *Mammals*

(i) Subject to the provisions of paragraph 5(c), all mammals must have access to pasturage or an open-air exercise area or an open-air run which may be partially covered, and they must be able to use those areas whenever the physiological condition of the animal, the weather conditions and the state of the ground permit. Herbivores must have access to pasturage whenever conditions allow.

(ii) In cases where herbivores have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open-air exercise areas or open-air runs during the winter months may be waived.

(iii) Notwithstanding the last sentence of sub-paragraph (ii), bulls over 1 year old must have access to pasturage or an open-air exercise area or an open-air run.

(iv) By way of derogation from sub-paragraph (1), the final fattening phase of cattle, pigs and sheep for meat production may take place indoors, provided that this indoors period does not exceed one fifth of their lifetime and in any case a maximum period of 3 months.

(v) Livestock housing must have smooth, but not slippery, floors. At least half of the total floor area must be solid, that is, not of slatted or of grid construction.

(vi) The housing must be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material must be provided in the rest area. The litter must comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product authorised for use as a fertiliser in organic farming in accordance with Part 1 of Schedule 2.

(vii) With regard to the rearing of calves, all holdings must comply with Directive 91/629/EEC laying down minimum standards for the protection of calves. The housing of calves in individual boxes is forbidden after the age of 1 week.

(viii) As regards the rearing of pigs, all holdings must comply with Directive 91/630/EEC laying down minimum standards for the protection of pigs. However, sows must be kept in groups, except in the last stages of pregnancy and during the suckling period. Piglets may not be kept on flat decks or in piglet cages. Exercise areas must permit dunging and rooting by the animals. For the purpose of rooting different substrates can be used.

(d) *Poultry*

(i) Poultry must be reared in open-range conditions and cannot be kept in cages.

(ii) Waterfowl must have access to a stream, pond or lake whenever the weather conditions permit in order to respect animal welfare requirements or hygienic conditions.

(iii) Buildings for all poultry must meet the following minimum conditions —

- at least one third shall be solid, that is, not of slatted or of grid construction, and covered with a litter of material such as straw, wood shavings, sand or turf;
- in poultry houses for laying hens, a sufficiently large part of the floor area available to the hens must be available for the collection of bird droppings;
- they must have perches of a size and number commensurate with the size of the group and of the birds as laid down in Schedule [7];
- they must have exit/entry pop-holes of a size adequate for the birds, and these holes must have a combined length of at least four metres per hundred square metres of area of the house available to the birds;
- each poultry house must contain not more than —
 - ◆ 4800 chickens,
 - ◆ 3000 laying hens,
 - ◆ 5200 guinea fowl,
 - ◆ 4000 female Muscovy or Peking ducks, or 3200 males Muscovy or Peking ducks or other ducks,
 - ◆ 2500 capons, geese or turkeys
- the total usable area of poultry houses for meat production on any single production unit must not exceed 1600 square metres.

(iv) In the case of laying hens natural light may be supplemented by artificial means to provide a maximum of 16 hours light per day with a continuous nocturnal rest period without artificial light of at least 8 hours.

(v) Poultry must have access to an open-air run whenever the weather conditions permit and, whenever, must have such access for at least one third of their life. These open-air runs must be mainly covered with vegetation, be provided with protective facilities, and permit the birds to have easy access to adequate numbers of drinking and feeding troughs.

(vi) For health reasons, buildings must be emptied of livestock between each batch of poultry reared. The buildings and fittings are to be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs must be left empty to allow vegetation to grow back, and for health reasons. These requirements do not apply to small numbers of poultry which are not kept in runs and which are free to roam throughout the day.

PART 3

BEE KEEPING AND BEE KEEPING PRODUCTS

[Note: this Part is deliberately left blank until such time as it may be relevant to make provision for this topic]

SCHEDULE 2
PART 1
FERTILISERS AND SOIL CONDITIONERS
[Use only in accordance with the provisions of Schedule 1]

Name	Description, compositional requirements, conditions for use
Compound products of products containing only materials listed hereunder:	
— Farmyard manure	Product comprising a mixture of animal excrements and vegetable matter (animal bedding) Need recognised by the inspection body or inspection authority Indication of the animal species Coming from extensive husbandry and only in the sense of Article 6(5) of Council Regulation (EEC) No 2328/91, as last amended by Regulation (EC) No 3669/93
— Dried farmyard manure and dehydrated poultry manure	Need recognised by the inspection body or inspection authority Indication of animal species Coming from extensive husbandry and only in the sense of Article 6(5) of Council Regulation (EEC) No 2328/91
— Composted animal excrements, including poultry manure and composted farmyard manure included	Need recognised by the inspection body or inspection authority Indication of the animal species Factory farming origin forbidden
— Liquid animal excrements (slurry, urine, etc.)	Use after controlled fermentation and/or appropriate dilution Need recognised by the inspection body or inspection authority Indication of the animal species Factory farming origin forbidden
— Peat	Use limited to horticulture (market gardening, floriculture, arboriculture, nursery)
— Mushroom culture wastes	The initial composition of the substrate must be limited to products of the present list
— Dejecta of worms (vermicompost) and insects	
— Guano	Need recognised by the inspection body or inspection authority
— Composted mixture of vegetable matter	Need recognised by the inspection body or inspection authority
— Products or by-products of animal origin as below:	Need recognised by the inspection body or inspection authority
— blood meal	
— hoof meal	
— horn meal	
— bone meal or degelatinised bone meal	
— fish meal	
— meat meal	
— feather, hair and 'chiquette' meal	
— wool	
— fur	
— hair	
— dairy products	

— Products and by-products of plant origin for fertilisers (for instance: oilseed cake meal, cocoa husks, malt culms, etc.)	
— Seaweeds and seaweed products	Only as far as obtained by: (i) physical processes including dehydration, freezing and grinding; (ii) extraction with water or aqueous acid and/or alkaline solution (iii) fermentation
— Sawdust and wood chips	Wood not chemically treated after felling
— Composted bark	Wood not chemically treated after felling
— Wood ash	From wood not chemically treated after felling
— Soft ground rock phosphate	Product as specified by Council Directive 76/116/EEC, as last amended by Directive 89/284/EEC Cadmium content less than or equal to 90 mg/kg of P205
— Aluminium calcium phosphate	Product as specified by Council Directive 76/116/EEC, as last amended by Directive 89/284/EEC Cadmium content less than or equal to 90 mg/kg of P205 Use limited to basic soils (pH > 7,5)
— Basic slag	Need recognised by the inspection body or inspection authority
— Crude potassium salt (for instance: kainit, sylvinit, etc.)	Need recognised by the inspection body or inspection authority
— Potassium sulphate containing magnesium salt	Need recognised by the inspection body or inspection authority Derived from crude potassium salt Ammonium stillage excluded
— Stillage and stillage extract	
— Calcium carbonate of natural origin (for instance: chalk, marl, ground limestone, Breton ameliorant, (maërl), phosphate chalk)	Only of natural origin
— Magnesium and calcium carbonate of natural origin (for instance: magnesian chalk, ground magnesium limestone, etc.)	Need recognised by the inspection body or inspection authority
— Calcium chloride solution	Foliar treatment of apple trees, after identification of deficit of calcium Need recognised by the inspection body or inspection authority
— Calcium sulphate (gypsum)	Product as specified by Council Directive 76/116/EEC, as last amended by Directive 89/284/EEC Only of natural origin
— Elemental sulphur	Product as specified by Council Directive 76/446/EEC, as last amended by Directive 89/284/EEC Need recognised by the inspection body or inspection authority
— Trace elements	Trace elements included in Directive 89/530/EEC Need recognised by the inspection body or inspection authority
— Sodium Chloride	Only mined salt Need recognised by the inspection body or inspection authority
— Stone meal	

**PART 2
PESTICIDES**

A. Products for plant protection

[Use in accordance with provisions of Schedule 1]

Name	Description, compositional requirements, conditions for use
I Substances of crop or animal origin II Micro-organisms used for biological pest control III Substances to be used in traps and/or dispenses	The traps and/or dispensers must prevent the penetration of the substances in the environment and prevent contact of the substances with the crops under cultivation and the traps must be collected daily

B. Products for pest and disease control in livestock buildings and installations

Name	Description, compositional requirements, conditions for use
Products listed in section A.	Rodenticides

**PART 3
FEED MATERIALS**

A. Feed materials from plant origin

Name	Description, compositional requirements, conditions for use
(a) cereals, grains, their products and by-products.	the following substances are included in this category — oats as grains, flakes, middlings, hulls and bran; barley as grains, protein and middlings; rice as grains, rice broken, bran, and germ expeller; millet as grains; rye as grains, middlings, feed and bran; sorghum as grains; wheat as grains, middlings, bran, gluten feed, gluten and germ; spelt as grains; triticale as grains; maize as grains, bran, middlings, bran, germ expeller and gluten; malt culms; brewers' grains.
(b) oil seeds, oil fruits, their products and by-products.	the following substances are included in this category — rapeseed, expeller, and hulls; soyabean as bean, posted, expeller and hulls; sunflower seed as seed and expeller; cotton as seed and seed expeller; linseed as seed and expeller; sesame seed as seed and expeller; palm kernels as expeller; turnip rapeseed as expeller and hulls; pumpkin seed as expeller; olive pulp (from physical extraction of olives).
(c) legume seeds, their products and by-products	the following substances are included in this category — chickpeas as seeds; ervil as seeds;

(d) tuber roots, their products and by-products	<p>chickling vetch as seeds submitted to an appropriate heat treatment;</p> <p>peas as seeds, middlings and bran;</p> <p>broad beans as seeds, middlings and bran;</p> <p>horse beans as seeds, vetches as seeds and lupin as seeds.</p> <p>the following substances are included in this category —</p> <p>sugar beet pulp;</p> <p>dried beet;</p> <p>potato;</p> <p>sweet potato as tuber;</p> <p>manioc as roots;</p> <p>potato pulp (by-product of the extraction of potato starch);</p> <p>potato starch;</p> <p>potato protein and tapioca.</p>
(e) other seeds and fruits, their products and by-products	<p>the following substances are included in this category —</p> <p>carob pods;</p> <p>citrus pulp;</p> <p>apple pomace;</p> <p>tomato pulp;</p> <p>grape pulp.</p>
(f) forages and roughages	<p>the following substances are included in this category —</p> <p>lucerne;</p> <p>lucerne meal;</p> <p>clover;</p> <p>clover meal;</p> <p>grass (obtained from forage plants);</p> <p>grass meal;</p> <p>hay;</p> <p>silage;</p> <p>straw of cereals;</p> <p>and root vegetables for foraging.</p>
(g) other plants, their products and by-products	<p>the following substances are included in this category —</p> <p>molasses as a binding agents in compound feedingstuffs;</p> <p>seaweed meal (obtained by drying and crushing seaweed and washed to reduce iodine content);</p> <p>powders and extracts of plants;</p> <p>plant protein extracts (solely provided to young animals),</p> <p>spices and herbs.</p>

B. Feed materials from animal origin

Name	Description, compositional requirements, conditions for use
(a) milk and milk products	<p>the following substances are included in this category —</p> <p>raw milks as defined in Article 2 of Directive 92/46/EEC;</p> <p>milk powder;</p> <p>skimmed milk;</p> <p>skimmed-milk powder;</p> <p>butter milk;</p> <p>butter-milk powder;</p> <p>whey;</p> <p>whey powder;</p>

(b) fish, other marine animals, their products and by-products	<p>whey powder low in sugar; whey protein powder (extracted by physical treatment); cassein powder and lactose powder.</p> <p>the following substances are included in this category — fish, fish oil and cod-liver oil not refined; fish molluscan or crustacean autolysates, hydrolysate and proteolysates obtained by an enzyme action, whether or not in soluble form, solely provided to young animals; fish meal.</p>
--	--

C. Feed materials from mineral origin

Name	Description, compositional requirements, conditions for use
	<p>the following substances are included in this category —</p> <p>sodium — unrefined sea salt, coarse rock salt, sodium sulphate, sodium carbonate, sodium bicarbonate, sodium chloride;</p> <p>calcium — lithoamion and mäerl, shells of aquatic animals (including cuttlefish bones), calcium carbonate, calcium lactate, calcium gluconate;</p> <p>phosphorous — bone dicalcium, phosphate precipitate, deflourinated dicalcium phosphate, deflourinated monocalciumphosphate;</p> <p>magnesium — anhydrous magnesia, magnesium sulphate, magnesium chloride, magnesium carbonate;</p> <p>sulphur — sodium sulphate.</p>

PART 4
FEED ADDITIVES, CERTAIN SUBSTANCES USED IN ANIMAL NUTRITION
(DIRECTIVE 82/471/EEC) AND PROCESSING AIDS USED IN FEEDINGSTUFFS

A. Feed additives

Name	Description, compositional requirements, conditions for use
(a) trace elements	the following substances are included in this category — [<i>intentionally left blank</i>]
(b) vitamins, provitamins and chemically well defined substances having a similar effect	the following substances are included in this category — vitamins authorised under Directive 70/524/EEC — <ul style="list-style-type: none"> • preferably derived from raw materials occurring naturally in feedingstuffs, or • synthetic vitamins identical to natural vitamins only for monogastric animals.
(c) enzymes	the following substances are included in this category — enzymes authorised under Directive 70/524/EEC
(d) micro-organisms	the following micro-organisms are included in this category — micro-organisms authorised under Directive 70/524/EEC
(e) preservatives	the following substances are included in this category — E236 Formic acid only for silage, E260 Acetic acid only for silage, E270 Lactic acid only for silage, E280 Propionic acid only for silage,
(f) binders, anti-caking agents and coagulants	the following substances are included in this category — E551b Colloidal silica, E551c Kieselgur, E553 Sepiolite, E558 Bentonite, E559 Kaolinitic clays, E561 Vermiculite, E599 Perlite.

B. Certain products used in animal nutrition

Name	Description, compositional requirements, conditions for use
	the following products are included in this category — [<i>intentionally left blank</i>]

C. Processing aids used in feedingstuffs

Name	Description, compositional requirements, conditions for use
(a) processing aids for silage	the following substances are included in this category — sea salt, coarse rock salt, enzymes, yeasts, whey, sugar, sugar beet pulp, cereal flour, molasses,

lactic,
acetic,
formic, and
propionic bacteria
when weather conditions do not allow for adequate
fermentation, the inspection authority or inspection body
may authorise the use of lactic, formic, propionic and
acetic acids in the production of silage.

PART 5

PRODUCTS AUTHORISED FOR CLEANSING AND DISINFECTION OF LIVESTOCK BUILDINGS AND INSTALLATIONS (FOR EXAMPLE, EQUIPMENT AND UTENSILS)

Potassium and Sodium salt,
Water and steam,
Milk of lime,
Lime,
Quick lime,
Sodiumhypochlorite (for example as liquid bleach),
Caustic soda,
Caustic potash,
Hydrogen peroxide,
Natural essences of plants,
Citric, peracetic acid, formic, lactic, oxalic and acetic acid,
Alcohol,
Nitric acid (dairy equipment),
Phosphoric acid (dairy equipment),
Formaldehyde, cleaning and disinfection products for teats and milking facilities,
Sodium carbonate.

PART 6

OTHER PRODUCTS

[This Part is intentionally left blank]

SCHEDULE 3

MINIMUM INSPECTION REQUIREMENTS AND PRECAUTIONARY MEASURES UNDER THE INSPECTION SCHEME

A. 1. Plants and plant products from farm production or collection

1. Production must take place in a unit the land parcels and production and storage locations of which are clearly separate from those of any other unit not producing in accordance with the rules laid down in this Regulation; processing and/or packaging workshops may form part of the unit, where its activity is limited to processing and packaging of its own agricultural produce.

2. When the inspection arrangements are first implemented, the producer, even where his activity is limited to the collection of wild plants, and the inspection body must draw up:
 - a full description of the unit, showing the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place,
 - all the practical measures to be taken by the producer at unit-level to ensure compliance with the provisions of this Ordinance,
 - and, in case of collection of wild plants, the guarantees given by third parties, if appropriate where relevant which the producer can provide to ensure that the provisions of Schedule 1, paragraph 4 are satisfied.

The description and the measures concerned must be contained in an inspection report countersigned by the producer concerned.

In addition, the report must specify:

- the date of the last application on the parcels and/or collection areas concerned of products, the use of which is not compatible with section 4(1)(b),
- an undertaking by the producer to carry out operations in accordance with section 9 and to accept, in the event of infringement, enforcement of the measures referred to in section 7(8) and, where relevant, in section 8(3).

3. Each year, before the date indicated by the inspection body, the producer must notify the body of its schedule of production of crop products, giving a breakdown by parcel.

4. Written and/or documentary accounts must be kept which enable the inspection body to trace the origin, nature and quantities of all raw materials bought, and the use of such materials; in addition, written or documentary accounts must be kept of the nature, quantities and consignees of all agricultural products sold. Quantities sold directly to the final consumer shall be accounted on a daily basis.

Where the unit itself processes its own agricultural produce, the accounts must contain the information as referred to in paragraph 15, third hyphen of this Schedule.

5. Storage, in the unit, of input products other than those the use of which is compatible with section 4(1)(b) is prohibited.

6. Apart from unannounced inspection visits, the inspection body must make a full physical inspection, at least once a year, of the unit. Samples for testing of products not authorised under this Ordinance may be taken. However, such samples must be taken where the use of unauthorised products is suspected. An inspection report must be drawn up after each visit, countersigned by the responsible person of the unit.

7. The producer must give the inspection body, for inspection purposes, access to the storage and production premises and to the parcels of land, as well as to the accounts and relevant supporting documents. He must provide the inspection body with any information deemed necessary for the purposes of the inspection.

8.1 Products as referred to in section 3 may be transported to other units, including wholesalers and retailers, only in appropriate packaging or containers closed in a manner preventing substitution of the content and provided with a label stating, without prejudice to any other indications required by law:

- (a) the name and address of the person responsible for the production or preparation of the product, or, where another seller is mentioned, a statement which enables the receiving unit and the inspection body to identify unequivocally the person responsible for the production of the product,
- (b) the name of the product, including a reference to the organic production method, in accordance with section 9.

8.2 However, the closing of packaging or containers is not required where:

- (a) transportation is between a producer and another operator who are both subject to the inspection system referred to in section 7, and
- (b) the products are accompanied by a document giving the information required under the previous subparagraph.

9. Where an operator runs several production units in the same area, producing crops or crop products not covered by section 3, together with storage premises for input products (such as fertilisers, plant protection products, seed) must also be subject to the inspection arrangements as regards the first subparagraph of paragraph 2 and paragraphs 3 and 4. Crops of the same variety as those produced at the unit referred to in paragraph 1 may not be produced at these units. However, producers may derogate from the rule referred to in paragraph 1 may not be produced at these units.

(a) in the case of the production of perennial crop products (fruit growing, vines and hops) provided the following conditions are met:

1. the production in question forms part of a conversion plan in respect of which the producer gives a firm undertaking and which provides for the beginning of the conversion of the last part of the area concerned to organic production in the shortest possible period which may not in any event exceed a maximum of 5 years,
2. appropriate measures have been taken to ensure the permanent separation of the products obtained from each unit concerned,
3. the inspection body or authority is notified of the harvest of each of the products concerned at least 48 hours in advance,
4. immediately upon completion of the harvest, the producer informs the inspection body or authority of the exact quantities harvested on the units concerned together with any particular distinguishing features (such as quality, colour, average weight, etc.) and confirms that the measures taken to separate the products have been applied,
5. the conversion plan and the measures referred to in paragraphs 1 and 2 have been approved by the inspection body or authority. This approval must be confirmed each year after the start of the conversion plan;

(b) in the case of production of seed, vegetative propagating material and transplants, provided that conditions 2, 3 and 4 and the relevant part of condition 5 referred to in (a) are met.

A. 2. Livestock and livestock products produced by animal husbandry

10. When the inspection system applying specifically to livestock production is first implemented, the producer and the inspection authority or inspection body must draw up —

- a full description of the livestock buildings, pasturages, open-air exercise areas, open-air runs, etc, and, where applicable, the premises for the storage, packaging and processing of livestock, livestock products, raw materials and inputs,
- a full description of the installations for the storage of livestock manure,
- a plan for spreading such manure agreed with the inspection authority or inspection body, together with a full description of the areas given over to crop production,
- where appropriate, the arrangements laid down by contact with other farms as regards the spreading of manure,
- a management plan for the organic-production livestock unit (for example management for feeding, reproduction, health, etc),
- all practical measures to be taken on the livestock farm to ensure compliance with this Ordinance.

In addition the report must include an undertaking by the producer to carry out operations in accordance with sections 4 and 9 and to accept, in the event of infringement, enforcements of the measures referred to in section 7(8) and, where relevant, in section 8(3).

11. The general requirements on inspection in paragraphs 1 and 4 of Part A. 1. covering crops and crop products are applicable to livestock and livestock products. By way of a derogation from those rules, the storage of allopathic veterinary medicinal products and antibiotics is permitted on holdings provided that they have been prescribed by veterinary surgeon in connection with treatment as referred to in Schedule 1, but they are stored in a supervised location and that they are entered in the farm register.

12. The livestock must be identified permanently using techniques adapted to each species, individually in the case of large mammals and individually or by batch in the case of poultry and small mammals.

13. Livestock records must be compiled in the form of a register and kept available for inspection by the inspection authority or body at all times at the address of the holding. Such records, which are to provide a full description of the herd or flock management system, must contain the following information —

- by species, as regards livestock arriving at the holding: origin and date of arrival, conversion period, identification mark and veterinary record;
- as regards livestock leaving the holding: age, number of head, weight in case of slaughter on the holding, identification mark and destination;
- details of any animals lost and reasons;
- as regards feed: type, including feed supplements, proportions of various ingredients of rations and periods of access to free-range areas;
- as regards disease prevention and treatment and veterinary care: date of treatment, diagnosis, type of treatment product, method of treatment and practitioners prescription for veterinary care with reasons and withdrawal periods applying before livestock products can be marketed.

B. Units for preparation of plant and livestock products and foodstuffs composed of plant and livestock products

14. When the inspection arrangements are first implemented, the producer and inspection body must draw up:

- a full description of the unit, showing the facilities used for the processing, packaging and storage of agricultural products before and after the operations concerning them,
- all the practical measures to be taken at the level of the unit to ensure compliance with this Regulation.

This description and the measures concerned must be contained in an inspection report, countersigned by the responsible person of the unit.

In addition, the report must include an undertaking by the operator to perform the operations in such a way as to comply with section 9 and to accept, in the event of infringement, the enforcement of the measures referred to in section 7(8) and, where relevant, in section 8(3).

15. Written accounts must be kept enabling the inspection body to trace:

- the origin, nature and quantities of agricultural products as referred to in Article 1 which have been delivered to the unit,
- the nature, quantities and consignees of products as referred to in Article 1 which have left the unit,
- any other information, such as the origin, nature and quantities of ingredients, additives and manufacturing aids delivered to the unit and the composition of processed products, that is required by the inspection body for the purposes of proper inspection of the operations.

16. Where products not referred to in section 3 are also processed, packaged or stored in the unit concerned:

- the unit must have separate areas within the premises for the storage of products as referred to in section 3, before and after the operations,
- operations must be carried out continuously until the complete run has been dealt with, separated by place or time from similar operations performed on products not covered by section 3,
- if such operations are not carried out frequently, they must be announced in advance, with a deadline agreed on with the inspection body,
- every measure must be taken to ensure identification of lots and to avoid mixtures with products not obtained in accordance with the rules laid down in this Regulation.

17. Apart from unannounced inspection visits, the inspection body must make a full physical inspection, at least once a year, of the unit. Samples for testing of products not authorised under this Regulation may be taken. However, they must be taken where the use of unauthorised products is suspected. An inspection report must be drawn up after each visit countersigned by the person responsible for the unit inspected.

18. The operator must give the inspection body, for inspection purposes, access to the unit and to the written accounts and relevant supporting documents. He must provide the inspection body with any information necessary for the purposes of the inspection.

19. Products as referred to in section 3 may be transported to other units, including wholesalers and retailers, only in appropriate packaging or containers closed in a manner preventing substitution of the content and provided with a label stating, without prejudice to any other indications required by law:

(a) the name and address of the person responsible for the production or preparation of the product, or, where another seller is mentioned, a statement which enables the receiving unit and the inspection body to identify unequivocally the person responsible for the preparation of the product;

(b) the name of the product, including a reference to the organic production method according to the relevant provisions of section 9.

On receipt of a product as referred to in section 3, the operator shall check the closing of the packaging or container where it is required and the presence of the indications referred to in the previous paragraph, in paragraph 8.1. The result of this verification shall be explicitly mentioned in the accounts referred to in paragraph B.15. Where the check leaves any doubt that the product concerned came from an operator subject to the inspection system provided for in Article 9, it may only be put into processing or packaging after elimination of that doubt, unless it is placed on the market without indication referring to the organic production method.

SCHEDULE 4

INFORMATION TO BE NOTIFIED AS PROVIDED IN SECTION 6

(a) Name and address of operator;

(b) Location of premises and, where appropriate, parcels (land register data) where operations are carried out;

(c) Nature of operations and products;

(d) Undertaking by the operator to carry out the operations in accordance with sections 4 and 9;

(e) In the case of an agricultural holding, the date on which the producer ceased to apply products the use of which is not compatible with section 4 on the parcels concerned;

SCHEDULE 5

INTRODUCTION

For the purposes of this Schedule, the following definitions will apply:

1. ingredients: substances as defined in section 2 of this Ordinance under the restrictions as referred to in Article 6(4) of Council Directive 2000/13/EC of 20 March 2000 on the approximation of the laws of the Member States relating to labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer;

2. ingredients of agricultural origin:

(a) single agricultural products and products derived therefrom by appropriate washing, cleaning, thermic and/or mechanical processes and/or by physical processes having the effect of reducing the moisture content of the product;

(b) also, products derived from the products mentioned under (a) by other processes used in food processing, unless these products are considered food additives or flavourings as defined under paragraphs 5 or 7 hereunder;

3. ingredients of non-agricultural origin: ingredients other than ingredients of agricultural origin and belonging to at least one of the following categories;

- (a) food additives, including carriers for food additives, as defined under paragraphs 5 and 6 hereunder;
- (b) flavourings, as defined under paragraph 7 hereunder;
- (c) water and salt;
- (d) micro-organism preparations;
- (e) minerals (including trace elements) and vitamins;

4. processing aids: substances as defined in Article 1(3)(a) of Council Directive 89/107/EEC on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption;

5. food additives: substances as defined in Article 1(1) and (2) of Directive 89/107/EEC and covered by that Directive or by a comprehensive Directive as referred to in Article 3(1) of Directive 89/107/EEC;

6. carriers, including carrier solvents: food additives used to dissolve, dilute, disperse or otherwise physically modify a food additive without altering its technological function in order to facilitate its handling, application or use;

7. flavouring: substances and products as defined in Article 1(2) of Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production, and covered by that Directive.

GENERAL PRINCIPLES

Sections A, B and C cover the ingredients and processing aids which may be used in the preparation of foodstuffs composed essentially of one or more ingredients of plant origin, referred to in Article 1(1)(b) of this Regulation, with the exception of wines.

Notwithstanding reference to any ingredient in Sections A and C or any processing aid in Section B, any ingredient or such processing aid shall be used only in accordance with relevant Community legislation and/or national legislation compatible with the Treaty and, in the absence thereof, in accordance with the principles of good manufacturing practice for foodstuffs. In particular, additives shall be used according to the provisions of Directive 89/107/EEC and, where relevant, those of any comprehensive Directive as referred to in Article 3(1) of Directive 89/107/EEC; flavourings shall be used according to the provisions of Directive 88/388/EEC and solvents according to the provisions of Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of food stuffs and food ingredients.

SECTION A - INGREDIENTS OF NON-AGRICULTURAL ORIGIN

A. 1. Food additives, including carriers

	Name	Specific conditions (5)
E 170	Calciumcarbonates	—
E 270	Lactic acid	—
E 290	Carbondioxyde	—
E 296	Malic acid	—
E 300	Ascorbic acid	—
E 306	Tocopherol-rich extract	anti-oxydant in fats and oils
E 322	Lecithins	—
E 330	Citric acid	—
E 333	Calcium citrates	—
E 334	Tartaric acid (L (+) -)	—
E 335	Sodium tartrate	—
E 336	Potassium tartrate	—
E 341	Monocalciumphosphate	raising agent for self raising flour
E 400	Alginic acid	—
E 401	Sodium alginate	—
E 402	Potassium alginate	—
E 406	Agar	—
E 407	Carrageenan	—
E 410	Locust bean gum	—
E 412	Guar gum	—
E 413	Tragacanth gum	—
E 414	Arabic gum	—
E 415	Xanthan gum	—
E 416	Karaga gum	—
E 440 (i)	Pectin	—
E 500	Sodiumcarbonates	—
E 501	Potassiumcarbonates	—
E 503	Ammoniumcarbonates	—
E 504	Magnesiumcarbonates	—
E 516	Calcium sulphate	CR
E 524	Sodiumhydroxyde	surface treatment of Laugengebäck
E 938	Argon	—
E 941	Nitrogen	—
E 948	Oxygen	—

A. 2. Flavourings within the meaning of Directive 88/388/EEC

Substances and products as defined in Article 1(2)(b)(i) and 1(2)(c) of Directive 88/388/EEC labelled as natural flavouring substances or natural flavouring preparations, according to Article 9(1)(d) and (2) of that Directive.

A. 3. Water and salt

Drinking water

Salt (with sodium chloride or potassium chloride as basic components), generally used in food processing.

A. 4. Micro-organism preparations

- (i) Any preparations of micro-organisms normally used in food processing, with the exception of micro-organisms genetically modified within the meaning of Article 2(2) of Directive 90/220/EEC;
- (ii) Micro-organisms genetically modified within the meaning of Article 2(2) of Directive 90/220EEC: if they have been included according to the decision procedure of Article 14.

A. 5. Minerals: including trace elements, vitamins, aminoacids and other nitrogen compounds

Only authorised as far as their use is legally required in the foodstuffs in which they are incorporated.

SECTION B - PROCESSING AIDS AND OTHER PRODUCTS WHICH MAY BE USED FOR PROCESSING OF ORGANICALLY PRODUCED INGREDIENTS OF AGRICULTURAL ORIGIN

Name	Specific conditions
Water	
Calcium chloride	coagulation agent
Calcium carbonate	
Calcium hydroxide	
Calcium sulphate	coagulation agent
Magnesium chloride (or nigari)	coagulation agent
Potassium carbonate	drying of grapes
Sodium carbonate	sugar production
Sodium hydroxyde	sugar production, oil production from rapeseed only
	during a period expiring on 31 March 2002
Sulphuric acid	sugar production
Carbon dioxide	
Nitrogen	
Ethanol	solvent
Tannic acid	filtration aid
Egg white albumen	
Casein	
Gelatin	
Isinglass	
Vegetable oils	greasing, releasing or antifoaming agent
Silicon dioxide gel or colloidal solution	
Activate carbon	
Talc	
Bentonite	
Kaolin	
Diatomaceous earth	
Perlite	
Hazelnut shells	
Rice meal	
Beeswax	releasing agent
Carnauba wax	releasing agent

SECTION C - INGREDIENTS OF AGRICULTURAL ORIGIN WHICH HAVE NOT BEEN
PRODUCED ORGANICALLY

**C. 1. Unprocessed vegetable products, as well as products derived therefrom by processes
referred to**

C. 1. 1. Edible fruits nuts and seeds

Coconuts
Brazil nuts
Cashew nuts
Dates
Pineapples
Mangoes
Papayas
Sloes
Cocoa
Maracujas (Passionfruit)
Cola nuts
Peanuts
Rosehips
Sallowthorns
Blueberries
Maple syrup
Quinoa
Amaranth
Horse radish seed
Pumpkin seed
Pine kernels
Radish seeds

C. 1. 2. Edible spices and herbs

All products with the exception of thyme.

C. 1. 3. Cereals

Millet
Wild rice (zizania plauspra)

C. 1. 4. Oil seeds and oleaginous fruits

Sesamum seeds

C. 1. 5. Miscellaneous

Algae, including seaweed

C. 2. Vegetable products, processed by processes referred to

C. 2. 1. Fats and oils, whether or not refined, but not chemically modified, derived from plants other than —

Olive
Sunflower

C. 2. 2. Sugars, starch, other products from cereals and tubers

Cane and beet sugar
Starches produced from cereals and tubers, not chemically modified
Rice paper
Gluten

C. 2. 3. Miscellaneous

Vinegar from fermented beverages other than wine

C. 3. Animal products

Honey
Gelatine
Milk powder and skimmed milk powder
Edible aquatic organisms, not originating from aquaculture.

SCHEDULE 6

Maximum number of animals per ha Class or species	Maximum number of animals per ha equivalent to 170 kg N/ha/year
Equines over six months old	2
Calves for fattening	5
Other bovine animals less than one year old	5
Male bovine animals from one to less than two years old	3.3
Female bovine animals from one to less than two years old	3.3
Male bovine animals two years old or over	2
Breeding heifers	2.5
Heifers for fattening	2.5
Dairy cows	2
Cull dairy cows	2
Other cows	2.5
Female breeding rabbits	100
Ewes	13.3
Goats	13.3
Piglets	74
Breeding sows	6.5
Pigs for fattening	14
Other pigs	14
Table chickens	580
Laying hens	230

SCHEDULE 7
MINIMUM SURFACE AREAS INDOORS AND OUTDOORS AND OTHER
CHARACTERISTICS OF HOUSING IN THE DIFFERENT SPECIES AND TYPES OF
PRODUCTION

1. BOVINES, OVINE AND PIGS

	Indoors area (net area available to animals)		Outdoors area (exercise area, excluding pasturage)
	Live weight minimum (kg)	M ² /head	M ² /head
Breeding and fattening bovine and equidae	up to 100 up to 200 up to 350 over 350	1.5 2.5 4.0 5 with a minimum of 1 m ² /100 kg	1.1 1.9 3 3.7 with a minimum of 0.75 m ² /100 kg
Dairy cows		6	4.5
Bulls for breeding		10	30
Sheep and goats		1.5 sheep/goat 0.35 lamb/kid	2.5 2.5 with 0.5 per lamb/kid
Farrowing sows with piglets up to 40 days		7.5 sow	2.5
Fattening pigs	up to 50 up to 85 up to 110	0.8 1.1 1.3	0.6 0.8 1
Piglets	over 40 days and up to 30 kg	0.6	0.4
Brood pigs		2.5 female 6.0 male	1.9 8.0

2. POULTRY

	Indoors area (net area available to animals)			Outdoors area (m ² of area available in rotation/head)
	No animals/m ²	cm perch/animal	nest	
Laying hens	6	18	8 laying hens per nest or in case of common nest 120 cm ² /bird	4, provided that the limit of 170 kg of N/ha/year is not exceeded
Fattening poultry (in fixed housing)	10 with a maximum of 21 kg live- weight/m ²	20 (for guinea fowl only)		4 broilers and guinea fowl 4.5 ducks 10 turkey 15 geese In all the species mentioned above the limit of 170 kg of N/ha/year is not exceeded

Fattening poultry in mobile housing

16 (*) in mobile poultry houses with a maximum of 30 kg live-weight/m²

2.5, provided that the limit of 170 kg of N/ha/year is not exceeded

(*) Only in the case of mobile houses not exceeding 150 m² floor space which remain open at night.'

OBJECTS AND REASONS

As stated in the Long Title of the Bill.

Retirement Pensions (Amendment) Bill 2000

(No: of 2000)

ARRANGEMENT OF PROVISIONS

Clause

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

RETIREMENT PENSIONS (AMENDMENT) BILL 2000

(No: of 2000)

A BILL

for

AN ORDINANCE

To amend the Retirement Pensions Ordinance 1996.

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

Short title

1. This Ordinance may be cited as the Retirement Pensions (Amendment) Ordinance 2000.

Amendment of the Retirement Pensions Ordinance 1996

2. The Retirement Pensions Ordinance 1996(a) is amended —

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

“Special Exemptions

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

- (a) exempt contributors who would otherwise be liable to make contributions under section 10(1) —
 - (i) by virtue of employment falling within a category specified in the Order;
 - (ii) by virtue of any employment the duties of which fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order; or

- (iii) by virtue of employment falling within a category specified in the Order the duties of which fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order,
from the obligation to make such contributions; and
- (b) exempt employers who would otherwise be liable to make contributions pursuant to regulations made under section 11(1) —
 - (i) in respect of employees employed in a category specified in the Order;
 - (ii) in respect of employees engaged in any employment the duties of which fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order; or
 - (iii) in respect of employees employed in a category specified in the Order the duties of whose employment fall to be performed wholly or mainly in a part or area of the Falkland Islands specified in the Order,
from the obligation to make such contributions.
- (2) An Order under subsection (1) may be expressed to have effect for such period of time as is specified in the Order but shall otherwise have effect until the Order is revoked.
- (3) Where any person is exempted from making contributions by virtue of an Order under subsection (1), the Government shall make the contributions that person is exempted from making.”



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

2nd November 2000

No. 17

The following are published in this Supplement -

Supplementary Appropriation (2000-2001) (No. 2) Ordinance 2000;

Cruise Ships (Amendment) Ordinance 2000.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Supplementary Appropriation (2000-2001) (No 2) Ordinance 2000

(No: 18 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Appropriation of further sum
3. Replenishment of Contingencies Fund

Schedule 1

Schedule 2

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

SUPPLEMENTARY APPROPRIATION (2000-2001) (No 2) ORDINANCE 2000

(No: 18 of 2000)

(assented to: 31 October 2000)

(commencement: on publication)

(published: 2 November 2000)

AN ORDINANCE

To appropriate and authorise the withdrawal from the Consolidated Fund of the additional sum of £1,782,250 for the service of the financial year ending 30 June 2001.

ENACTED by the Legislature of the Falkland Islands as follows —

Short Title

1. This Ordinance may be cited as the Supplementary Appropriation (2000-2001) (No 2) Ordinance 2000.

Appropriation of further sum

2. The Financial Secretary may for the purposes specified in the Schedules cause to be withdrawn from the Consolidated Fund and applied to the service of the year commencing on 1 July 2000 and ending on 30 June 2001 ("the financial year") the further sum of £1,782,250 in addition to sums already appropriated by Ordinance.

Replenishment of Contingencies Fund

3. The Financial Secretary shall out of the sum appropriated by section 2 replenish the Contingencies Fund to the extent that sums specified in Schedule 1, prior to the commencement of this Ordinance, have been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant Numbers 1 and 2 of 2000-2001 (the authority of which lapses on the commencement of this Ordinance).

SCHEDULE 1

PART II CAPITAL EXPENDITURE

		£
950	Capital	324,600
	TOTAL SUPPLEMENTARY EXPENDITURE	324,600

SCHEDULE 2

PART I OPERATING EXPENDITURE

		£
200	Health & Social Services	785,900

PART II CAPITAL EXPENDITURE

		£
950	Capital	671,750
	TOTAL SUPPLEMENTARY EXPENDITURE	1,457,650

Passed by the Legislature of the Falkland Islands this 24th day of October 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Cruise Ships (Amendment) Ordinance 2000

(No: 19 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Amendment of section 3 of the Cruise Ships Ordinance 1998
3. Renaming of levy

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

CRUISE SHIPS (AMENDMENT) ORDINANCE 2000

(No: 19 of 2000)

(assented to: 31 October 2000)

(commencement: 1 October 2000)

(published: 2 November 2000)

AN ORDINANCE

To amend the Cruise Ships Ordinance 1998.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Cruise Ships (Amendment) Ordinance 2000 and shall be deemed to have come into force on 1st October 2000.

Amendment of section 3 of the Cruise Ships Ordinance 1998

2. Section 3 of the Cruise Ships Ordinance 1998(a) is amended by inserting the following subsection after subsection (1) —

“(2) No passenger tax shall be payable in respect of any passenger carried aboard a cruise vessel if it is shown to the satisfaction of the Collector of Customs that a fee of not less than 15 dollars in the currency of the United States of America per passenger carried aboard that vessel has been or will be paid for the privilege of visiting during that same voyage any privately owned land in Camp.”

(a) No 23 of 1998

Renaming of levy

3. The words "conservation levy" are replaced with the words "passenger tax" wherever they appear in the Cruise Ships Ordinance 1998.

Passed by the Legislature of the Falkland Islands this 24th day of October 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.



**THE
FALKLAND ISLANDS GAZETTE
Supplement**

PUBLISHED BY AUTHORITY

Vol. 11

1st December 2000

No. 18

The following are published in this Supplement -

Falkland Islands Development Corporation (Amendment) Ordinance 2000;

Falklands Landholdings Corporation Ordinance 2000;

Organic Foods Ordinance 2000;

**Fishery Products (Hygiene) (Designated Establishments) Order 2000,
(S.R. & O. No. 25 of 2000);**

**Stanley Town Hall Car Park (Circulation) Regulations Order 2000,
(S.R. & O. No. 26 of 2000).**

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Falkland Islands Development Corporation (Amendment) Ordinance 2000

(No: 20 of 2000)

ARRANGEMENT OF PROVISIONS

Section

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

Schedule

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

**FALKLAND ISLANDS DEVELOPMENT CORPORATION (AMENDMENT)
ORDINANCE 2000**

(No: 20 of 2000)

(assented to: 27 November 2000)
(commencement: in accordance with section 1)
(published: 1 December 2000)

AN ORDINANCE

To amend the Falkland Islands Development Corporation Ordinance.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title and commencement

1. This Ordinance may be cited as the Falkland Islands Development Corporation (Amendment) Ordinance 2000 and comes into force on 1st January 2001.

Amendment of the Falkland Islands Development Corporation Ordinance

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

(a) Title 28.1

THE SCHEDULE

Amendment of the Falkland Islands Development Corporation Ordinance

1. Section 4 of the Falkland Islands Development Corporation Ordinance (hereafter in this Schedule called "the Ordinance") is replaced by the following section —

"4. The Corporation shall —

- (a) encourage and assist in the economic development of the Falkland Islands;
- (b) advise the Falkland Islands Government on the development of all sectors of business in, or associated with, the Falkland Islands, including tourism, fisheries and any other existing or proposed area of economic activity;
- (c) advise the Falkland Islands Government on rural development, in particular the growth of business including agriculture in Camp, and the improvement of quality of life in Camp;
- (d) advise the Falkland Islands Government on government expenditure in agriculture;
- (e) advise the Falkland Islands Government on such other matters relating to the economic development of the Falkland Islands as the Government may refer to the Corporation or as the Corporation may consider fit; and
- (f) examine and advise upon proposals referred to the Corporation by the Executive Council relating to the imposition or revision of tariffs, taxes, duties, quotas or other protective or developmental measures."

2. Section 6(2) of the Ordinance is amended by adding, after the words "General Manager" the words "and the Corporation shall not do anything which it knows to be contrary to any policy or political directive decided upon by the Executive Council".

3. Section 7 of the Ordinance is replaced by the following section —

"7.—(1) The Corporation shall have a Board, to be known as the Falkland Islands Development Board, consisting of —

- (a) a person to be appointed by the Governor to be the Executive Chairman of the Corporation;
- (b) the Chief Executive of the Falkland Islands Government, if he is not the person appointed under paragraph (a);
- (c) the General Manager of the Corporation;
- (d) the Director of Agriculture of the Falkland Islands Government;

(e) a member of the farming community appointed by the Governor on the advice of the Executive Council;

(f) a member of the farming community appointed by the Governor after consultation with the Rural Business Association;

(g) a representative of the business community, not engaged in agriculture, appointed by the Governor on the advice of the Executive Council;

(h) a member of the business community, not engaged in agriculture, appointed by the Governor after consultation with the Falkland Islands Chamber of Commerce; and

(i) two persons nominated by the elected Legislative Council from among the elected members appointed by the Governor.

(2) A person appointed pursuant to paragraphs (a), (e), (f), (g) or (h) shall hold office until the expiry of such period as is specified in the instrument of his appointment, or until he resigns his appointment by notice in writing delivered to the Governor, becomes an elected member of the Legislative Council or another person is appointed in his place, whichever first occurs.

(3) A person appointed pursuant to paragraph (i) shall hold office until such time as he resigns his appointment by notice in writing delivered to the Governor, ceases to be an elected member of the Legislative Council or another person is appointed in his place whichever first occurs.

(4) The Financial Secretary of the Falkland Islands Government (or his representative) and the Financial Controller of the Corporation may attend meetings of the Board and may speak to any matter before the Board, but may not vote.

(5) Whenever the General Manager of the Corporation is absent from a meeting of the Board or a part of any such meeting, any person holding appointment as the Acting General Manager may attend in his place, may speak to any matter and may vote upon any matter.

(6) A person who has ceased to be a member of the Board by reason of the expiration of the period for which he was appointed is eligible for re-appointment.

(7) The Board shall in relation to the performance of the duties of the Corporation regularly consult the Rural Business Association and the Falkland Islands Chamber of Commerce or panels of their members, formed for the purpose."

4. Section 8 of the Ordinance is replaced by the following section —

"8. In the absence of the Executive Chairman from any meeting or part of a meeting of the Board such member of the Board as is nominated by the Governor for the purpose, or in the

absence of any such nomination such member of the Board as is chosen by the Board at that meeting shall take the chair.”

5. Section 10(4) of the Ordinance is repealed.
6. In section 12(1) of the Ordinance “(c), (d) and (e)” are replaced by “(e) to (i)”.
7. Section 19 of the Ordinance is amended by the addition of the following subsection —

“(4) Without prejudice to the foregoing provisions of this section, the Corporation shall at intervals no greater than six months submit to the Governor a report in writing containing such financial and other information or accounts as the Financial Secretary may require.”

Passed by the Legislature of the Falkland Islands this 24th day of November 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

FALKLANDS LANDHOLDINGS CORPORATION ORDINANCE 2000

(No: 21 of 2000)

(assented to: 27 November 2000)

(commencement: on publication)

(published: 1 December 2000)

AN ORDINANCE

To establish the Falklands Landholdings Corporation, to provide for its powers and duties, and to transfer to it the assets, liabilities and undertaking of Falklands Landholdings Limited and to dissolve that company.

ENACTED by the Legislature of the Falkland Islands as follows —

Short title

1. This Ordinance may be cited as the Falklands Landholdings Corporation Ordinance 2000.

Interpretation

2. In this Ordinance “the Company” means Falklands Landholdings Limited a company incorporated in the Falkland Islands under the provisions of the Companies and Private Partnerships Ordinance and registered in the Companies Registry Stanley under registered number 9076 and “the operative date” means the date fixed by the Governor by Order under section 7(5).

Establishment and powers of Falklands Landholdings Corporation

3.—(1) There is hereby established a body corporate under the name of Falklands Landholdings Corporation with perpetual succession and a common seal.

(2) The Corporation has the powers set out in the Schedule to this Ordinance and any other powers which may be necessary or expedient for the fulfilment of any objectives specified for it by the Governor on the advice of the Executive Council.

(3) The Corporation shall not exercise its powers to take or acquire or dispose of any land without the prior consent of the Governor advised by the Executive Council, but any failure by the Corporation to comply with this subsection shall not invalidate any transaction.

(4) The Corporation shall not borrow any money, give any guarantee, or give any security over any of its assets without the prior consent of the Governor advised by the Executive Council.

(5) In the exercise of its functions the Corporation shall have regard to, and as far as it may be possible to do so, shall act in accordance with, such policies as the Governor on the advice of the Executive Council may notify to the Executive Chairman and the Corporation shall not do anything which it knows to be contrary to any policy or political directive decided upon by the Executive Council.

(6) The Governor may at any time he is of the opinion on the advice of the Executive Council that there are surplus funds in the Corporation's hands direct that the whole or any part of the surplus specified by him be paid forthwith into the Consolidated Fund and the Corporation shall comply with that direction. Any money so paid into the Consolidated Fund shall be the property of the Falkland Islands Government.

Board of the Corporation

4.—(1) There shall be a Board of the Corporation consisting of —

- (a) an Executive Chairman, appointed by the Governor;
- (b) the Chief Executive of the Falkland Islands Government if he is not the Executive Chairman;
- (c) one member of the farming community appointed by the Governor;
- (d) one member of the farming community appointed by the Governor after consulting the Rural Business Association;
- (e) one member of the non-agricultural business community appointed by the Governor;
- (f) one member of the non-agricultural business community appointed by the Governor after consultation with the Falkland Islands Chamber of Commerce;
- (g) the General Manager of the Corporation;
- (h) two persons nominated by the Legislative Council from among the elected members of that Council and appointed by the Governor.

(2) A person appointed pursuant to paragraph (a), (c), (d), (e) or (f) shall hold office until the expiry of such period as is specified in the instrument of his appointment, or until he resigns his appointment by notice in writing delivered to the Governor, becomes an elected member of the Legislative Council or another person is appointed in his place, whichever first occurs.

(3) A person appointed pursuant to paragraph (h) shall hold office until such time as he resigns his appointment by notice in writing delivered to the Governor, ceases to be an elected member of the Legislative Council or another person is appointed in his place, whichever first occurs.

(4) The Financial Secretary of the Falkland Islands Government or his representative and the Secretary of the Corporation may attend meetings of the Board and may speak to any matter before the Board, but may not vote.

(5) The Board may act notwithstanding any vacancy in its number, provided that four persons personally attending from among the persons appointed under paragraphs (a), (c), (d), (e), (f) and (h) of subsection (1) is present.

Secretary of the Corporation

- 5.—(1) The Board shall appoint a suitable person to be the Secretary of the Corporation.
(2) The Secretary shall keep minutes of all meetings of the Board and shall have custody of the records of the Corporation.

Remuneration of the Board

- 6.—(1) Subject to this section, the Executive Chairman and members of the Board shall be eligible to receive such remuneration and allowances as may be determined by the Governor.
(2) A person who is a member of the public service shall not, by virtue of being the Executive Chairman or a member of the Board be entitled to receive any payment other than reimbursement of any expenses incurred by him.

Transfer of the assets, liabilities and personnel of the company

- 7.—(1) All the property and assets of the company whatsoever, including cash and liquid assets and the benefit of contracts, shall on the operative date vest in the Corporation by virtue of this subsection and without further assurance and all liabilities of the company actual or contingent subsisting on that date shall become those of the Corporation which shall perform or discharge them in the place of the Company.
(2) All contracts made by the Company in so far as they remain unperformed or any money is or may become due and payable or may become receivable thereunder shall have effect in favour of and against the Corporation on and after the operative date as if the Corporation had been a party thereto instead of the Company.
(3) Subsection (2) has effect in relation to the contract of employment of any person with the Company and employed by the Company immediately before the operative date —
(a) so that on and after that date any such person shall be treated as if he had been engaged by the Corporation on the date on which he was engaged by the Company;
(b) so that the employment of any such person by the Company before the operative date and by the Corporation on and after that date shall be regarded as continuous employment;
(c) so that the terms of employment of that person on the operative date are the same, except as to identity of employer, as they were on the preceding day.
(4) All rights of action which, if this Ordinance had not been enacted, would subsist against the Company shall subsist against the Corporation in its stead, but so that the Corporation shall be entitled to avail itself of any defence, counterclaim or right of set-off which would have been available to the Company.
(5) The Governor may by Order fix the operative date for the purposes of this section.
(6) The Company is on the operative date dissolved.

Accounts

- 8.—(1) The Corporation shall keep proper accounts and other records in respect of its receipts and expenditure and shall cause to be prepared an annual statement of accounts in respect of each financial year, except that the first such statement may be for the period ending on 30th June 2002 if the Governor on the advice of the Executive Council so authorises.
(2) The financial year of the Corporation shall be the period of twelve months ending on 30th June in each year.

(3) The accounts of the Corporation shall be audited by the Principal Auditor in accordance with the Finance and Audit Ordinance.

(4) As soon as is reasonable after the end of the financial year the Corporation shall transmit to the Governor and all elected members of the Legislative Council its audited accounts and any report made by the Principal Auditor thereon and such explanations as the Corporation may consider appropriate.

(5) Without prejudice to the foregoing provisions of this section, the Corporation shall at intervals no greater than six months submit to the Governor a report in writing containing such financial and other information or accounts as the Financial Secretary may require.

Submission of estimates

9. The Corporation shall not later than 31st March in each year submit to the Financial Secretary estimates of its expenditures and receipts for the ensuing financial year and of unexpended funds carried forward to it and the Financial Secretary shall cause the same to be considered by the Executive Council.

Contracts

10. Contracts which if made between natural persons would by law be —

(a) required to be made by deed, shall be made varied or discharged by the Corporation under seal;

(b) required to be in writing or evidenced in writing may be made, varied or discharged on behalf of the Corporation by any person signing with its express or implied authority;

(c) valid if made by word of mouth only may be made, varied or discharged by word of mouth on behalf of the Corporation by any person acting with its express or implied authority.

Sealing of documents

11. The common seal of the Corporation shall, when applied to a document, be attested by two members of the Board or by one member of the Board and the Secretary and, if so attested be prima facie evidence that the document has been properly executed on behalf of the Corporation.

No personal liability

12. No personal liability shall attach to any member of the Board or employee of the Corporation in respect of anything done in good faith without negligence in pursuance or purportedly in pursuance of this Ordinance.

Powers of the Corporation

13. The Schedule to this Ordinance shall have effect.

Regulations

14. The Governor may make such regulations as he thinks necessary or expedient for the giving better effect to the purposes of this Ordinance.

THE SCHEDULE
Powers of the Corporation

1. The Corporation has power —
 - (a) to hold freehold and leasehold land and to acquire and hold land on licence;
 - (b) to acquire the freehold or leasehold interest in any land in the Falkland Islands;
 - (c) to acquire any easement licence or other interest in or over land in the Falkland Islands;
 - (d) to sell or exchange freehold or leasehold land belonging to it and grant any easement licence or other interest over freehold land belonging to it, and, if permitted under the lease of the relevant land, to grant a licence over leasehold land;
 - (e) to grant leases of any land owned by it;
 - (f) to hold, acquire and dispose of fishing rights in any waters,in each case, subject to this Ordinance, on such terms as it thinks fit.

2. The Corporation also has power —
 - (a) to carry on business as farmers, agriculturalists, nurserymen, and horticulturalists;
 - (b) to develop any land owned or leased by it, and to engage in and carry on whether or not with a view to profit or economic return any rural development (including social, cultural and economic development);
 - (c) to undertake for the benefit of the agricultural community of the Falkland Islands and whether with a view to profit or economic return or not, marketing activities in the Falkland Islands and overseas, field trials, stud farming and the provision of seed stock and stud stock.

3. The Corporation has power to employ persons in connection with the carrying out of its activities on such terms as it thinks fit.

4. Without prejudice to the foregoing the Corporation has power to do anything it is necessary or expedient in the opinion of the Board for it to do to fulfil any objectives notified to it by the Governor on the advice of the Executive Council.

Passed by the Legislature of the Falkland Islands this 24th day of November 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

Organic Foods Ordinance 2000

(No: 22 of 2000)

ARRANGEMENT OF PROVISIONS

Section

1. Short title and commencement
2. Interpretation
3. Organic productions methods: preliminary provisions
4. Rules of production
5. Schedules 1 and 2
6. Notifications to the competent authority
7. Establishment etc of the inspection system
8. Indications that products are covered by the inspection scheme
9. Labelling
10. Schedules 3, 4, 5, 6 and 7
11. Power to make Regulations

Schedule 1

Schedule 2

Schedule 3

Schedule 4

Schedule 5

Schedule 6

Schedule 7

Note: the references "a.1" "a.2" etc. in the headings of clauses are to the corresponding articles of EC Regulation 2092/91.

ELIZABETH II



Colony of the Falkland Islands

DONALD ALEXANDER LAMONT,
Governor.

ORGANIC FOODS ORDINANCE 2000

(No. 22 of 2000)

(assented to: 27 November 2000)
(commencement: in accordance with section 1)
(published: 1 December 2000)

AN ORDINANCE

To establish Falkland Islands standards in relation to the growing, rearing and marketing of agricultural products as organically produced products, to provide assurance to consumers in the Falkland Islands and elsewhere that products described as having originated in the Falkland Islands and as having been organically produced meet proper standards, to facilitate the sale in the Falkland Islands and elsewhere of fresh and processed food described as having been produced in the Falkland Islands and for purposes connected with the foregoing purposes.

ENACTED by the Legislature of the Falkland Islands as follows —

PART I
INTRODUCTORY

Short title and commencement

1. This Ordinance may be cited as the Organic Foods Ordinance 2000 and shall come into force on such date as the Governor may notify by notice published in the *Gazette*.

Interpretation

2.—(1) In this Ordinance —

“agricultural product” means any agricultural commodity or product, whether raw or processed, living or dead, including any commodity or product derived from livestock reared in the Falkland Islands and marketed there or elsewhere for human or livestock consumption;

“approved inspection body” means an inspection body approved under section 7 by the competent authority;

“certain products used in animal nutrition” means nutritional products within the scope of Council Directive 82/471/EEC of 30 June 1982;

“the Community” means the European Economic Community;

“the Community Regulation” means the Regulation dated 24 June 1991 of the Council of the European Union (and numbered No. 2092/91) on organic production of agricultural products and indications referring thereto, as amended from time to time;

“conventional feedingstuffs” and “conventional feed materials” means feedingstuffs or, as the case may be, feed materials which are not organically-produced feedingstuffs, organically-produced feed materials, in-conversion feedingstuffs or in-conversion feed materials;

“the competent authority” means the Director of Agriculture or such other person or body as may for the time being hold appointment by the Governor to be the competent authority for the purposes of this Ordinance;

“Council Directive” and “Directive” means a Directive of the Council or of the Community;

“Council” means the Council of the European Economic Community;

“detergents” means substances and preparations made up of essential constituents (surfactants) and, in general, additional constituents (adjurants intensifying agents, fillers, additives and other auxiliary constituents);

“feed additives” means products as defined in Article 2(a) of Council Directive 70/524/EEC of 23 November 1970;

“feed materials” means products as defined in Article 2(a) of Council Directive 96/25(CE) of 29 April 1996;

“feedingstuffs” means products as defined in Article 2(a) of Council Directive 79/373/EEC of 2 April 1979 and “compound feedingstuffs” means products as defined in Article 2(b) of Directive 79/373/EEC;

“genetically modified organism (GMO)” shall mean any organism as defined in Article 2 of Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms;

“GMO derivative” means any substance which is either produced from or produced by GMOs, but does not contain them and “use of GMOs and GMO derivatives” means use of them as foodstuffs, food ingredients (including additives and flavourings), processing aids (including extraction solvents), feedingstuffs, compound feedingstuffs, feed materials, feed additives, processing aids for feedingstuffs, certain products used in animal nutrition (under Directive 82/471/EEC), plant protection products, veterinary medicinal products, fertilisers, soil conditioners, seeds, vegetative reproductive material and livestock;

“in-conversion feedingstuffs” and “in-conversion feed materials” shall mean feeding stuff or, as the case may be, feed materials complying with the rules of production laid down in section 4, except for the conversion period where those rules apply for at least 1 year before the harvest;

“ingredients” means the substances, including additives, used in the preparation of any relevant product that are still present, albeit in modified form, in the final product;

“the inspection authority” means an inspection authority designated under section 7(1);

“the inspection system” means the inspection system established pursuant to section 7(1);

“labelling” means any words, particulars, trade marks, brand names, pictorial matter or symbols relating to a foodstuff and placed on any packaging, document, notice, label, ring or collar accompanying or referring to a relevant product;

“list of ingredients” means a list of ingredients in accordance with Article 6 of Directive 2000/13/EC and Annexes I, II and III of that Directive;

“marketing” means holding or displaying for sale, offering for sale, selling, delivering or placing on the market in any other form and “markets” has a cognate meaning;

“livestock production” means the production of domestic or domesticated terrestrial animals (including insects) and aquatic species farmed in fresh, salt or brackish water, and the products of hunting and fishing of wild animals shall not be considered as organic production;

“operator” means any natural or legal person who —

(a) produces, prepares, imports from any other country, or exports to any other country, any relevant product with a view to the subsequent marketing of that product; or

(b) markets any relevant product;

“organic-production holding”, “organic-production stock-farm” and “organic-production unit” means a unit, holding or stock-farm (as the case may be) complying with the provisions of this Ordinance;

“organically-produced feedingstuffs/feed materials” means feedingstuffs/feed materials produced in accordance with the rules of production laid down in section 4;

“plant protection products” means active substances and preparations containing one or more active substances intended —

(a) to destroy organisms harmful to plants or plant products or to protect them from such organisms, insofar as such substances or preparations are not defined in paragraphs (b) to (e) of this definition;

(b) to influence the life processes of plants, other than as a nutrient;

(c) to preserve plant products;

(d) to destroy undesired plants; or

(e) to destroy parts of plants,

and for the purposes of this definition “active substances” means substances, micro-organisms and viruses having general or specific action (i) against harmful organisms, or (ii) on plants, parts of plants or plant products, “substances” means chemical elements and their compounds, as they occur naturally or by manufacture and “preparations” means mixtures or solutions composed of two or more substances, or of micro-organisms or viruses used as plant protection products;

“pre-packaged foodstuff” means any single item for presentation as such to the ultimate consumer and to mass caterers, consisting of a foodstuff and the packaging into which it was put before being offered for sale, whether such packaging encloses the foodstuff completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;

“preparation” means the operations of preserving and processing or preserving or processing of agricultural products (including slaughter and cutting for livestock products), and also packaging and alterations or packaging or alterations made to the labelling concerning the presentation of the organic production method of the fresh, preserved and processed products or the fresh, preserved or processed products;

“production” means the operations on the agricultural holding involved in producing, packaging and initially labelling as products of organic production agricultural products produced on that holding;

“provisions” means provisions of this Ordinance, of any regulations made hereunder and any provisions of any Council Directive or Council Regulation and any Council Directive or, as the case may be, Council Regulation amending or augmenting any Directive or Regulation.

“relevant product” means any product of a kind mentioned in section 3(1);

“veterinary medicinal products” means products as defined in Article 1(2) of Council Directive 65/65/EEC of 26 January 1965 and “homeopathic veterinary medicinal products” means products as defined in Article 1(1) of Council Directive 92/74/EEC of 22 September 1992.

(2) Any reference in this Ordinance to a Council Directive or Council Regulation identified by number includes a reference to any Council Directive or Council Regulation amending or augmenting that any Directive or Regulation.

PART II PRODUCTION AND MARKETING OF ORGANIC FOODS

Rules of production

Organic production methods: preliminary provisions (a.1 and a.2)

3.—(1) This Ordinance applies to the following products, where such products bear, or are intended to bear, indications referring to the organic protection method —

- (a) unprocessed agricultural crop products; also livestock and unprocessed livestock products, to the extent that principles of production and specific inspection rules for them are introduced in Schedules 1 and 3;
- (b) processed agricultural crop and livestock products intended for human consumption prepared essentially from one or more ingredients of plant or animal origin;
- (c) feedingstuffs, compound feedingstuffs and feed materials not covered under paragraph (a).

(2) Where the detailed production rules are not laid down in Schedule 1 for certain animal species, the rules provided for labelling in section 9 and for inspections in sections 6 and 7 shall apply for those species and the products thereof, with the exception of aquaculture and aquaculture products.

(3) Without prejudice to the generality of subsection (1), a product shall be regarded as having been described in the manner referred to in that subsection if —

- (a) it is described as organic or organically produced; or
- (b) it is described by use of any word or expression in a foreign language the meaning of which in English is organic or organically produced,

unless it is clear that the word or expression has no connection with the method of production or is not applied to agricultural products in foodstuffs.

(4) For the purposes of this Ordinance the words in foreign languages listed in Article 2 of the Community Regulation shall be taken to mean organic or organically produced.

Rules of production (a.6)

4.—(1) The organic production method implies that for the production of products referred to in section 3(1)(a) other than seeds and vegetative propagating material —

- (a) at least the requirements of Schedule 1 and, where appropriate, any provisions relating thereto, must be satisfied;
- (b) only products composed of substances mentioned in Schedule 1 or listed in Schedule 2 may be used as plant protection products, fertilisers, soil conditioners, feedingstuffs, feed materials, compound feedingstuffs, feed additives, substances used in animal nutrition under Directive 82/471/EEC, cleaning and disinfecting products for livestock buildings and installations, products for pest and disease control of livestock buildings and installations or for another purpose where such purpose is specified in Schedule 2 in relation to certain

products. They may be used only under the specific conditions laid down in Schedules 1 and 2 insofar as the corresponding use is authorised in general agriculture in the Falkland Islands;
(c) only seed or vegetative propagating material produced by the organic production method referred to in subsection (2) is used;

(d) genetically modified organisms or any product derived from such organisms must not be used, with the exception of veterinary medicinal products.

(2) The organic production method implies that for seeds and vegetative reproductive material, the mother plant in the case of seeds and the parent plant or plants in the case of vegetative propagating material have been produced —

(a) without the use of genetically modified organisms or any products derived from such organisms, and

(b) in accordance with paragraphs (a) and (b) of subsection (1) for at least one generation or, in the case of perennial crops, two growing seasons.

(3) Subject to subsection (4), no product may be used —

(a) for plant protection,

(b) as a detergent,

(c) as a fertiliser, or

(d) as a soil conditioner

unless —

(i) it is used in accordance with the conditions as to its use specified in Schedules 1 and 2; and

(ii) the corresponding use in general agriculture is authorised in the Falkland Islands.

(4) For the purposes of the subsequent subsections of this section, “seedlings” means whole seedlings intended for planting for plant production.

(5) The organic production methods implies that when producers use seedlings, the seedlings have been produced in accordance with the preceding provisions of this section.

Schedules 1 and 2

5.—(1) Schedules 1 and 2 to this Ordinance shall have effect.

(2) The Governor may by Order amend Schedules 1 and 2 or either of them in such way as he may think necessary to cause Schedules 1 and 2 to correspond to Annexes I and II to the Community Regulation as amended from time to time pursuant to article 7 of the Community Regulation.

(3) An Order under subsection (2) may be expressed to have retrospective effect but it shall not be expressed to have retrospective effect by relation to a date earlier than that on which the corresponding amendment or amendments to the Community Regulation took effect.

Inspection system

Notifications to the competent authority (a.8)

6.—(1) Any operator who produces, prepares or imports from or exports to another country any relevant product for the purpose of marketing it shall —

(a) notify the competent authority; and

(b) submit his undertaking to the inspection system.

(2) Any notification pursuant to subsection (1)(a) shall contain the information specified in Schedule 4.

- (3) The competent authority shall maintain at an address in Stanley a register of names and addresses of persons for the time being subject to the inspection system and shall permit any person to inspect that register at all reasonable times.
- (4) The register may be maintained on computer.

Establishment etc of the inspection system (a.9)

- 7.—(1) The Governor shall establish an inspection system operated by a designated inspection authority or by one or more approved private bodies to which the operators producing preparing or importing relevant products are subject.
- (2) The inspection system shall comprise at least the application of the precautionary and inspection measures specified in Schedule 3 and such other measures as are prescribed by regulations.
- (3) The competent authority shall be responsible for the approval and supervision of private inspection bodies.
- (4) In considering whether to approve a private inspection body, the competent authority shall take the following matters into account —
- (a) the standard inspection procedure to be followed (which must contain a detailed description of the inspection measures and precautions which the body undertakes to impose on operators subject to its inspection);
 - (b) the penalties which the body intends to apply if an irregularity or infringement is found;
 - (c) the availability of appropriate resources in the form of qualified staff, administrative and technical facilities, inspection experience and reliability;
 - (d) the objectivity of the inspection body vis-a-vis the operators subject to its inspection.
- (5) After an inspection body has been approved, the competent authority shall —
- (a) ensure that the inspections carried out by the inspection body are objective;
 - (b) verify the effectiveness of its inspections;
 - (c) take cognisance of any infringements or irregularities found and penalties applied;
 - (d) withdraw approval of the inspection body if it —
 - (i) fails to satisfy the requirements of (a) or (b);
 - (ii) no longer fulfils the criteria indicated in subsection (4); or
 - (iii) fails to satisfy the requirements specified in subsections (7),(8) and (9).
- (6) The inspection authority and any approved inspection body —
- (a) shall ensure that the inspection measures and precautions specified in Schedule 3 and other provisions (if any) are applied to undertakings subject to their inspection; and
 - (b) shall not disclose information and data they obtain in their inspection activity to persons other than the person responsible for the undertaking concerned and the competent public authorities.
- (7) An approved inspection body shall —
- (a) give to the competent authority, for inspection purposes, access to its offices premises and facilities and any information the competent authority requires in relation the performance of its obligations under this Ordinance; and
 - (b) send to the competent authority by 31st January each year a list of operators subject to its inspection on 31st December of the previous year; and
 - (c) present to the competent authority a concise annual report.
- (8) The inspection authority and any inspection body shall —
- (a) ensure that where an irregularity is found regarding the implementation of —

- (i) section 4 (rules of production),
 - (ii) section 9 (labelling), or
 - (iii) of the measures referred to in Schedule 3,
- all organic production indications are removed from the entire lot or production run affected by the irregularity concerned;
- (b) if a manifest infringement, or an infringement with prolonged effects is found, prohibit the operator for a period agreed with the competent authority from marketing products with organic production indications.
- (9) Without prejudice to the provisions of paragraphs (4) and (5), approved inspection bodies must satisfy the requirements laid down in the conditions of standard EN45011 of 26 June 1989.
- (10) The Governor may make regulations —
- (a) prescribing detailed rules concerning the requirements indicated in subsection (5) and the measures mentioned in subsection (6); or
 - (b) prescribing implementation measures concerning the provisions of subsection (5).
- (11) The Governor may by Order amend Schedule 3 in such way as he may think necessary to cause that Schedule to correspond to Annex 3 to the Community Regulation as amended from time to time.

Indications that products are covered by the inspection scheme (a.10)

8.—(1) The indication that products are covered by the specific inspection scheme (that is to say, “Organic Farming: Falkland Islands National Control System”) may appear on a relevant product only where it —

- (a) satisfies the requirements of section 9 (labelling) and section 4 (rules of production) as well as any regulations made for the purposes of those sections;
 - (b) has been subject to the inspection arrangements referred to in section 7(3) throughout the production and preparation process;
 - (c) is sold directly by the producer or preparer to the ultimate consumer in sealed packaging, or placed on the market as pre-packaged foodstuffs; in the case of direct sales by the producer or preparer to the ultimate consumer, the sealed packaging is not required when the labelling enables the product requiring this indication to be identified clearly and unambiguously;
 - (d) show on the labelling the name or business name or name and business name of the producer, preparer or vendor together with the name or code number of the inspection authority or body.
- (2) No claim may be made on the label or advertising material that suggests to the purchaser that the indication constitutes a guarantee of superior organoleptic, nutritional or salubrious quality.
- (3) The inspection authority and any inspection body must —
- (a) ensure that, where a non-compliance with section 9 (labelling), section 4 (rules of production) or with the measures referred to in Schedule 3 is found, the indication mentioned in subsection (1) of this section is removed from the entire lot or production run affected by the irregularity concerned;
 - (b) if a manifest infringement, or infringement with prolonged effects is found, withdraw from the operator concerned the right to use that indication for a period to be agreed with the competent authority.
- (4) The Governor may make regulations in relation to the withdrawal of the indication.

Labelling (a.5)

9.—(1) The labelling and advertising of a product mentioned in section 3(1)(a) or (b) may refer to organic production methods only where —

- (a) such indications show clearly that they relate to a method of agricultural production
- (b) the product was produced in accordance with the rules specified by section 7;
- (c) the product was produced or imported by an operator who is subject to the inspection measures laid down in section 7; and
- (d) the labelling includes a reference to the name or code number of the inspection authority or body to which the operator is subject.

(2) The labelling and advertising of a product specified in section 3(1)(b) may bear indications referring to organic production methods in the sales description of the product only where —

- (a) at least 95% of the ingredients of agricultural origin of the product are, or are derived from, products obtained in accordance with the requirements of section 4 or are imported from the Community or any country where a provision corresponding to this paragraph applies;
- (b) all the other ingredients of agricultural origin of the product are included in Schedule 5, Part 3;
- (c) the product contains only substances listed in Schedule 5, Part 1 as ingredients of non-agricultural origin;
- (d) the product or its ingredients of agricultural origin, referred to in paragraph (a) have not been subjected to treatments involving the use of substances not listed in Schedule 5, Part 2;
- (e) the product or its ingredients have not been subjected to treatments involving the use of ionising radiation;
- (f) the product has been prepared or imported by an operator who is subject to the inspection measures laid down in sections 6 and 7;
- (g) the labelling refers to the name and code number or the code number of the inspection authority or inspection body to which the operator who has carried out the most recent preparation operation is subject;
- (h) the product has been produced without the use of genetically modified organisms and/or any products derived from such organisms,

other indications referring to organic production methods must make it clear that they relate to a method of agricultural production and must be accompanied by a reference to the ingredients of agricultural origin concerned, unless such reference is clearly given in the list of ingredients.

(3) Crops products labelled or advertised in accordance with subsection (1) or (2) may bear indications referring to conversion to organic production methods, provided that —

- (a) the requirements referred to in subsection (1) or subsection (2) (whichever is appropriate in the circumstances of the case) are fully satisfied, with the exception of that concerning the length of the conversion period referred to in paragraph 1 of Schedule 1;
- (b) a conversion period of at least 12 months before the harvest has been complied with;
- (c) such indications do not mislead the purchaser of the product regarding its difference from products which satisfy all the requirements of subsection (1) or (2) (whichever in the circumstances of the case is appropriate),

and the indications must take the form of the words “product under conversion to organic farming”, and must appear in a colour, size and style of lettering which is not more prominent than the sales description of the product; in this indication the words “organic farming” shall not be more prominent than the words “product under conversion to”.

- (d) the product contains only one crop ingredient of agricultural origin;
 - (e) the labelling refers to the name and code number or the code number of the inspection authority or inspection body to which the operator who has carried out the most recent production or preparation operation is subject;
 - (f) the product has been produced without the use of genetically modified organisms or any products derived from such organisms.
- (4) Without prejudice to the provisions of sub-clause (2), the labelling and advertising of a product referred to in section 3(1)(b) may only bear indications referring to organic production methods where —
- (a) at least 70% of the ingredients of agricultural origin are, or are derived from, products obtained in accordance with the rules laid down in section 4 or are imported from the European Economic Community and produced in accordance with the rules laid down in article 6 of the Community Regulation;
 - (b) all the other ingredients of agricultural origin of the product are included in Schedule 5, Part 3;
 - (c) the indications referring to organic production methods appear in the list of ingredients and only in clear relation to those ingredients obtained according to the rules laid down in section 4 or imported from the European Economic Community and obtained according to the rules laid down in Article 6 of the Community Regulation; they appear in the same colour and with an identical size and style of lettering as the other indications in the list of ingredients. Such indications must also appear in a separate statement set in the same visual field as the sales description and indicating the percentage of the ingredients of agricultural origin or derived therefrom which were obtained in accordance with the rules laid down in section 4 or the said Article 6. The statement may not appear in a colour, size and style of lettering which is more prominent than the sales description of the product. The statement shall be in the following form: "X% of the agricultural ingredients were produced in accordance with the rules of organic production";
 - (d) the product contains only substances listed in Schedule 5, Part 1, as ingredients of non-agricultural origin;
 - (e) the product or its ingredients of agricultural origin referred to in paragraph (a) have not been subjected to treatments involving the use of substances not listed in Schedule 5, Part 2;
 - (f) the product or its ingredients have not been subjected to treatments involving the use of ionising radiation;
 - (g) the product has been prepared or imported by an operator who is subject to the inspection measures laid down in sections 6 and 7;
 - (h) the labelling refers to the name and code number or the code number of the inspection authority or inspecting body to which the operator who has carried out the most recent production or preparation operation is subject;
 - (i) the product has been produced without the use of genetically modified organisms.
- (5) In a relevant product, an ingredient obtained according to the rules laid down in section 4 shall not be present together with the same ingredient not obtained according to those rules.

Schedules 3, 4, 5, 6 and 7

10.—(1) Schedules 3 to 7 to this Ordinance shall have effect.

(2) The Governor may by Order amend Schedules 3, 4, 5, 6 and 7 or any of them in such way as he may think necessary to cause any of those Schedules to correspond with the corresponding Annexes to the Community Regulation as amended from time to time.

(3) An Order under subsection (2) may be expressed to have retrospective effect but it shall not be expressed to have retrospective effect by relation to a date earlier than that on which the corresponding amendment or amendments to the Community Regulation took effect.

Power to make Regulations

11.—(1) Without prejudice to any power conferred by any previous provision of this Ordinance, the Governor may make such regulations as he considers necessary or expedient for the purposes of this Ordinance.

(2) Such regulations may provide that any contravention of the regulations specified therein for the purpose constitutes a criminal offence punishable by a fine not exceeding such amount or the maximum of such level on the standard scale as is specified therein in relation to that contravention.

SCHEDULE 1

PART 1

PRINCIPLES OF ORGANIC PRODUCTION AT FARM LEVEL

Plants and plant products

1. The principles set out in this Schedule normally must have been applied on the parcels during a conversion period of at least 2 years before sowing or, in the case of perennial crops other than grassland, at least 3 years before the first harvest of products referred to in section 3(1)(a). If the Community Regulation would, within the Community, permit an inspection body, with the approval of the competent authority, to do so in corresponding circumstances, then in the Falkland Islands the inspection body may, with the approval of the competent authority, extend or reduce that period, having regard to previous parcel use.

2.—(1) The fertility and the biological activity of the soil must be maintained or increased where appropriate, by —

(a) cultivation of legumes, green manures or deep-rooting plants in an appropriate multi-annual rotation programme;

(b) incorporation of livestock manure from organic livestock production in accordance with the provisions and within the restrictions of paragraph 12(a) of this Schedule;

(c) incorporation of other organic material, composted or not, from holdings producing according to the provisions of this Ordinance.

(2) Other organic or mineral fertilisers, mentioned in Schedule 2, may, exceptionally, be applied, as a complement to the extent that —

(a) adequate nutrition of the crop being rotated or soil conditioning are not possible by the methods set out in (a), (b) and (c) of subparagraph (1);

(b) with regard to the products in Schedule 2 referring to manure and/or animal excrements, that these products may only be used to the extent that, in combination with the livestock manure referred to in subparagraph (1)(b), the restrictions as referred to in paragraph 12(a) of this Schedule are satisfied.

(3) For compost activation appropriate plant-based preparations or preparations of micro-organisms, not genetically modified, may be used.

So called "biodynamic preparations" from stone meal, farmyard manure or plants may also be used for the purposes of this subparagraph and those of subparagraphs (1).

(4) Appropriate preparations of micro-organisms, not genetically modified may be used to improve the over all condition of the soil or the availability of nutrients in the soil or in the crops, where the need for such use has been recognised by the inspection body or inspection authority

3. Pests, diseases and weeds shall be controlled by a combination of the following measures —

- (a) choice of appropriate species and varieties,
- (b) appropriate rotation programmes,
- (c) mechanical cultivation procedures,
- (d) protection of natural enemies of pests through provisions favourable to them (e.g. hedges, nesting sites, release of predators),
- (e) flame weeding,

and only in cases of immediate threat to the crop may recourse be had to products referred to in Schedule 2.

4. The collection of edible plants and parts thereof, growing naturally in natural areas woodlands and agricultural areas, is considered an organic production method provided that those areas have received no treatments with products other than those referred in Schedule 2 for a period of 3 years before the collection and that the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

5. For production of mushrooms, substrates may be used if they are composed only of the following components —

- (a) farmyard manure and animal excrements from holdings producing according to the organic production method;
- (b) products of animal origin, other than those covered under sub-paragraph (a) (for example straw), from holdings producing according to the organic production method;
- (c) peat not chemically treated;
- (d) wood, not treated with chemical products after felling;
- (e) mineral products listed in Schedule 2, Part 1, water and soil.

PART 2

LIVESTOCK AND LIVESTOCK PRODUCTS FROM THE FOLLOWING SPECIES:
BOVINE (INCLUDING BUBALUS AND BISON SPECIES), PORCINE, OVINE, CAPRINE,
EQUIDAE AND POULTRY

6. GENERAL PRINCIPLES

- (a) Livestock production forms an integral part of many agricultural holdings practising organic farming.
- (b) Livestock production must contribute to the equilibrium of agricultural production system by providing for the nutrient requirements of crops and by improving the soils organic matter. It can thus help establish and maintain soil-plant, plant-animal and animal-soil interdependence. As part of this concept, landless production is not in conformity with this Ordinance.

(c) By utilising renewable natural resources (livestock manure, legume and fodder crops), the cropping/stock-farming system and the pasturage system allow soil fertility to be maintained and improved in the long term and contributes to the development of sustainable agriculture.

(d) Organic stock-farming is a land-related activity. Except where authorised by way of exception in this Schedule, livestock must have access to a free-range area and the number of animals per unit of area must be limited to ensure integrated management of livestock and crop production on the production unit, so minimising any form of pollution, in particular of the soil and of surface and ground water. The number of livestock must be closely related to the area available in order to prevent problems of over-grazing and erosion and to allow for the spreading of livestock manure so that any adverse affect on the environment can be avoided.

(e) Inorganic stock-farming, all livestock on one and the same production unit must be reared in accordance with the provisions of this Ordinance, except as provided by sub-paragraph (f).

(f) Livestock not reared in accordance with the provisions of this Ordinance may be present on the holding provided they are reared on units where the buildings and parcels are separated clearly from the units producing in accordance with the provisions of this Ordinance, and a different species is involved.

(g) By derogation from the requirements of paragraphs (e) and (f) livestock not reared in accordance with the provisions of this Ordinance can use, for a limited period of time each year, the pasturage of units complying with this Ordinance, provided that such animals come from extensive husbandry (as defined in Article 6(5) of Regulation (EC) number 950/97 or, for other species not mentioned in that Regulation, the number of animals per hectare corresponding to 170kg of Nitrogen per year per hectare as defined in Schedule 6 to this Ordinance) and provided that other animals which are subject to the requirements of this Ordinance are not present on this pasturage at the same time. Use of this derogation must be authorised in advance by the inspection authority or inspection body.

7. CONVERSION

(a) *Conversion of land associated with organic livestock production*

(i) Where a production unit is converted, the whole area of the unit used for animal feed must comply with the rules on organic farming, using the conversion periods established in Part 1 of this Schedule relating to plants and plant products.

(ii) By way of derogation from the principles stated in sub-paragraph (i), the conversion period may be reduced to one year for pasturages, open air runs and exercise areas used by non-herbivore species. This period may be reduced to 6 months where the land concerned has not in the recent past received treatments with products other than those referred to in Schedule 2. This derogation must be authorised by the inspection authority or body.

(b) *Conversion of livestock and livestock products*

(i) if livestock products are to be sold as organic products, the livestock must be reared according to the rules laid down in this Ordinance for at least —

- 12 months in the case of equidae and bovines (including bubalus and bison species) for meat production, and in any case at least three quarters of their lifetime,

- 6 months in the case of small ruminants and pigs (but for a transitional period expiring on 24 August 2003, the period for pigs is 4 months),
- 6 months in the case of animals for milk production (however during a transitional period expiring on 24 August 2003, the period is 3 months),
- 10 weeks for poultry for meat production, brought in before they are 3 days old,
- 6 weeks in the case of poultry for egg production.

(ii) by way of derogation from sub-paragraph (i) and for the constitution of a herd or flock, calves and small ruminants for meat production can be sold as organically reared during a transitional period expiring 31 December 2003, provided that —

- they come from extensive husbandry,
- they are reared in the organic-production unit until the time of sale or slaughter, for a minimum period of 6 months for calves and 2 months for small ruminants,
- the origin of the animals complies with the conditions expressed in the fourth and fifth indents of paragraph 8(d).

(c) *Simultaneous conversion*

(i) by derogation from paragraphs 7(b)(i), 9(2) and 9(4) if there is a simultaneous conversion of the complete production unit, including livestock, pasturage and/or any land used for animal feed, the total combined conversion period for both livestock, pasturage and any land used for animal feed is reduced to 24 months subject to the following conditions —

(A) the derogation applies only to the existing animals and their offspring and at the same time also to the land used for animal feed or pasturage before starting the conversion; and

(B) the animals are mainly fed with products from the production unit.

8. ORIGIN OF THE ANIMALS

(a) In the choice of breeds or strains, account must be taken of the capacity of animals to adapt to local conditions, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production (for example, porcine stress syndrome, PSE syndrome, sudden death, spontaneous abortion, difficult births requiring caesarian operations, etc). Preference is to be given to indigenous breeds and strains.

(b) Livestock must come from the production units which comply with the rules on the various types of livestock production laid down in section 4 and in this Schedule. Throughout their life this system of production must be applied.

(c) By way of a first derogation, subject to the prior approval by the inspection authority or body, livestock existing on the livestock production unit, not complying with the provisions of this Ordinance can be converted.

(d) By way of a second derogation, when a herd is constituted for the first time and organically reared animals are not available in sufficient numbers, non-organically reared livestock may be brought into an organic livestock production unit, subject to the following conditions —

- pullets for the production of eggs must not be more than 18 weeks old,
- chicks for broiler production must be less than 3 days old at the time when they leave the production unit where they were produced,
- buffalo must be less than 6 months old,

- calves and horses must be reared according to the rules of this regulation as soon as they are weaned and in any case they must be less than 6 months old,
 - ewes and goats must be reared according to the requirements of this Ordinance as soon as they are weaned and they must weigh less than 25 kilogrammes.
- (e) The derogation contained in paragraph (d) must be authorised beforehand by the inspection authority or body and applies for a transitional period expiring on 31 December 2003.
- (f) By way of a third derogation, the renewal or reconstitution of the herd or flock must be authorised by the inspection authority or body when organically reared animals are not available, and in the following cases —
- (i) high mortality of animals caused by health or catastrophic circumstances;
 - (ii) for a transitional period expiring on 31 December 2003, pullets for egg production no more than 18 weeks old;
 - (iii) for a transitional period expiring on 31 December 2003, poultry for meat production less than 3 days old, and pigs as soon as they are weaned and provided that they weigh less than 25 kilogrammes.
- (g) By way of a fourth derogation, subject to a maximum of 10 percent of adult equine or bovine (including bubalus and bison species) livestock and 20 percent of the adult porcine, ovine and caprine livestock, livestock may be brought in, as female (nulliparous) animals, from non-organic production stock-farms per year, when organically reared animals are not available, and only when authorised by the inspection authority or body.
- (h) The percentages provided for by the derogation contained in paragraph (g) does not apply to production units with less than 10 equine or bovine animals, or with less than 5 porcine, ovine or caprine animals and for these units any renewal as provided for in paragraph (g) is limited to a maximum of 1 animal per year.
- (i) The percentages mentioned in paragraph (g) may be increased to up to 40 percent following the opinion and agreement of the inspection authority or body in the following special cases —
- when a major extension to the stock-farm is undertaken;
 - when a breed is changed;
 - when a new livestock specialisation is developed.
- (j) By way of a fifth derogation, males for breeding may be brought in from non-organic production stock-farms provided that the animals are subsequently reared and always fed in accordance with the provisions of this Ordinance.
- (k) Where livestock comes from units not complying with this Ordinance in accordance with the conditions and restrictions set out in paragraphs (c) to (k), the periods laid down in paragraph 7(b)(i) must be observed if the products are to be sold as being from organic production and during these periods all the requirements of this Ordinance must be complied with in relation to such livestock.
- (l) Where livestock is obtained from units not complying with the requirements of this Ordinance, special attention must be paid to animal health measures. The inspection authority or body may apply, as it sees fit, special measures, such as screening tests and quarantine periods.

9. FEED

- (a) Feed is intended to ensure quality production rather than maximising production, while meeting the nutritional requirements of the livestock at various stages of their development. Fattening practices are authorised insofar as they are reversible at any stage of the rearing process. Force-feeding is forbidden.
- (b) Livestock must be fed on organically produced feedingstuffs.
- (c) Furthermore, livestock must be reared in accordance with the rules set out in this Schedule, preferably using feed from the unit or, when this is not possible, using feed from other units or enterprises subject to the provisions of this Ordinance.
- (d) Up to 30 percent of the feed formula of rations on average may compromise in-conversion feedingstuffs. When the in-conversion feedingstuffs come from a unit of the same holding, this percentage may be increased to 60 percent.
- (e) The feeding of young mammals must be based on natural milk, preferably maternal milk. All mammals must be fed on natural milk for a minimum period, depending on the species concerned, which shall be 3 months for bovines (including bubalus and bison species) and equidae, 45 days for sheep and goats and 40 days for pigs.
- (f) Rearing system for herbivores must be based on maximum use of pasturage according to the availability of pastures in the different periods of the year. At least 60 percent of the dry matter in daily rations is to consist of roughage, fresh or dried fodder, or silage. Nevertheless the inspection authority or body can permit a reduction to 50 percent for animals in dairy production for a maximum period of 3 months in early lactation.
- (g) By way of a derogation from paragraph (b), for a transitional period expiring on 24 August 2005, the use of a limited proportion of convenient feedingstuffs is authorised where the farmer is unable to obtain feed exclusively from organic production. The maximum percentage of conventional feedingstuffs authorised per year is 10 percent in the case of herbivores and 20 percent for other species. These figures are to be calculated annually as a percentage of the dry matter of feedingstuffs from agricultural origin. The maximum percentage authorised of conventional feedingstuffs in the daily ration must be 25 percent calculated as a percentage of the dry matter.
- (h) By derogation from paragraph (g), when forage production is lost, in particular as a result of exceptional weather conditions, the competent authority may authorise for a limited period and in relation to a specific area, a higher percentage of conventional feedingstuffs where such a derogation is warranted. Upon approval by the competent authority, the inspection authority or inspection body shall apply this derogation to individual operators.
- (i) For poultry, the feed formula used in the fattening stage must contain at least 65 percent cereals.
- (j) Roughage, fresh or dried fodder, or silage must be added to the daily ration for pigs and poultry.
- (k) Only products listed in Schedule 2, Part 4, paragraphs 1(e) and 3(a) can be used as additives and processing aids, respectively, in silage.
- (l) Conventional feed materials of agricultural origin can be used for animal feeding only if listed in Schedule 2, Part 2, paragraph 1 (feed materials from plant origin) subject to the quantitative restrictions imposed in this Schedule, and only if they are produced or prepared without the use of chemical solvents.

(m) Feed materials from animal origin (whether conventional or organically produced) can only be used if listed in Schedule 2, Part 3, paragraph 2, and subject to the quantitative imposed in this Schedule.

(n) In order to satisfy nutritional requirements of livestock, only products listed in Schedule 2, Part 3, Section C (feed materials from mineral origin) and Part 4 paragraph (a) (trace elements) and (b) (vitamins, pro-vitamins and chemically well defined substances having a similar effect), can be used for animal feeding.

(o) Only products listed in Schedule 2, Part 4, Section A, paragraphs (c) (enzymes), (d) (micro-organisms), (f) (binders, anti-caking agents and coagulants), Schedule 2, Part 4, Section B (certain products used in animal nutrition) and Schedule 2, Part 4, Section C (processing aids in feedingstuffs) can be used in animal feeding for the purposes indicated with respect to the above-mentioned categories. Antibiotics, coccidiostatics, medicinal substances, growth promoters or any other substance intended to stimulate growth or production shall not be used in animal feeding.

(p) Feedingstuffs, feed materials, compound feedingstuffs, feed additives, processing aids for feedingstuffs and certain products used in animal nutrition must not have been produced with the use of genetically modified organisms or products derived therefrom.

10. DISEASE PREVENTION AND VETERINARY TREATMENT

(a) Disease prevention in organic livestock production shall be based on the following principles —

(i) the selection of appropriate breeds or strains of animals as detailed in paragraph 8;

(ii) the application of animal husbandry practices appropriate to the requirements of each species, encouraging strong resistance to disease and the prevention of infections;

(iii) the use of high quality feed together with regular exercise and access to pasturage, having the effect of encouraging the natural immunological defence of the animal; and

(iv) ensuring an appropriate density of livestock, thus avoiding overstocking and any resulting animal health problems.

(b) The principles set out in paragraph (a) should limit animal-health problems so that they can be controlled mainly by prevention.

(c) If, despite all of the above preventive measures, an animal becomes sick or injured, it must be treated immediately, if necessary in isolation, and in suitable housing.

(d) The use of veterinary medicinal products in organic farming shall comply with the following principles —

(i) phytotherapeutic (for example, plant extracts (excluding antibiotics) essences, etc), homeopathic products (for example plant, animal or mineral substances) and trace elements and products listed in Part 3, Section C of Schedule 2, shall be used in preference to chemically-synthesised allopathic veterinary medicinal products or antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended;

(ii) if the use of the above products should not prove, or is unlikely to be, effective in combating illness or injury, and treatment is essential to avoid suffering or distress to the animal, chemically-synthesised allopathic veterinary medicinal products or antibiotics may be used under the responsibility of a veterinary surgeon;

(iii) the use of chemically synthesised allopathic veterinary medicinal products or antibiotics for preventive treatments is prohibited.

(e) In addition to the above principles, the following rules apply.—

(i) the use of substances to promote growth or production (including antibiotics, coccidostatics and other artificial aids for growth promotion purposes) and the use of hormones or similar substances to control reproduction (for example induction or synchronisation of oestrus) or for other purposes, is prohibited. Nevertheless hormones may be administered to an individual animal, as a form of therapeutic veterinary treatment.

(ii) veterinary treatments to animals, or treatments to buildings, equipment and facilities, which are compulsorily under Falkland Islands law are authorised, including the use of immunological veterinary medicinal products when a disease has been recognised as present in a specific area in which the production unit is located.

(f) Whenever veterinary medicinal products are to be used the type of product must be recorded clearly, (including an indication of the active pharmacological substances involved) together with details of the diagnosis, the posology, the method of administration, the duration of the treatment, and the legal withdrawal period. This information is to be declared to the inspection authority or inspection body before the livestock or livestock products are marketed as organically produced. Livestock treated must be clearly identified, individually in the case of large animals and individually or by batch, in the case of poultry and small animals.

(g) The withdrawal period between the last administration of an allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced food stuffs from such animals, is to be twice the legal withdrawal period or, in a case in which this period is not specified, 48 hours.

(h) With the exception of vaccinations, treatments for parasites and any compulsory eradication schemes established by Falkland Islands law, where an animal or group of animals receives more than 2 or a maximum of 3 courses of treatments with chemically-synthesised allopathic veterinary medicinal products or antibiotics within 1 year (or more than one course of treatment if their productive life-cycle is less than 1 year) the livestock concerned, or produce derived from them, may not be sold as being products produced in accordance with this Ordinance, and the livestock must undergo the conversion periods laid down in Part 2 of this Schedule, subject to the agreement of the inspection authority or inspection body.

11. HUSBANDRY MANAGEMENT PRACTICES, TRANSPORT AND IDENTIFICATION OF LIVESTOCK PRODUCTS

(a) *Husbandry practices*

(i) In principle, the reproduction of organically reared livestock should be based on natural methods. Nevertheless artificial insemination is permitted. Other forms of artificial or assisted reproduction (for example, embryo transfers) are prohibited.

(ii) Operations such as attaching elastic bands to the tails of sheep, tail docking, cutting of teeth, trimming of beaks and de-horning must not be carried out systematically in organic farming. Some of these operations may, however, be authorised by the inspection authority or inspection body, for reasons of safety (for example de-horning in young animals) or if they are intended to improve the health, welfare or hygiene of the livestock. Such operations must be carried out at the most appropriate age by qualified personnel and any suffering to the animals must be reduced to a minimum.

(iii) Physical castration is allowed in order to maintain the quality of products and traditional production practices (meat-type pigs, bullocks, capons, etc) but only under the conditions set out in the last sentence of (ii).

(iv) Keeping livestock tethered is forbidden. Nevertheless, by derogation from this principle, the inspection authority or inspection body can authorise this practice for individual animals upon justification by the operator that it is necessary for safety or welfare reasons, and that such tethering is only for a limited period of time.

(v) By derogation from the provisions of sub-paragraph (iv), cattle may be tethered in buildings existing before 24 August 2000, provided that regular exercise is provided and rearing takes place in line with animal welfare requirements with comfortably littered areas as well as individual management. This derogation must be authorised by the inspection authority or inspection body and may apply only for a transitional period expiring on 31 December 2010.

(vi) By way of further derogation, cattle in smallholdings may be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have at least twice a week access to pastures, open air runs or exercise areas.

(vii) Where livestock are reared in groups, the size of the group must depend upon their stage of development and the behavioural needs of the species concerned. The keeping of livestock in conditions, or on a diet, which may encourage anaemia is prohibited.

(viii) For poultry, the minimum age at slaughter is —

- 81 days for chickens,
- 150 days for capons,
- 49 days for Peking ducks,
- 70 days for female Muscovy ducks,
- 84 days for male Muscovy ducks,
- 92 days for Mallard ducks,
- 94 days for Guinea fowl,
- 140 days for turkeys and roasting geese.

Where producers do not apply these minimum slaughter ages, they must use slow growing strains.

(b) *Transport*

(i) Transport of livestock must be carried out so as to limit the stress suffered by the animals in accordance with the relevant Falkland Islands law in force. Loading and unloading must be carried out with caution and without the use of any type of electrical stimulation to coerce the animals. The use of any allopathic tranquilliser, prior to and during transport, is prohibited.

(ii) During the period leading up to and at the time of slaughter, livestock must be handled in such a way that stress to the animals is reduced to a minimum.

(c) *Identification of livestock products*

Livestock and livestock products are to be identified at all stages of their production, preparation, transport and marketing.

12. LIVESTOCK MANURE

(a) The total amount of manure, as defined in Directive 91/676/EEC, applied on the holding must not exceed 170 kilogrammes per year per hectare of agricultural area used, the amount

specified in Annex III of that Directive. Where necessary, the total stocking density shall be reduced to avoid exceeding the limit expressed above.

(b) To determine the appropriate density of livestock referred to in sub-paragraph (a), the livestock units equivalent to 170 kilogrammes of Nitrogen per year per hectare of agricultural area used for the various categories of animals shall be set out by the competent authority taking as a guideline the figures laid down in Schedule 6.

(c) Organic-production holdings may establish co-operation with other holdings and enterprises which comply with the provisions of this Ordinance, with the intention of spreading surplus manure from organic production. The maximum limit of 170 kilogrammes of Nitrogen from manure per year per hectare of agricultural area used will be calculated on the basis of all the organic-production units involved in such a co-operation.

(d) Storage facilities for livestock manure must be of a capacity to preclude the pollution of water by direct discharge, or by run-off and infiltration of the soil.

(e) To ensure sound fertiliser management, the capacity of such storage facilities for livestock manure must exceed the storage capacity required for the longest period of the year in which any application of fertiliser to the land is either inappropriate in accordance with the codes of good agricultural practice established by the competent authority, or when such application is prohibited by the competent authority, in cases where the production unit is located within a designated nitrate vulnerable zone.

13. FREE RANGE AREAS AND LIVESTOCK HOUSING

(a) *General principles*

(i) Housing conditions for livestock must meet the livestock's biological and ethological needs (for example, behavioural needs as regards appropriate freedom of movement and comfort). The livestock must have easy access to feeding and watering. Installation, heating and ventilation of the building must ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within limits which are not harmful to the animals. The building must permit plentiful natural ventilation and light to enter.

(ii) Free-range, open-air exercise areas, or open-air runs must, if necessary, provide sufficient protection against rain, wind, sun and extreme temperatures, depending on the local weather conditions and the breed concerned.

(b) *Stocking densities and the avoidance of over-grazing*

(i) Housing for livestock will not be mandatory in areas with appropriate climatic conditions to live outdoors.

(ii) The stocking density in buildings shall provide for the comfort and well-being of the animals which, in particular, shall depend on the species, the breed and the age of the animals. It shall also take account of the behavioural needs of the animals which depend in particular on the size of the group and the animals sex. The optimum density will seek to ensure that animals welfare by providing them with sufficient space to stand naturally, lie down easily, turn around, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.

(iii) The minimum surface areas for indoor housing and outdoor exercise areas and other characteristics of housing for different species and categories of animals are laid out in Schedule 7.

(iv) The outdoor stocking density of livestock kept on pasturage, other grassland, heathland, wetland, heather, and other natural or semi-natural habitats, must be low enough to prevent poaching of the soil and over-grazing of vegetation.

(v) Housing, pens, equipment and utensils must be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Only the products listed in Part 5 of Schedule 2 may be used for such cleaning and disinfection of livestock buildings and installations. Faeces, urine and uneaten or spilt food must be removed as often as necessary to minimise smell and to avoid attracting insects or rodents. Only the products referred to in Part 2, Section B of Schedule 2 can be used for the elimination of insects and other pests in buildings and other installations where livestock is kept.

(c) *Mammals*

(i) Subject to the provisions of paragraph 5(c), all mammals must have access to pasturage or an open-air exercise area or an open-air run which may be partially covered, and they must be able to use those areas whenever the physiological condition of the animal, the weather conditions and the state of the ground permit. Herbivores must have access to pasturage whenever conditions allow.

(ii) In cases where herbivores have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open-air exercise areas or open-air runs during the winter months may be waived.

(iii) Notwithstanding the last sentence of sub-paragraph (ii), bulls over 1 year old must have access to pasturage or an open-air exercise area or an open-air run.

(iv) By way of derogation from sub-paragraph (1), the final fattening phase of cattle, pigs and sheep for meat production may take place indoors, provided that this indoors period does not exceed one fifth of their lifetime and in any case a maximum period of 3 months.

(v) Livestock housing must have smooth, but not slippery, floors. At least half of the total floor area must be solid, that is, not of slatted or of grid construction.

(vi) The housing must be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material must be provided in the rest area. The litter must comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product authorised for use as a fertiliser in organic farming in accordance with Part 1 of Schedule 2.

(vii) With regard to the rearing of calves, all holdings must comply with Directive 91/629/EEC laying down minimum standards for the protection of calves. The housing of calves in individual boxes is forbidden after the age of 1 week.

(viii) As regards the rearing of pigs, all holdings must comply with Directive 91/630/EEC laying down minimum standards for the protection of pigs. However, sows must be kept in groups, except in the last stages of pregnancy and during the suckling period. Piglets may not be kept on flat decks or in piglet cages. Exercise areas must permit dunging and rooting by the animals. For the purpose of rooting different substrates can be used.

(d) *Poultry*

(i) Poultry must be reared in open-range conditions and cannot be kept in cages.

(ii) Waterfowl must have access to a stream, pond or lake whenever the weather conditions permit in order to respect animal welfare requirements or hygienic conditions.

(iii) Buildings for all poultry must meet the following minimum conditions —

- at least one third shall be solid, that is, not of slatted or of grid construction, and covered with a litter of material such as straw, wood shavings, sand or turf;
- in poultry houses for laying hens, a sufficiently large part of the floor area available to the hens must be available for the collection of bird droppings;
- they must have perches of a size and number commensurate with the size of the group and of the birds as laid down in Schedule [7];
- they must have exit/entry pop-holes of a size adequate for the birds, and these holes must have a combined length of at least four metres per hundred square metres of area of the house available to the birds;
- each poultry house must contain not more than —
 - ◆ 4800 chickens,
 - ◆ 3000 laying hens,
 - ◆ 5200 guinea fowl,
 - ◆ 4000 female Muscovy or Peking ducks, or 3200 males Muscovy or Peking ducks or other ducks,
 - ◆ 2500 capons, geese or turkeys
- the total usable area of poultry houses for meat production on any single production unit must not exceed 1600 square metres.

(iv) In the case of laying hens natural light may be supplemented by artificial means to provide a maximum of 16 hours light per day with a continuous nocturnal rest period without artificial light of at least 8 hours.

(v) Poultry must have access to an open-air run whenever the weather conditions permit and, whenever, must have such access for at least one third of their life. These open-air runs must be mainly covered with vegetation, be provided with protective facilities, and permit the birds to have easy access to adequate numbers of drinking and feeding troughs.

(vi) For health reasons, buildings must be emptied of livestock between each batch of poultry reared. The buildings and fittings are to be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs must be left empty to allow vegetation to grow back, and for health reasons. These requirements do not apply to small numbers of poultry which are not kept in runs and which are free to roam throughout the day.

PART 3

BEE KEEPING AND BEE KEEPING PRODUCTS

[Note: this Part is deliberately left blank until such time as it may be relevant to make provision for this topic]

SCHEDULE 2

PART 1

FERTILISERS AND SOIL CONDITIONERS

[Use only in accordance with the provisions of Schedule 1]

Name	Description, compositional requirements, conditions for use
Compound products of products containing only materials listed hereunder:	
— Farmyard manure	Product comprising a mixture of animal excrements and vegetable matter (animal bedding) Need recognised by the inspection body or inspection authority Indication of the animal species Coming from extensive husbandry and only in the sense of Article 6(5) of Council Regulation (EEC) No 2328/91, as last amended by Regulation (EC) No 3669/93
— Dried farmyard manure and dehydrated poultry manure	Need recognised by the inspection body or inspection authority Indication of animal species Coming from extensive husbandry and only in the sense of Article 6(5) of Council Regulation (EEC) No 2328/91
— Composted animal excrements, including poultry manure and composted farmyard manure included	Need recognised by the inspection body or inspection authority Indication of the animal species Factory farming origin forbidden
— Liquid animal excrements (slurry, urine, etc.)	Use after controlled fermentation and/or appropriate dilution Need recognised by the inspection body or inspection authority Indication of the animal species Factory farming origin forbidden
— Peat	Use limited to horticulture (market gardening, floriculture, arboriculture, nursery)
— Mushroom culture wastes	The initial composition of the substrate must be limited to products of the present list
— Dejecta of worms (vermicompost) and insects	
— Guano	Need recognised by the inspection body or inspection authority
— Composted mixture of vegetable matter	Need recognised by the inspection body or inspection authority
— Products or by-products of animal origin as below:	Need recognised by the inspection body or inspection authority
— blood meal	
— hoof meal	
— horn meal	
— bone meal or degelatinised bone meal	
— fish meal	
— meat meal	
— feather, hair and 'chiquette' meal	
— wool	
— fur	
— hair	
— dairy products	

— Products and by-products of plant origin for fertilisers (for instance: oilseed cake meal, cocoa husks, malt culms, etc.)	
— Seaweeds and seaweed products	Only as far as obtained by: (i) physical processes including dehydration, freezing and grinding; (ii) extraction with water or aqueous acid and/or alkaline solution (iii) fermentation
— Sawdust and wood chips	Wood not chemically treated after felling
— Composted bark	Wood not chemically treated after felling
— Wood ash	From wood not chemically treated after felling
— Soft ground rock phosphate	Product as specified by Council Directive 76/116/EEC, as last amended by Directive 89/284/EEC Cadmium content less than or equal to 90 mg/kg of P205
— Aluminium calcium phosphate	Product as specified by Council Directive 76/116/EEC, as last amended by Directive 89/284/EEC Cadmium content less than or equal to 90 mg/kg of P205 Use limited to basic soils (pH > 7,5)
— Basic slag	Need recognised by the inspection body or inspection authority
— Crude potassium salt (for instance: kainit, sylvinit, etc.)	Need recognised by the inspection body or inspection authority
— Potassium sulphate containing magnesium salt	Need recognised by the inspection body or inspection authority
— Stillage and stillage extract	Derived from crude potassium salt Ammonium stillage excluded
— Calcium carbonate of natural origin (for instance: chalk, marl, ground limestone, Breton ameliorant, (maërl), phosphate chalk)	
— Magnesium and calcium carbonate of natural origin (for instance: magnesian chalk, ground magnesium limestone, etc.)	Only of natural origin
— Calcium chloride solution	Need recognised by the inspection body or inspection authority
— Calcium sulphate (gypsum)	Foliar treatment of apple trees, after identification of deficit of calcium Need recognised by the inspection body or inspection authority
— Elemental sulphur	Product as specified by Council Directive 76/116/EEC, as last amended by Directive 89/284/EEC Only of natural origin
— Trace elements	Product as specified by Council Directive 76/446/EEC, as last amended by Directive 89/284/EEC Need recognised by the inspection body or inspection authority
— Sodium Chloride	Trace elements included in Directive 89/530/EEC Need recognised by the inspection body or inspection authority
— Stone meal	Only mined salt Need recognised by the inspection body or inspection authority

PART 2
PESTICIDES

A. Products for plant protection

[Use in accordance with provisions of Schedule 1]

Name	Description, compositional requirements, conditions for use
I Substances of crop or animal origin II Micro-organisms used for biological pest control III Substances to be used in traps and/or dispenses	The traps and/or dispensers must prevent the penetration of the substances in the environment and prevent contact of the substances with the crops under cultivation and the traps must be collected daily

B. Products for pest and disease control in livestock buildings and installations

Name	Description, compositional requirements, conditions for use
Products listed in section A.	Rodenticides

PART 3
FEED MATERIALS

A. Feed materials from plant origin

Name	Description, compositional requirements, conditions for use
(a) cereals, grains, their products and by-products.	the following substances are included in this category — oats as grains, flakes, middlings, hulls and bran; barley as grains, protein and middlings; rice as grains, rice broken, bran, and germ expeller; millet as grains; rye as grains, middlings, feed and bran; sorghum as grains; wheat as grains, middlings, bran, gluten feed, gluten and germ; spelt as grains; triticale as grains; maize as grains, bran, middlings, bran, germ expeller and gluten; malt culms; brewers' grains.
(b) oil seeds, oil fruits, their products and by-products.	the following substances are included in this category — rapeseed, expeller, and hulls; soyabean as bean, posted, expeller and hulls; sunflower seed as seed and expeller; cotton as seed and seed expeller; linseed as seed and expeller; sesame seed as seed and expeller; palm kernels as expeller; turnip rapeseed as expeller and hulls; pumpkin seed as expeller; olive pulp (from physical extraction of olives).
(c) legume seeds, their products and by-products	the following substances are included in this category — chickpeas as seeds; ervil as seeds;

(d) tuber roots, their products and by-products	chickling vetch as seeds submitted to an appropriate heat treatment; peas as seeds, middlings and bran; broad beans as seeds, middlings and bran; horse beans as seeds, vetches as seeds and lupin as seeds. the following substances are included in this category — sugar beet pulp; dried beet; potato; sweet potato as tuber; manioc as roots; potato pulp (by-product of the extraction of potato starch); potato starch; potato protein and tapioca.
(e) other seeds and fruits, their products and by-products	the following substances are included in this category — carob pods; citrus pulp; apple pomace; tomato pulp; grape pulp.
(f) forages and roughages	the following substances are included in this category — lucerne; lucerne meal; clover; clover meal; grass (obtained from forage plants); grass meal; hay; sillage; straw of cereals; and root vegetables for foraging.
(g) other plants, their products and by-products	the following substances are included in this category — molasses as a binding agents in compound feedingstuffs; seaweed meal (obtained by drying and crushing seaweed and washed to reduce iodine content); powders and extracts of plants; plant protein extracts (solely provided to young animals), spices and herbs.

B. Feed materials from animal origin

Name	Description, compositional requirements, conditions for use
(a) milk and milk products	the following substances are included in this category — raw milks as defined in Article 2 of Directive 92/46/EEC; milk powder; skimmed milk; skimmed-milk powder; butter milk; butter-milk powder; whey; whey powder;

(b) fish, other marine animals, their products and by-products

wey powder low in sugar;
wey protein powder (extracted by physical treatment);
casein powder and
lactose powder.

the following substances are included in this category —
fish, fish oil and cod-liver oil not refined;
fish molluscan or crustacean autolysates, hydrolysate
and proteolysates obtained by an enzyme action,
whether or not in soluble form, solely provided to young
animals;
fish meal.

C. Feed materials from mineral origin

Name	Description, compositional requirements, conditions for use
	<p>the following substances are included in this category —</p> <p>sodium — unrefined sea salt, coarse rock salt, sodium sulphate, sodium carbonate, sodium bicarbonate, sodium chloride;</p> <p>calcium — lithoamnion and mäerl, shells of aquatic animals (including cuttlefish bones), calcium carbonate, calcium lactate, calcium gluconate;</p> <p>phosphorous — bone dicalcium, phosphate precipitate, deflourinated dicalcium phosphate, deflourinated monocalciumphosphate;</p> <p>magnesium — anhydrous magnesia, magnesium sulphate, magnesium chloride, magnesium carbonate;</p> <p>sulphur — sodium sulphate.</p>

PART 4
FEED ADDITIVES, CERTAIN SUBSTANCES USED IN ANIMAL NUTRITION
(DIRECTIVE 82/471/EEC) AND PROCESSING AIDS USED IN FEEDINGSTUFFS

A. Feed additives

Name	Description, compositional requirements, conditions for use
(a) trace elements	the following substances are included in this category — [intentionally left blank]
(b) vitamins, provitamins and chemically well defined substances having a similar effect	the following substances are included in this category — vitamins authorised under Directive 70/524/EEC — <ul style="list-style-type: none"> • preferably derived from raw materials occurring naturally in feedingstuffs, or • synthetic vitamins identical to natural vitamins only for monogastric animals.
(c) enzymes	the following substances are included in this category — enzymes authorised under Directive 70/524/EEC
(d) micro-organisms	the following micro-organisms are included in this category — micro-organisms authorised under Directive 70/524/EEC
(e) preservatives	the following substances are included in this category — E236 Formic acid only for silage, E260 Acetic acid only for silage, E270 Lactic acid only for silage, E280 Propionic acid only for silage.
(f) binders, anti-caking agents and coagulants	the following substances are included in this category — E551b Colloidal silica, E551c Kieselgur, E553 Sepiolite, E558 Bentonite, E559 Kaolinitic clays, E561 Vermiculite, E599 Perlite.

B. Certain products used in animal nutrition

Name	Description, compositional requirements, conditions for use
	the following products are included in this category — [intentionally left blank]

C. Processing aids used in feedingstuffs

Name	Description, compositional requirements, conditions for use
(a) processing aids for silage	the following substances are included in this category — sea salt, coarse rock salt, enzymes, yeasts, whey, sugar, sugar beet pulp, cereal flour, molasses,

lactic,
acetic,
formic, and
propionic bacteria
when weather conditions do not allow for adequate
fermentation, the inspection authority or inspection body
may authorise the use of lactic, formic, propionic and
acetic acids in the production of silage.

PART 5

PRODUCTS AUTHORISED FOR CLEANSING AND DISINFECTION OF LIVESTOCK BUILDINGS AND INSTALLATIONS (FOR EXAMPLE, EQUIPMENT AND UTENSILS)

Potassium and Sodium salt,
Water and steam.
Milk of lime,
Lime,
Quick lime,
Sodiumhypochlorite (for example as liquid bleach),
Caustic soda,
Caustic potash,
Hydrogen peroxide,
Natural essences of plants,
Citric, peracetic acid, formic, lactic, oxalic and acetic acid,
Alcohol,
Nitric acid (dairy equipment),
Phosphoric acid (dairy equipment),
Formaldehyde, cleaning and disinfection products for teats and milking facilities,
Sodium carbonate.

PART 6

OTHER PRODUCTS

[This Part is intentionally left blank]

SCHEDULE 3

MINIMUM INSPECTION REQUIREMENTS AND PRECAUTIONARY MEASURES UNDER THE INSPECTION SCHEME

A. 1. Plants and plant products from farm production or collection

1. Production must take place in a unit the land parcels and production and storage locations of which are clearly separate from those of any other unit not producing in accordance with the rules laid down in this Regulation; processing and/or packaging workshops may form part of the unit, where its activity is limited to processing and packaging of its own agricultural produce.
2. When the inspection arrangements are first implemented, the producer, even where his activity is limited to the collection of wild plants, and the inspection body must draw up:

- a full description of the unit, showing the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place,
- all the practical measures to be taken by the producer at unit-level to ensure compliance with the provisions of this Ordinance,
- and, in case of collection of wild plants, the guarantees given by third parties, if appropriate where relevant which the producer can provide to ensure that the provisions of Schedule 1, paragraph 4 are satisfied.

The description and the measures concerned must be contained in an inspection report countersigned by the producer concerned.

In addition, the report must specify:

- the date of the last application on the parcels and/or collection areas concerned of products, the use of which is not compatible with section 4(1)(b),
- an undertaking by the producer to carry out operations in accordance with section 9 and to accept, in the event of infringement, enforcement of the measures referred to in section 7(8) and, where relevant, in section 8(3).

3. Each year, before the date indicated by the inspection body, the producer must notify the body of its schedule of production of crop products, giving a breakdown by parcel.

4. Written and/or documentary accounts must be kept which enable the inspection body to trace the origin, nature and quantities of all raw materials bought, and the use of such materials; in addition, written or documentary accounts must be kept of the nature, quantities and consignees of all agricultural products sold. Quantities sold directly to the final consumer shall be accounted on a daily basis.

Where the unit itself processes its own agricultural produce, the accounts must contain the information as referred to in paragraph 15, third hyphen of this Schedule.

5. Storage, in the unit, of input products other than those the use of which is compatible with section 4(1)(b) is prohibited.

6. Apart from unannounced inspection visits, the inspection body must make a full physical inspection, at least once a year, of the unit. Samples for testing of products not authorised under this Ordinance may be taken. However, such samples must be taken where the use of unauthorised products is suspected. An inspection report must be drawn up after each visit, countersigned by the responsible person of the unit.

7. The producer must give the inspection body, for inspection purposes, access to the storage and production premises and to the parcels of land, as well as to the accounts and relevant supporting documents. He must provide the inspection body with any information deemed necessary for the purposes of the inspection.

8.1 Products as referred to in section 3 may be transported to other units, including wholesalers and retailers, only in appropriate packaging or containers closed in a manner preventing

substitution of the content and provided with a label stating, without prejudice to any other indications required by law:

- (a) the name and address of the person responsible for the production or preparation of the product, or, where another seller is mentioned, a statement which enables the receiving unit and the inspection body to identify unequivocally the person responsible for the production of the product,
- (b) the name of the product, including a reference to the organic production method, in accordance with section 9.

8.2 However, the closing of packaging or containers is not required where:

- (a) transportation is between a producer and another operator who are both subject to the inspection system referred to in section 7, and
- (b) the products are accompanied by a document giving the information required under the previous subparagraph.

9. Where an operator runs several production units in the same area, producing crops or crop products not covered by section 3, together with storage premises for input products (such as fertilisers, plant protection products, seed) must also be subject to the inspection arrangements as regards the first subparagraph of paragraph 2 and paragraphs 3 and 4. Crops of the same variety as those produced at the unit referred to in paragraph 1 may not be produced at these units.

However, producers may derogate from the rule referred to in paragraph 1 may not be produced at these units.

(a) in the case of the production of perennial crop products (fruit growing, vines and hops) provided the following conditions are met:

1. the production in question forms part of a conversion plan in respect of which the producer gives a firm undertaking and which provides for the beginning of the conversion of the last part of the area concerned to organic production in the shortest possible period which may not in any event exceed a maximum of 5 years,
2. appropriate measures have been taken to ensure the permanent separation of the products obtained from each unit concerned,
3. the inspection body or authority is notified of the harvest of each of the products concerned at least 48 hours in advance,
4. immediately upon completion of the harvest, the producer informs the inspection body or authority of the exact quantities harvested on the units concerned together with any particular distinguishing features (such as quality, colour, average weight, etc.) and confirms that the measures taken to separate the products have been applied,
5. the conversion plan and the measures referred to in paragraphs 1 and 2 have been approved by the inspection body or authority. This approval must be confirmed each year after the start of the conversion plan;

(b) in the case of production of seed, vegetative propagating material and transplants, provided that conditions 2, 3 and 4 and the relevant part of condition 5 referred to in (a) are met.

A. 2. Livestock and livestock products produced by animal husbandry

10. When the inspection system applying specifically to livestock production is first implemented, the producer and the inspection authority or inspection body must draw up —

- a full description of the livestock buildings, pasturages, open-air exercise areas, open-air runs, etc, and, where applicable, the premises for the storage, packaging and processing of livestock, livestock products, raw materials and inputs,
- a full description of the installations for the storage of livestock manure,
- a plan for spreading such manure agreed with the inspection authority or inspection body, together with a full description of the areas given over to crop production,
- where appropriate, the arrangements laid down by contact with other farms as regards the spreading of manure,
- a management plan for the organic-production livestock unit (for example management for feeding, reproduction, health, etc),
- all practical measures to be taken on the livestock farm to ensure compliance with this Ordinance.

In addition the report must include an undertaking by the producer to carry out operations in accordance with sections 4 and 9 and to accept, in the event of infringement, enforcements of the measures referred to in section 7(8) and, where relevant, in section 8(3).

11. The general requirements on inspection in paragraphs 1 and 4 of Part A. 1. covering crops and crop products are applicable to livestock and livestock products. By way of a derogation from those rules, the storage of allopathic veterinary medicinal products and antibiotics is permitted on holdings provided that they have been prescribed by veterinary surgeon in connection with treatment as referred to in Schedule 1, but they are stored in a supervised location and that they are entered in the farm register.

12. The livestock must be identified permanently using techniques adapted to each species, individually in the case of large mammals and individually or by batch in the case of poultry and small mammals.

13. Livestock records must be compiled in the form of a register and kept available for inspection by the inspection authority or body at all times at the address of the holding. Such records, which are to provide a full description of the herd or flock management system, must contain the following information —

- by species, as regards livestock arriving at the holding: origin and date of arrival, conversion period, identification mark and veterinary record;
- as regards livestock leaving the holding: age, number of head, weight in case of slaughter on the holding, identification mark and destination;
- details of any animals lost and reasons;
- as regards feed: type, including feed supplements, proportions of various ingredients of rations and periods of access to free-range areas;
- as regards disease prevention and treatment and veterinary care: date of treatment, diagnosis, type of treatment product, method of treatment and practitioners prescription for veterinary care with reasons and withdrawal periods applying before livestock products can be marketed.

B. Units for preparation of plant and livestock products and foodstuffs composed of plant and livestock products

14. When the inspection arrangements are first implemented, the producer and inspection body must draw up:

- a full description of the unit, showing the facilities used for the processing, packaging and storage of agricultural products before and after the operations concerning them,
- all the practical measures to be taken at the level of the unit to ensure compliance with this Regulation.

This description and the measures concerned must be contained in an inspection report, countersigned by the responsible person of the unit.

In addition, the report must include an undertaking by the operator to perform the operations in such a way as to comply with section 9 and to accept, in the event of infringement, the enforcement of the measures referred to in section 7(8) and, where relevant, in section 8(3).

15. Written accounts must be kept enabling the inspection body to trace:

- the origin, nature and quantities of agricultural products as referred to in Article 1 which have been delivered to the unit,
- the nature, quantities and consignees of products as referred to in Article 1 which have left the unit,
- any other information, such as the origin, nature and quantities of ingredients, additives and manufacturing aids delivered to the unit and the composition of processed products, that is required by the inspection body for the purposes of proper inspection of the operations.

16. Where products not referred to in section 3 are also processed, packaged or stored in the unit concerned:

- the unit must have separate areas within the premises for the storage of products as referred to in section 3, before and after the operations,
- operations must be carried out continuously until the complete run has been dealt with, separated by place or time from similar operations performed on products not covered by section 3,
- if such operations are not carried out frequently, they must be announced in advance, with a deadline agreed on with the inspection body,
- every measure must be taken to ensure identification of lots and to avoid mixtures with products not obtained in accordance with the rules laid down in this Regulation.

17. Apart from unannounced inspection visits, the inspection body must make a full physical inspection, at least once a year, of the unit. Samples for testing of products not authorised under this Regulation may be taken. However, they must be taken where the use of unauthorised products is suspected. An inspection report must be drawn up after each visit countersigned by the person responsible for the unit inspected.

18. The operator must give the inspection body, for inspection purposes, access to the unit and to the written accounts and relevant supporting documents. He must provide the inspection body with any information necessary for the purposes of the inspection.

19. Products as referred to in section 3 may be transported to other units, including wholesalers and retailers, only in appropriate packaging or containers closed in a manner preventing substitution of the content and provided with a label stating, without prejudice to any other indications required by law:

(a) the name and address of the person responsible for the production or preparation of the product, or, where another seller is mentioned, a statement which enables the receiving unit and the inspection body to identify unequivocally the person responsible for the preparation of the product;

(b) the name of the product, including a reference to the organic production method according to the relevant provisions of section 9.

On receipt of a product as referred to in section 3, the operator shall check the closing of the packaging or container where it is required and the presence of the indications referred to in the previous paragraph, in paragraph 8.1. The result of this verification shall be explicitly mentioned in the accounts referred to in paragraph B.15. Where the check leaves any doubt that the product concerned came from an operator subject to the inspection system provided for in Article 9, it may only be put into processing or packaging after elimination of that doubt, unless it is placed on the market without indication referring to the organic production method.

SCHEDULE 4

INFORMATION TO BE NOTIFIED AS PROVIDED IN SECTION 6

- (a) Name and address of operator;
- (b) Location of premises and, where appropriate, parcels (land register data) where operations are carried out;
- (c) Nature of operations and products;
- (d) Undertaking by the operator to carry out the operations in accordance with sections 4 and 9;
- (e) In the case of an agricultural holding, the date on which the producer ceased to apply products the use of which is not compatible with section 4 on the parcels concerned;

SCHEDULE 5

INTRODUCTION

For the purposes of this Schedule, the following definitions will apply:

1. ingredients: substances as defined in section 2 of this Ordinance under the restrictions as referred to in Article 6(4) of Council Directive 2000/13/EC of 20 March 2000 on the approximation of the laws of the Member States relating to labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer;

2. ingredients of agricultural origin:

(a) single agricultural products and products derived therefrom by appropriate washing, cleaning, thermic and/or mechanical processes and/or by physical processes having the effect of reducing the moisture content of the product;

(b) also, products derived from the products mentioned under (a) by other processes used in food processing, unless these products are considered food additives or flavourings as defined under paragraphs 5 or 7 hereunder;

3. ingredients of non-agricultural origin: ingredients other than ingredients of agricultural origin and belonging to at least one of the following categories;
 - (a) food additives, including carriers for food additives, as defined under paragraphs 5 and 6 hereunder;
 - (b) flavourings, as defined under paragraph 7 hereunder;
 - (c) water and salt;
 - (d) micro-organism preparations;
 - (e) minerals (including trace elements) and vitamins;
4. processing aids: substances as defined in Article 1(3)(a) of Council Directive 89/107/EEC on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption;
5. food additives: substances as defined in Article 1(1) and (2) of Directive 89/107/EEC and covered by that Directive or by a comprehensive Directive as referred to in Article 3(1) of Directive 89/107/EEC;
6. carriers, including carrier solvents: food additives used to dissolve, dilute, disperse or otherwise physically modify a food additive without altering its technological function in order to facilitate its handling, application or use;
7. flavouring: substances and products as defined in Article 1(2) of Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production, and covered by that Directive.

GENERAL PRINCIPLES

Sections A, B and C cover the ingredients and processing aids which may be used in the preparation of foodstuffs composed essentially of one or more ingredients of plant origin, referred to in Article 1(1)(b) of this Regulation, with the exception of wines.

Notwithstanding reference to any ingredient in Sections A and C or any processing aid in Section B, any ingredient or such processing aid shall be used only in accordance with relevant Community legislation and/or national legislation compatible with the Treaty and, in the absence thereof, in accordance with the principles of good manufacturing practice for foodstuffs. In particular, additives shall be used according to the provisions of Directive 89/107/EEC and, where relevant, those of any comprehensive Directive as referred to in Article 3(1) of Directive 89/107/EEC; flavourings shall be used according to the provisions of Directive 88/388/EEC and solvents according to the provisions of Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of food stuffs and food ingredients.

SECTION A - INGREDIENTS OF NON-AGRICULTURAL ORIGIN

A. 1. Food additives, including carriers

	Name	Specific conditions (³)
E 170	Calciumcarbonates	—
E 270	Lactic acid	—
E 290	Carbondioxyde	—
E 296	Malic acid	—
E 300	Ascorbic acid	—
E 306	Tocopherol-rich extract	anti-oxydant in fats and oils
E 322	Lecithins	—
E 330	Citric acid	—
E 333	Calcium citrates	—
E 334	Tartaric acid (L (+) -)	—
E 335	Sodium tartrate	—
E 336	Potassium tartrate	—
E 341	Monocalciumphosphate	raising agent for self raising flour
E 400	Alginic acid	—
E 401	Sodium alginate	—
E 402	Potassium alginate	—
E 406	Agar	—
E 407	Carrageenan	—
E 410	Locust bean gum	—
E 412	Guar gum	—
E 413	Tragacanth gum	—
E 414	Arabic gum	—
E 415	Xanthan gum	—
E 416	Karaga gum	—
E 440 (i)	Pectin	—
E 500	Sodiumcarbonates	—
E 501	Potassiumcarbonates	—
E 503	Ammoniumcarbonates	—
E 504	Magnesiumcarbonates	—
E 516	Calcium sulphate	CR
E 524	Sodiumhydroxyde	surface treatment of Laugengebäck
E 938	Argon	—
E 941	Nitrogen	—
E 948	Oxygen	—

A. 2. Flavourings within the meaning of Directive 88/388/EEC

Substances and products as defined in Article 1(2)(b)(i) and 1(2)(c) of Directive 88/388/EEC labelled as natural flavouring substances or natural flavouring preparations, according to Article 9(1)(d) and (2) of that Directive.

A. 3. Water and salt

Drinking water

Salt (with sodium chloride or potassium chloride as basic components), generally used in food processing.

A. 4. Micro-organism preparations

- (i) Any preparations of micro-organisms normally used in food processing, with the exception of micro-organisms genetically modified within the meaning of Article 2(2) of Directive 90/220/EEC;
- (ii) Micro-organisms genetically modified within the meaning of Article 2(2) of Directive 90/220EEC: if they have been included according to the decision procedure of Article 14.

A. 5. Minerals: including trace elements, vitamins, aminoacids and other nitrogen compounds

Only authorised as far as their use is legally required in the foodstuffs in which they are incorporated.

SECTION B - PROCESSING AIDS AND OTHER PRODUCTS WHICH MAY BE USED FOR PROCESSING OF ORGANICALLY PRODUCED INGREDIENTS OF AGRICULTURAL ORIGIN

Name	Specific conditions
Water	
Calcium chloride	coagulation agent
Calcium carbonate	
Calcium hydroxide	
Calcium sulphate	coagulation agent
Magnesium chloride (or nigari)	coagulation agent
Potassium carbonate	drying of grapes
Sodium carbonate	sugar production
Sodium hydroxyde	sugar protection, oil production from rapeseed only during a period expiring on 31 March 2002
Sulphuric acid	sugar production
Carbon dioxide	
Nitrogen	
Ethanol	solvent
Tannic acid	filtration aid
Egg white albumen	
Casein	
Gelatin	
Isinglass	
Vegetable oils	greasing, releasing or antifoaming agent
Silicon dioxide gel or colloidal solution	
Activate carbon	
Talc	
Bentonite	
Kaolin	
Diatomaceous earth	
Perlite	
Hazelnut shells	
Rice meal	
Beeswax	releasing agent
Carnauba wax	releasing agent

SECTION C - INGREDIENTS OF AGRICULTURAL ORIGIN WHICH HAVE NOT BEEN
PRODUCED ORGANICALLY

**C. 1. Unprocessed vegetable products, as well as products derived therefrom by processes
referred to**

C. 1. 1. Edible fruits nuts and seeds

Coconuts
Brazil nuts
Cashew nuts
Dates
Pineapples
Mangoes
Papayas
Sloes
Cocoa
Maracujas (Passionfruit)
Cola nuts
Peanuts
Rosehips
Sallowthorns
Blueberries
Maple syrup
Quinoa
Amaranth
Horse radish seed
Pumpkin seed
Pine kernels
Radish seeds

C. 1. 2. Edible spices and herbs

All products with the exception of thyme.

C. 1. 3. Cereals

Millet
Wild rice (zizania plauspra)

C. 1. 4. Oil seeds and oleaginous fruits

Sesamum seeds

C. 1. 5. Miscellaneous

Algae, including seaweed

C. 2. Vegetable products, processed by processes referred to

C. 2. 1. Fats and oils, whether or not refined, but not chemically modified, derived from plants other than —

Olive
Sunflower

C. 2. 2. Sugars, starch, other products from cereals and tubers

Cane and beet sugar
Starches produced from cereals and tubers, not chemically modified
Rice paper
Gluten

C. 2. 3. Miscellaneous

Vinegar from fermented beverages other than wine

C. 3. Animal products

Honey
Gelatine
Milk powder and skimmed milk powder
Edible aquatic organisms, not originating from aquaculture.

SCHEDULE 6

Maximum number of animals per ha Class or species	Maximum number of animals per ha equivalent to 170 kg N/ha/year
Equines over six months old	2
Calves for fattening	5
Other bovine animals less than one year old	5
Male bovine animals from one to less than two years old	3.3
Female bovine animals from one to less than two years old	3.3
Male bovine animals two years old or over	2
Breeding heifers	2.5
Heifers for fattening	2.5
Dairy cows	2
Cull dairy cows	2
Other cows	2.5
Female breeding rabbits	100
Ewes	13.3
Goats	13.3
Piglets	74
Breeding sows	6.5
Pigs for fattening	14
Other pigs	14
Table chickens	580
Laying hens	230

SCHEDULE 7
MINIMUM SURFACE AREAS INDOORS AND OUTDOORS AND OTHER
CHARACTERISTICS OF HOUSING IN THE DIFFERENT SPECIES AND TYPES OF
PRODUCTION

1. BOVINES, OVINE AND PIGS

	Indoors area (net area available to animals)		Outdoors area (exercise area, excluding pasturage)
	Live weight minimum (kg)	M ² /head	M ² /head
Breeding and fattening bovine and equidae	up to 100 up to 200 up to 350 over 350	1.5 2.5 4.0 5 with a minimum of 1 m ² /100 kg	1.1 1.9 3 3.7 with a minimum of 0.75 m ² /100 kg
Dairy cows		6	4.5
Bulls for breeding		10	30
Sheep and goats		1.5 sheep/goat 0.35 lamb/kid	2.5 2.5 with 0.5 per lamb/kid
Farrowing sows with piglets up to 40 days		7.5 sow	2.5
Fattening pigs	up to 50 up to 85 up to 110	0.8 1.1 1.3	0.6 0.8 1
Piglets	over 40 days and up to 30 kg	0.6	0.4
Brood pigs		2.5 female 6.0 male	1.9 8.0

2. POULTRY

	Indoors area (net area available to animals)			Outdoors area (m ² of area available in rotation/head)
	No animals/m ²	cm perch/animal	nest	
Laying hens	6	18	8 laying hens per nest or in case of common nest 120 cm ² /bird	4, provided that the limit of 170 kg of N/ha/year is not exceeded
Fattening poultry (in fixed housing)	10 with a maximum of 21 kg live- weight/m ²	20 (for guinea fowl only)		4 broilers and guinea fowl 4.5 ducks 10 turkey 15 geese In all the species mentioned above the limit of 170 kg of N/ha/year is not exceeded

Fattening poultry in mobile housing	16 (*) in mobile poultry houses with a maximum of 30 kg live-weight/m ²	2.5, provided that the limit of 170 kg of N/ha/year is not exceeded
-------------------------------------	--	---

(*) Only in the case of mobile houses not exceeding 150 m² floor space which remain open at night.

Passed by the Legislature of the Falkland Islands this 24th day of November 2000.

C. ANDERSON,
Clerk of Councils.

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

C. ANDERSON,
Clerk of Councils.

SUBSIDIARY LEGISLATION

FISHERIES

Fishery Products (Hygiene) (Designated Establishments) Order 2000

S. R. & O. No. 25 of 2000

Made: 22 November 2000

Published: 1 December 2000

Coming into force: upon publication

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

Citation and commencement

1. This Order may be cited as the Fishery Products (Hygiene) (Designated Establishments) Order 2000 and comes into force upon its publication in the *Gazette*.

Designation of approved fishery products establishments

2. The establishments named in the first column of the Schedule to this Order are designated as establishments to which the provisions of the Fishery Products (Hygiene) Ordinance 1998 and all regulations thereunder apply and are assigned the approval numbers set against their names in the second column of that Schedule.

Made this twenty-second day of November 2000

D A Lamont
Governor

SCHEDULE

<i>Establishment name</i>	<i>Approval number</i>
Seaview Cold Store	2001
Falklands Fresh Limited	1024

EXPLANATORY NOTE

(not forming part of the above Order)

The Fishery Products (Hygiene) Ordinance 1998, coupled with the regulations made under it, enables the operators of fishery product establishments to obtain confirmation that their establishments meet the standards of hygiene prescribed by the European Commission. The establishments specified in the Schedule to the Order are ones which have been inspected and which are now, by this Order, designated as establishments to which the provisions of the legislation apply.

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Stanley Town Hall Car Park (Circulation) Regulations Order 2000

S. R. & O. No. 26 of 2000

Made:..... 27 November 2000

Published:..... 1 December 2000

Coming into force: in accordance with article 1

IN EXERCISE of my powers under section 59 of the Road Traffic Ordinance^(a) and of all other powers enabling me, I make the following Order —

Citation and commencement

1. This Order may be cited as the Stanley Town Hall Car Park (Circulation) Regulations Order 2000 and comes into force on 1st December 2000 or such date thereafter upon which the Stanley Town Hall Car Park is first open for public use.

Circulation

2.—(1) Motor vehicles entering the Stanley Town Hall Car Park shall do so by the entrance way lying between the Town Hall building and the Public Works Department building and motor vehicles leaving that Car Park shall do so by the exit way lying between the Town Hall building and the Standard Chartered Bank building.

(2) The driver of any motor vehicle who causes it to contravene paragraph (1) commits an offence and is liable on conviction to a fine not exceeding £200.

Made this twenty-seventh day of November 2000

D A Lamont
Governor

^(a) Title 63.1