

RECORD OF THE MEETING OF THE
LEGISLATIVE COUNCIL
HELD IN STANLEY ON
30 MARCH 1995

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RECORD OF THE MEETING OF LEGISLATIVE COUNCIL

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Prayers were said by Canon Stephen Palmer.

Clerk:

Oath of Allegiance, the Honourable John Birmingham

The Honourable J Birmingham:

I, John Birmingham, do swear that I will faithfully bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law. So help me God.

His Excellency the Governor:

I have pleasure in declaring this meeting open. Can I start by thanking Canon Stephen Palmer for his prayers and by expressing the sympathy that we all feel to Councillor Luxton and to Stephen and the sense of loss that we also feel.

Can I congratulate Councillor Birmingham on taking a seat and swearing the Oath of Allegiance.

Good, well the plan is that we should work through the Agenda and that before the Motion for Adjournment we should in fact adjourn for tea and then come back for the final Motion.

CONFIRMATION OF THE RECORDS

The Record of the Meeting held 25 November 1994 was confirmed without amendment.

PAPERS TO BE LAID ON THE TABLE BY THE HONOURABLE THE CHIEF EXECUTIVE

Clerk:

Copies of Subsidiary Legislation published in the Falkland Islands Gazette since the last sitting of the Legislative Council and laid on the Table pursuant to section 34(1) of the Interpretation and General Clauses Ordinance 1977.

The Harbour Regulations (Amendment) Order 1994

The Deductions (Employees) (Amendment) Regulations 1994

The Elected Councillors' Allowances Ordinance 1990 (Replacement of Schedule) Order 1994

The Various Wreck Sites (Designation) Order 1994

The Commencement in the Falkland Islands of Amendments to the Merchant Shipping Act 1974 Order 1995

The Permitted Hours Order 1995

The Income Tax (Annual Values) Rules 1994

The Licensing Ordinance 1994 (Rectification of Clerical Error) Order 1995

QUESTIONS FOR ORAL ANSWER

Question Number 1/95 by the Honourable J Birmingham:

Can the Honourable Financial Secretary inform me of how much of the Public Works Department budget for this financial year has been spent on the repair and maintenance of government owned housing?

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. Out of a 1994/95 budget of £68,280 for the repair and maintenance of Government owned housing, £37,180 has been spent by the Public Works Department up to the 28 February 1995. In percentage terms the expenditure represents 55% of the estimate for the financial year at the 28 February, 8 months or 67% of the financial year had elapsed.

The Honourable J Birmingham:

I thank the Honourable the Financial Secretary for the answer and I'm sure Government tenants will be happy in the knowledge that their landlord is looking after their property for them.

Question Number 2/95 by the Honourable J Birmingham:

Can the Honourable Chief Executive tell me in what exceptional circumstances persons over the age of 64 would be permitted to carry on working, and once compulsorily retired, under what circumstances would persons be permitted to be re-employed by government?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I welcome the Honourable Member for Stanley's earlier involvement in questioning. It must be some kind of record I think within about five minutes of being sworn in we have these questions before us. This is a very detailed question because here he is quite rightly seeking a very detailed answer and I have to apologise as I am going to read something which may be perceived as a little bit boring, extracts from the General Orders, but they do outline what the position is in answer to this question.

General Orders in fact provide guidance on the very circumstances to which the Honourable Member refers.

On the question of the retention of an officer after reaching retiring age the following applies, and this is GO C114:

- "1) A pensionable officer shall ordinarily be required to retire on attaining his 64th birthday.
- 2) A pensionable officer who wishes to continue to serve after his 64th birthday shall, not less than six months before that date notify his Responsible Officer in writing.
- 3) On receipt of a notice under GO C114 (2) the Responsible Officer shall inform the Establishments Secretary who shall have regard to the following principles in considering such applications -
 - a) no officer will be permitted to remain in office after reaching his 64th birthday -
 - (i) unless he has a medical certificate of fitness to continue in office issued by a Government medical officer;

- (ii) unless the Responsible Officer can give an unqualified certificate of the officer's alertness and efficiency;
 - (iii) if his retention blocks the promotion of a younger officer or the recruitment of a suitably qualified younger person from outside the service;
 - b) an officer in all other respects qualified to continue in the service will not be required to retire against his wish if his retirement would necessitate the recruitment of an overseas officer;
 - c) in all cases the approval of the Governor must be obtained before any extension of service is agreed;
 - d) any approval for the retention of an officer shall be valid for one year only and is subject to annual review.
- 4) No officer shall be required to continue to serve under this Order without his consent.
- 5) No officer shall be exempt from the provisions of this Order solely by reason of the fact that on reaching the age of 64 he will not have completed a tour of service to qualify for passage privileges under GO G410.

The answer to the second part of the Honourable Members question again from General Orders: the conditions applying to the re-engagement of a retired officer are set out in GO C112 which reads as follows:

Officers who have retired from the public service may be re-engaged with the approval of the Governor. Such re-engagement may only be made on temporary terms and, save exceptionally, shall only be made where -

- a) the interests of serving officers are not thereby prejudiced;
- b) the vacancy cannot otherwise readily be filled; and
- c) the retired officer is medically fit and in all respects suitable for re-engagement."

I hope that suitably answers the Honourable Member's question.

The Honourable J Birmingham:

I thank the Honourable the Chief Executive for that answer and the answer is worthy of an answer given by the Attorney General I would imagine. Could the Honourable the Chief Executive tell me perhaps regarding hourly paid workers situation, hourly paid meaning not permanent and pensionable?

The Honourable the Chief Executive:

The answer to that Honourable Member is no I can't. I haven't been briefed on that particular point. [Honourable J Birmingham apologises at this point and the Chief Executive acknowledges]. I promise you that I will seek it out.

His Excellency the Governor:

Can I just ask you? General Orders are publicly available are they?

[Chief Executive replies in the affirmative].

Question Number 3/95 by the Honourable J Birmingham:

Can the Honourable Chief Executive state whether support for the Falklands Environmental Task Group and Falklands Conservation would be prejudiced by any critical statements which may be made by them about the Falkland Island Government's policy on environmental issues?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. This is a fascinating question with deep philosophical implications. We're dealing here with qualitative words like "prejudice" and "critical" and we enter into realms of judgement. In any event the Falkland Islands Government is the body that supports to a greater or lesser degree both these organisations; and if there is a real disagreement with anything that those bodies are saying I'm certain that Councillors will be involved, both in the form of Executive Council and possibly even in Legislative Council in actually attacking that particular problem and dealing with it. However I think the question clearly wants me to be a bit more specific.

FENTAG is financed of course 100% by this government. Falklands Conservation, I have no idea what the proportion will be of its finance that we pay for but it is some £56,000 in the current year: and in funding both those bodies we seek from them objectivity, accuracy and help. If in doing that job they make critical statements, we look into it, we investigate it. If we believe that they are mis-informed in making those statements and that they may lack the necessary objectivity, we would sort that out by discussing it with them. And I believe that we are big enough to take such criticism if it is truly objective. If they say things that are plainly silly then I think we are big enough to ignore them. And some groups, not either of these groups I would stress, but there are groups operating in this sphere who do occasionally say silly things. But we are concerned today about the impact of our funding on these bodies and whether that would change our reaction in any sense; and I believe our reaction is really a spectrum of reaction from the mild reaction to the greater reaction depending on what is said. And if an organisation became obsessive, or paranoid or wholly unreasonable in what they might be saying about what this government were doing then I'm sure we would have to support the right to prejudice what happened regarding their funding. It's all a matter of balance. It is in fact at the end of the day all a matter of the judgement of the Elected and Honourable Members present here.

The Honourable J Birmingham:

I would like to thank the Honourable the Chief Executive for that answer. The reason I asked the question is that I would really like these organisations to be as independent as the local media are when it comes to discussing anything in public. I wouldn't want to have a fear that funding would be withdrawn because what they were saying was perhaps not the right thing to be saying. Thank you.

The Honourable Mrs C W Teggart:

Could I just ask the Chief Executive if he would not agree with me that in really being put in the position of answering this question in public, he was really being put in the position of trying to read Councillors minds? Because what actually happens when Falklands Conservation or a similar body comes to the Government for funding it is very freely discussed by Councillors and it is ultimately the Councillors' decision on whether that funding will be approved or not. As a Councillor I feel that I must say as this question has been raised that I would always keep an open mind on whatever funding comes forward from any body and I would take it on it's merits on that particular time, but I would certainly not openly commit myself to support Falklands Conservation or any other body if I felt that they weren't fulfilling a duty in a way that they have, to the Falkland Islands Government, because we do fund them. £56,000 is a considerable amount of money and I do expect out of that, I suppose perhaps wrongly, that we should be getting some good publicity on our part. I don't say that the local branch of Falklands Conservation are always at fault but sometimes something comes

up from the UK that you think is a slightly ill informed statement and you would rather wish that it had been phrased better. Sir, thank you very much.

His Excellency the Governor:

Can I just point out to Honourable Members that this is the time for questions and that we accept supplementary questions but not supplementary statements. [Councillor Teggart interrupted and said that that was why she had begun her question with "would the Honourable the Chief Executive not agree with me"]. His Excellency the Governor replied: well yes that that is very subtle but I think that it should be a slightly more pointed question please.

The Honourable the Chief Executive:

In answer to that Your Excellency, I think that the Honourable Member has answered the question in a very appropriate way. I don't think I have anything to add to it.

Question Number 4/95 by the Honourable R J Stevens:

After the visit of the two Cable and Wireless Technical and Financial Personnel from the UK and the subsequent meeting between himself and Cable and Wireless in London, can the Chief Executive say if Cable and Wireless are working to an enforceable timetable to bring VHF subscribers a reliable phone system, equal in quality to the rest of the Falkland Islands?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. The straightforward answer to this is no, they are not. But I'm sure if I was to sit down having said that, you would come in with a Supplementary worded something like: "well what on earth is being done to see that they do?"

I would stress in answering this question that we do at the moment have excellent relations with the company of Cable and Wireless and as I explained recently on the radio, during my recent visit to London and subsequently on the telephone yesterday that was confirmed to me, Cable and Wireless are proceeding to invest in a new earth station in Stanley which they hope will be up and running by the end of 1996. The replacement of the existing one will give us a much more powerful earth station with much greater capability and that means that we will be able to use more modern communication equipment here in Stanley to communicate with the rest of the world. They have also confirmed yesterday that they will be reducing the tariff of calls to the UK by some amount or other as yet unspecified, in some way or other as yet unspecified. It may well be that there will be special offers, there may be special times, special packages but they have undertaken that we will have, in their own words, even better value for money out of the northward going telephone calls in the near future. And I believe that to be very near. But this third issue which remains between us. Although the Falkland Island Government paid for the VHF system and although both Cable and Wireless and ourselves know that that system is far from adequate, it is fair to say that neither party is certain that the Contract existing between us is such that we the Government can enforce upgrading. We cannot enforce Cable and Wireless either to do it or to pay for it. My learned friend on my left only yesterday said and I think I quote him: "It is no good fastening on the statement that Camp will have the same quality as Stanley," because that statement in the contract, he went on to explain, is surrounded by various constraints which are also in the contract. And therefore it is very difficult legally to hold that as a promise that Cable and Wireless will adhere to. However Cable and Wireless may well be in breach of the contract in terms of the actual performance. Now having said that I would stress once again that we do have good relations with Cable and Wireless - they to quote their own words, "share our concern". They agree wholeheartedly that a minority of users are legitimately unhappy but they also stress that the system went in within agreed budgetary constraints. They believe they performed to contract, that we got what we paid for. We do not share that view.

The cost of replacing the inadequate VHF system is estimated at about £1million. So you can

see we are at a real impasse here. They do not want to do it and we want them to do it but they do not believe that they are legally obliged to do it. And so we have agreed in negotiation of the procedure that we will follow:

Both sides in this dispute are going to review the legal documentation and only yesterday at Executive Council we agreed to brief Counsel in London to give us the most up to date and the most pertinent advice on this issue and I understand from Cable and Wireless that they are doing the same on their side. When we both have a proper legal view considering all the documentation in existence we will then be in a position to sit down and negotiate if an apportionment of cost and responsibility is appropriate at that time. If we believe, and they are well aware of this, that our case is water-tight and that we have a legal position that we want to uphold, then it becomes a matter to take through the legal process and to take them to court. That will be expensive and it will be tedious but clearly if we feel that is the right course then we will do it. However, clearly it is better from everybody's point of view to reach some kind of agreement and I believe bearing in mind the goodwill that exists between both sides that that may well be possible in negotiation; but it's not something that can be promised. Once we have reached that agreement I believe that this government does have an obligation to the people this affects, to upgrade that equipment and we will set about providing a timetable and providing a clear work programme so the upgrading of the VHF equipment to Microwave can be established as soon as possible. But we must go through this procedure with Cable and Wireless because I can't see any other way of doing it. I would stress that we are now in negotiation with them and I have to pick my words very carefully because these words are public and Cable and Wireless will hear what I say, but nevertheless through the process of negotiation and through the existing goodwill I am confident that we will get some where but I am sorry to have to report to you Councillor, that it is probably not as good news as you would have wanted to have heard.

The Honourable R J Stevens:

I would like to thank the Chief Executive for his answer and really say from the VHF point of view that I see and I should imagine that a lot of people with VHF will see this as a continuing very slow process. Thank you.

The Honourable Mrs N Edwards:

Could the Chief Executive give us any idea as to when we can expect the improvements to take place? I know the negotiations are to go on, but are we going to have to wait another two, three years do you think, or do you think it's within sight within the next year?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I believe it will be a lot quicker than your worst fears, Councillor. The Senior Crown Counsel will be in London in two or three weeks time and it is hoped that in that time he will be able to get Counsel's opinion, written and verbal on the documentation that we will have in London with Counsel long before that. So I believe we will be in a position to start negotiating with Cable and Wireless within the next three weeks, at the end of the next three weeks, and they certainly, I think, are nearer to that position than we are because they've known, they have obviously reviewed the documentation to some depth very recently. Now negotiations can take a length of time, but again I would be surprised if that took more than six weeks. I'm sure we will be in a position to start talking about a work programme in some nine weeks time. Now if that work programme, we've already costed it at a £1million or around a million, which they've done, they know what's involved. It is a question of getting the equipment and doing the work, so we will do everything we possibly can to make sure that's done rapidly. Assuming of course that the extra money is voted by Council.

Question Number 5/95 by the Honourable J E Cheek:

Would the Chief Executive please indicate what steps are being taken to avoid a repetition of last winter's events involving the National Stud Flock?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. Last winter's events regarding the National Stud Flock were indeed horrendous. There was death, there was degrade, there was lack of progress resulting in recrimination and inquiry. The inquiry produced some helpful recommendations. We are in the process of reviewing and implementing where agreed those recommendations.

I would suggest the problems were in four areas: location, regime (including the feeding), management and weather. Now the weather is in God's hands and I can give no certainty or prediction as to what might happen in the coming winter. We can plan for the worst and that is what we are doing. The location however we can and have been dealing with. Falkland Landholdings Ltd have combatively agreed to the recommendation coming through the Department of Agriculture, the Stud Flock Management Advisory Committee and Councillors, that some 5000 acres in the Saladero/Brenton Loch area will be set aside in some form or another for the stud flock's home. Some stock from Sea Lion Island is already at Goose Green and all the stock from Lively Island is already at Goose Green. This consists of some 200 ram hogs and 200 ewe hogs, any other sheep left over from the recent sale and I have no information on that, and obviously some shearling rams; and there are about 460 sheep left at this moment on Sea Lion Island. So these sheep at Goose Green will move as soon as possible into the Brenton Loch/Saladero area and in the next Spring they will be joined by their compatriot sheep from Sea Lion Island. So that I think deals with the issue of location.

The regime: this location is chosen not because it is available, because it wasn't available; not because Falkland Landholdings were minded to release it, because they weren't; not because it is the cheapest, because it isn't; not because it was some form of compromise, because it wasn't; it is chosen because it is believed by most of those concerned to be the very best place that the stud flock could be housed. It has a sound history, it has a consistent proven lambing record and it is believed by everybody concerned, the Department of Agriculture leading the way, that the feeding and the supplement programme will be best served in this area. So we are dealing with not only the location but also with the regime.

The management question is still being dealt with. The responsibility of the flock at the moment is with the Department of Agriculture and if there is one thing that we must be very clear about it is that we must be very clear: because that was one of the problems that was highlighted by the inquiry. And you may say "well, where does at the end of the day the buck stop?" And I do not have an answer on that, but we will have to have an answer on that shortly. I am meeting with the Advisory Group next week and I hope that we will be able to go into these questions in depth and of course we are discussing them with all the other bodies, but within the next couple of weeks we will be firming up on the management structure vis-a-vis the stud flock, and this will be discussed with Councillors and I'm sure ultimately it will be agreed.

So, Honourable Members these are the steps being taken to avoid a repetition of last winter's events around the national stud flock.

The Honourable J E Cheek:

I would like to thank the Chief Executive for his reply and I'm sure that the public, particularly the farming community, will be pleased to see that the events of last year are not being repeated.

Two things, one - you said "where does the buck stop?" It seems to me from the inquiry that

the buck stops with Councillors and I think that that is one of the reasons why we want to be fully informed.

The other thing is that the other event that took place last year you haven't mentioned, hopefully that will not re-occur and I refer to unwanted pregnancies.

The Honourable the Chief Executive:

Yes, Your Excellency, Honourable Members, I too hope that will not re-occur.

Question Number 6/95 by the Honourable J E Check:

Would the Chief Executive please say why the General Orders have been changed to require three months' notice of resignation by all Civil Servants, and if I can add here to the written question, of G5 and above, instead of the previous one month?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. By adding that little bit to his question the Councillor undid some of my answer.

The change is not quite so stark as suggested by the original question and I have a bit more detail than was offered in the revised question.

Under the new regime it isn't true that all Government officers and all Civil Servants have 3 months notice. G0, G1 and G2 have 1 month only; G3 and G4 have 2 months. It is G5 and above that have 3 months. There is also no change at all in Contract Officers' terms and no change at all in Police Officers' terms. Some Officers above G5 have 6 months, those being: the Chief Executive, Financial Secretary, Attorney General, Chief Medical Officer, Deputy Chief Medical Officer, Senior Magistrate, Dental Officer, Veterinary Officer, Director of Education and Director of Public Works. Now the question asks why? Why have these changes although not as great as implied by the first question, but why have they been made? The fact is that some posts are more difficult to fill than others when vacancies occur. Some posts take more time to fill than others and the public service must continue while replacement is sought.

Judgement was made on replacement periods through the experience already obtained in the public service and that has been reflected in the notice periods that were inserted in the new General Orders. That is why, I would stress that it is a two edged-sword. As far as the individual is concerned it might be regarded as a perk: "Whoopee, I've got more security!" But it can also be regarded as an encumbrance, you cannot go to a new job because you have got to continue with the old job and if you are interviewing somebody who has 6 months or 3 months, and you want them straight away, it may well be a disincentive to a new employer to actually employ somebody with that kind of notice period. From the Government's point of view it may well be a drag if you actually want to get rid of somebody quickly. But surely that is a very rare occurrence and if we got ourselves into that situation the person shouldn't be there anyway. It's far better to be secure and to have adequate time to fill the post and that is why these changes have been made.

The Honourable J E Check:

Your Excellency. Would not the Chief Executive agree that in this day and age it is unusual particularly for junior staff possibly under G7 to be expected to give and to receive such lengths of notices, and that would the Chief Executive expect these lengths of notice to be normal in what I would call the civilised western world?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I suppose if you are asking me does it fit with my experience of what might be described as the civilised western world I would have to say that your inference is correct, that the times here may be somewhat longer at this grade level. Then I have to assume that the process that was gone through by the Administration in looking at how long it took to fill these posts influenced those particular decisions. I think it's also worth saying that the General Orders were published to Councillors long before they were published abroad and that they were available for comment and certainly it is the first time that I have seen comment in this particular area and I'm sure that the balance of this seems to me to be based on experience and that seems to be a sound reason for doing it.

Question Number 7/95 by the Honourable J E Cheek:

Would the Chief Executive please confirm that the Public Works Department and all other Government departments have been instructed not to remove any crushed rock and similar materials from the various ex-military and RAF hardstandings and building bases in the area known as the Peninsula, and that the unsightly heaps of material will be levelled.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I can confirm that the Public Works Department has been instructed not to remove any crushed rock and similar materials from the Peninsula. I even have the personal assurance of the Director of Public Works that this just will not happen. However I have not instructed all other Government Departments and I was trying to think what other Government Departments would be likely to remove this crushed rock from the Peninsula. The only one that I could bring to mind was the dentist and I thought that was quite unlikely, so if the Honourable Member would like to identify those Departments that he may feel likely to be removing this crushed rock, I would be happy to instruct them not to do so this very afternoon.

The Honourable J E Cheek:

Your Excellency, I thank the Chief Executive for his reply.

Having received a number of similar assurances I was trying to ensure that I left no loop-hole for this rock to be removed through.

Motion Number 1/95 by the Honourable the Financial Secretary:

That this House approves the Taxes (Excess Benefits) Rules 1994 published in the Gazette on 21 December 1994.

Your Excellency. Section 94 of the Taxes Ordinance 1994 provides for rules to be made by the Governor in Council for prescribing excess benefits in kind. The law also provides that the rules should not come into effect unless they are confirmed by the Legislative Council at the meeting next following the publication of the rules. These rules were approved by Executive Council on 24 November 1994 to come into effect in respect of accounting periods beginning on or after 7 December 1994 and were published in the Gazette on 21 December 1994. As part of the overall tax review process, the Tax Review Committee discussed further taxation of further benefits in kind. It was agreed however, and approved by Executive Council, that to significantly widen the range of taxable benefits beyond those prescribed under the Annual Values Rules would require extensive and detailed legislation which was considered to be neither desirable nor appropriate at this point in time. It was however considered necessary to introduce legislation to restrict the amount that an employer can claim as tax deductible expenditure. To enable the restrictive measures to be more easily amended it was recommended that the limits be specified by rules. The Taxes (Excess Benefits) Rules

1994 are necessary for use in conjunction with the provisions of Section 94 of the Taxes Ordinance to ensure that Excess Benefits as prescribed are disallowed. I beg to move the confirmation of the Taxes (Excess Benefits) Rules 1994.

The Honourable the Chief Executive:

I beg to second that Your Excellency.

His Excellency the Governor:

Does any Honourable Member wish to speak to this Motion?

Good, then the Motion is carried.

ORDERS OF THE DAY - BILLS

The Land (Amendment) Bill 1995

The Honourable the Chief Executive:

Your Excellency, Honourable Members. This Bill, the Land (Amendment) Bill 1995, I beg to move the second reading of the Bill.

On the Motion that the Bill be read a second time the Attorney General spoke as follows:

The Attorney General:

Your Excellency, if I may begin perhaps the speeches on the Bill, if there are any others other than mine.

The Bill proposes to do a very simple thing and that is to make it possible for a legal document affecting land to be witnessed by practically anybody in the Islands instead of having at the present to be witnessed by a Justice of the Peace. That requirement creates great inconvenience particularly when the document has to be witnessed in Camp and there is really, as I see it, no good reason why as is the case elsewhere, any responsible person should not witness somebody else's signature on a deed. I believe that the provision which at present appears was justified at the time it was first introduced. When it was first introduced, probably in the 19th century, there were many people who couldn't read and write and couldn't have understood what they were signing. I don't believe that applies in the Falkland Islands any more and I think the law is highly overdue for change in that respect and the Bill would do so.

The Bill was read a second time. In the Committee stage clauses 1 and 2 were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Licensing (Amendment) Bill 1995

The Honourable the Chief Executive:

Your Excellency, Honourable Members. This Bill, the Licensing (Amendment) Bill 1995, I beg to move the second reading of the Bill.

The Attorney General:

Your Excellency, this Bill would make a number of miscellaneous amendments to the Licensing Ordinance which passed this House late last year. Those are set out in the Bill. It

corrects a couple of minor errors and makes a number of miscellaneous changes among which are provisions which alter the permitted hours for off-licences on Sunday, so that instead of being able to open at 10 o'clock in the morning for the sale of alcohol off the premises, shops can lawfully open at 8 o'clock in the morning for that purpose. There is a provision which clarifies the law in relation to premises which are licensed under an occasional licence. There is another provision which says that in fact a person on the "blacklist" can enter premises which are licensed under an occasional licence unless the occasional licence stipulates to the contrary and he won't be committing an offence. If the occasional licence stipulates to the contrary, the person holding the occasional licence, if he knows the person is on the blacklist, must ask him to leave. There are other provisions relating to premises in Camp and the last amendment of any significance is that the Ordinance would be amended to provide that at a raffle or amusement with prizes or an entertainment such as at the Town Hall or a bazaar, if bottles of liquor are offered as prizes that the person running the stall would not need to obtain an occasional licence provided that the prize was not delivered to somebody who was on the blacklist or to somebody who is under the age of 18. And I think that simplifies the law and removes an irritant in something that is overlooked, as I do know to my own cost, to the last minute by people who run these charitable events.

Your Excellency, while there is a sort of mixed bag of goodies in the Bill I hope it is one which will commend itself to Members of the House.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable Mrs C W Teggart:

Your Excellency, Honourable Members. I thought that I should rise to the occasion. It was actually because of a function that was being organised by the CAPED Foundation that this bit about bottle stalls, raffles and intoxicating liquor being given as prizes arose and we were rather in the position where we had a kitchen full of bottles of booze that we couldn't get rid of but needless to say we managed to get rid of them in the meantime, and not through drinking I would say, perfectly legally as prizes at a dance. I think that this is the first time it will in fact be legal for anyone organising anything to actually give a bottle as a prize in a wheel of fortune or at any other such thing. I think that this is a hole in the law that's been there for a long long time and I'm just glad that it has come to light and the Attorney General has been able to mend it for us. Thank you very much.

The Honourable Mrs S Halford:

I wonder if the Attorney General could actually confirm that the amendment to Section 89, the amendment (a), this would actually provide for stores that are out in Camp not to have to apply for a licence to sell alcohol if they are only selling to residents of their farm.

The Attorney General:

Your Excellency. I am happy to give that confirmation. In fact it goes a little further than that. Section 89 would be amended so as to provide that an off licence isn't required for a store or farm manager or owner of land in Camp to sell intoxicating liquor to somebody who is resident or temporary resident in any dwelling upon, or in close proximity to, the farm or station in question. I mean there may be a near neighbour who isn't on that station and that would be covered. This is avoid the necessity to obtain an off licence, (and from memory I think costs £150) but a licence would be required if somebody set up a full going store and was wanting to sell to all and sundry. The exemption only applies to residents and temporary residents on or in close proximity to the farm or station in question. But I think it will be an amendment which will be welcomed by people in Camp. There will be a loss of revenue to the Financial Secretary, I hope he can bear with that, but I think the irritation and inconvenience to the people in Camp will be welcomed, the removal of it.

The Bill was then read a second time. In the Committee stage clauses 1-7 were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Supplementary Appropriation (1994-95) Bill 1995

This Bill is presented under a Certificate of Urgency and therefore a first reading is required.

The Honourable the Financial Secretary:

Your Excellency. The purpose of this Bill is to appropriate and authorise the withdrawal from the Consolidated Fund of additional funds totalling £1,022,140 of the service of the financial year ending on 30 June 1995. Clause 2a) and the first schedule to the Bill provides for supplementary expenditure totalling £413,510 authorised in the first instance to be advanced out of the Contingencies Fund and in effect will restore the balance of the Contingencies Fund to the approved balance of £½million. This supplementary expenditure has been approved by the Standing Finance Committee. Clause 2b) and the second schedule to the Bill provide for other estimated supplementary expenditure totalling £608,630 approved by the Standing Finance Committee at meetings held on 6 December 1994, 27 January 1995 and 1 March 1995. All estimated supplementary expenditure has been approved by Executive Council. I beg to move the first reading of the Bill.

The Bill was then read a first and second time. In the Committee stage clauses 1 and 2 and schedules 1 and 2 were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Administration of Justice (Amendment) Bill 1995

This Bill was presented under a Certificate of Urgency and therefore a reading is required.

The Honourable the Chief Executive:

Your Excellency. This Bill, the Administration of Justice (Amendment) Bill 1995, I beg to move the first reading of the Bill.

The Bill was then read a first time. On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Attorney General:

Your Excellency. If I might briefly deal with the purposes of this Bill.

The Bill makes or seeks to make a number of necessary and I have no doubt to most people, thoroughly boring, amendments to the Administration of Justice Ordinance. The amendments fall into five categories:

Amendments to definitions - some of these are necessary because the present Administration of Justice Ordinance clashes in definitions with provisions of the Constitution and also because they haven't been brought up to date to recognise the creation of the Magistrate's Court (and the Magistrates Court was created in 1971). Nor do they deal with the obsolescence of the office of unqualified magistrate, that is magistrate with a small "m", and that has been obsolete for some ten or fifteen years.

The second category of amendments relate to the wholesale replacement of Part II of the Ordinance. The provisions of the present Ordinance dealing with the powers of the Summary Court, that is a Court consisting of justices of the peace, are inconsistent with modern needs and have not been amended for very many years and the powers and jurisdictions of justices of

the peace under the present Part II of the Bill are wholly inadequate and the provisions of the Bill would put that right.

The third category - there are a number of amendments to Part II (a) of the Ordinance which relates to the Magistrates Court. These are consequential amendments to summary proceedings in Part II of the Bill and others correct some minor errors in Part II (a) relating to the provisions as to the trial of indictable offences, in which offences are triable only on indictment.

The fourth category of amendments is a number of small amendments in relation to the jurisdiction of the Coroner. Now I think I may have said the amendments fell into five categories, if I did I should have said they fell into four categories. Now if any Honourable Member wishes me to deal in detail with any amendments in the Committee stage I will try to do so, but otherwise I would leave my explanation, the explanation I have just given.

The Honourable J E Cheek:

Well Sir, I support the Bill but I would just like to say I welcome the provision in Part II, 3(a) (ii) which gives an additional six years of useful working life over the members of the Civil Service, I would welcome this.

The Attorney General:

The Honourable Member is referring to the provision as to retirement of justices of the peace. I think it reflects the fact that people who retire at 64 are not necessarily "gaga". We don't put people out to grass from the Civil Service when they are totally incapable of enjoying their retirement and we allow them to continue as justices of the peace until 70 and I think many people at the age of 70 are fully hale and hearty and, as the common saying goes, "in full possession of their marbles"!

The Bill was read a second time. In the Committee stage clauses 1 and 2 and the schedule were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

MOTION FOR ADJOURNMENT

The Honourable the Chief Executive:

Your Excellency, I beg to move that this House stands adjourned sine die.

The Honourable Mrs N Edwards:

Your Excellency, Honourable Members. In rising to speak to the Motion for Adjournment I would just like to mention Camp track repairs in particular that are going ahead very well, and commend certainly the lads on the West who are doing an excellent job. For me this is particularly satisfying because for many, many years I have been asking that we, as well as build roads, we repair the tracks to the farms so that the people who live the distance from the road will be able to use the roads when they eventually get there. So it's very gratifying to find at last that this is happening. I think I first spoke about it in 1986 so that's good news. I know that Mr Luxton has some suggestions that he will be making up with regard Camp roads in particular on the West so I won't dwell anymore on that subject.

I would just like to say how much everybody, certainly in Fox Bay and I think Islandwide appreciated the Clothes Show. It was nice to see our product displayed so well and so ably by our own people and I think we have a lot to thank Jeff Banks and his team for. A lot of good publicity and I hope now that we can cash in on that publicity in the future and promote Falklands wool a lot better than we have in the past. I hope that when a paper from FIDC about Falklands Mill comes to Government, next month I think, that Councillors will read it

carefully and support the suggestions that are made in that paper to not only Falkland Mill but all the knitters who have small businesses in the Falklands.

I would also like to comment on the debate tabled in the House of Commons by the Honourable Member for Brighton, Sir Andrew Bowden and just say that we very much appreciate it, that debate. It was a good debate I think and very good at last to hear some constructive comments about the Falklands in the House of Commons.

The abattoir has been on everybody's lips now for a little while. I think it's no secret that the new site is being looked at and it may very likely be Pony's Pass area that is chosen but that is still to be decided yet. There is a lot of feeling and a lot of representation from members of the public that they really didn't want it placed at the east end of Stanley so hopefully it will eventually be in the place that people want it. I have reservations to say the least about the abattoir. Let me say straight away that I am not condemning a building of an abattoir, I think it's badly needed and I think the lads who run the present abattoir are to be much commended. They are very good butchers, I've only heard good reports of them and they do their work in pretty trying and awful circumstances I think. So a new abattoir is a must. I myself have reservations about using EC money to do so. I think once you've accepted EC money you will find that EC regulations are bound to go with it and they frighten me quite frankly. Seeing what's happened in the northern hemisphere with the EC regulations and agriculture and so on. I can't say that I welcome that part of the abattoir which I think eventually we will be subject to. But I wish it well and I hope now that the money has been released to us that it's built very soon. The meat trade that goes with the abattoir I again feel a little uneasy about. It will be wonderful if it works but I did say that I would have liked the abattoir report to go to all farmers and was told it was too costly. A questionnaire and a letter was sent out to all farmers which is adequate admittedly but in the same mail came the Town Plan to everybody in the Islands and I felt that that was a little bit odd to say the least, that the farmers who are going to have to provide the trade for this abattoir couldn't have sight of the whole report but the Town Plan was sent everywhere; and I really don't think too many people in the far west were too interested in the Town Plan. However that's a nit-picking little thing.

I was going to mention the stud flock but was told by Mr Cheek that you can't mention anything that's already been mentioned in Council so I won't.

Sir, I support the Motion.

The Honourable E M Goss MBE:

Your Excellency, Honourable Members.

A recent topical subject that's been on everybody's tongues of late is the purchase of Nutt Cartmell's stamp collection by the National Trust. Lots of people have spoken to me about it. It's about 50/50 with praise for making the purchase and 50/50 against us making the purchase. These people against it, some know of Nutt's stamps, and some know of why stamps are available and they claim that Government is in the business of selling stamps not buying stamps; and I suppose those people who are really pleased about those stamps being available today have to in a little way thank me that they are still about. I helped save half his collection under my arm and I organised another man, Bob McLeod in Goose Green to save the other half of his collection. Now how we did this - Goose Green was invaded by the Argentineans and we had a water problem and the late Charlie Finlayson was the first plumber and he showed me where all the stop cocks around the farm were. I shut the water off to the house that Nutt Cartmell used to occupy where his stamp collection was and where it was full of Argentinean soldiers. The result of that was eventually the water would ride up and all the taps except the little one by the side of the stove to drain the central heating system. And then they found the tap outside that some joker had turned off and turned it on and put their stove out they flooded the house; and they got me down to try and help them sort this out and Nutt says, whilst you are in there go into such a such cupboard and get my stamps. Well I only got half them home and he was quite distraught about that so I had to work out another way I

could get back into that house so I said to the Argentinean guard at the door, "I need to take my second plumber down to sort this out, I need his advice." So down we went and Bob actually knew the cupboard with the rest of the stamps in and collected them, so for our pains Nutt walked and talked me through his stamp collection. Now his stamp collection was on rogue stamps, stamps with no water marks, stamps with water marks upside down, stamps with colours missing and he never went in for first day covers. He might have had some but he never went in for them in a big way but he reckoned his value was in freak stamps. So I don't think it's a good representative collection but we have it and there's a little bit of thanks to me that we still have it.

Other feelings have run high on another subject in recent times, in recent days, in recent weeks. Councillor Edwards said I am not permitted under the rules to talk about the National Stud Flock or the choosing of a location for re-siting it but all I will say is that I supported Swan Inlet because I believe it is the heart of the Falklands and although the majority of Councillors have chosen Saladero/Brenton Loch and all the tussle and struggles are over I regard that as the spleen of the Falklands and we know we can live, that Landholdings can live without this spleen. But if you haven't got a spleen some of your medicines are more expensive than others or you need more so it will cost you more to build everything you need at that stud flock but I won't dwell on that one.

Councillor Norma Edwards was very pleased about Sir Andrew Bowden's debate that he launched in the Parliament and I too must thank him for that because it was a very fruitful debate and it was actually stimulated by the January CPA meeting and so that was an offshoot of us inviting those people to the Falklands.

The only other subject I would like to make mention of is the abattoir. I still think the abattoir should be located in the Camp, perhaps on the liver of Lafonia where there's water and it will be a way of attracting people back into the Camp, to generate bigger communities. I think that's still worthy of some thought.

When I came into this room this afternoon I wondered what I had done wrong. I had been put here by a stinking hot radiator and a sweat box, Councillor Cheek and I, and I've been edging up towards Councillor Luxton to get away from the heat. Over tea we opened the windows and let it out and we came back and we find the radiators nearly cold now. So is there some vagrancy in the bowels of the building or is it that Councillor Birmingham who is somewhat responsible for the heating perhaps for this place or the looking after the cleanliness of it might have twisted the clock, [Councillor Birmingham informs Councillor Goss about what had happened]. Is that what did it? Well now we know the secret. But I was going to and I did say at tea time to His Excellency that I didn't think this arrangement of the tables with those radiators on was going to work for future meetings. Your Excellency, I support the Motion.

The Honourable Mrs C W Teggart:

Mr President, Honourable Members. Can I be the first among my colleagues, surely not the last, to welcome Councillor Birmingham to this Table? It is his first meeting here, and I'm sure that, (he's actually been with us for a couple of months and he's quite an old hand already), his first Legislative Council meeting will be one that he will always remember.

I've got a few topics that I would like to touch on. Like other Members I was actually quite looking forward to a good thrashing of the stud flock but we're apparently not allowed to do that so I will leave that for another occasion. The CPA Conference and the recent debate in the House of Commons have already been mentioned. I sort of married those two together as well and I think that if this is the sort of good publicity and the support we are going to get from the MPs who visit the Falklands then the more we can get down here the better. It's certainly been very very worthwhile from my point of view.

We had in the last couple of days voted for a considerable amount of money for the resurfacing of the Mount Pleasant Airport road. This is something that I have felt strongly

about for a long time as a lot of my constituents know; it was something that I mentioned when I was first elected to Council in 1987. It rather grieves me that it's taken this long and will indeed take another couple of years before we can feel that that road is reasonably safe. There has been as I said a lot of money voted to do the job but I must admit that if it had cost twice as much I still think it was something that we needed to do and I'm sure that the men of the PWD will do an excellent job on that and get it sorted out.

The late Mr Nutt Cartmell's stamps have already been mentioned in this meeting and I feel that I also must mention them. Being one of the housewives who dared to oppose their purchase on ExCo I must say in my own defence that it wasn't for any niggledy house-keeping means. My own feeling was that if we bought the stamps they would be put away in a vault, they would never see the light of day again, nothing would ever be done with them, perhaps they would be split up and sold off and I felt that it wasn't the thing to do. I was slightly annoyed that there was a suggestion that because of our decision those stamps would leave the Falklands. The only way those stamps would leave the Falklands is if Mr Cartmell's beneficiaries decided to sell them overseas. It would not have been through a decision of Executive Council. In the last week or so the Museum and National Trust have come forward and they are going to buy the stamps. I am very happy with that, that to me is the way it should be. They will be somewhere where they will eventually be properly catalogued, be properly able to be enjoyed and somebody will ultimately be responsible for their safe keeping. I don't think that would have necessarily have been the case if they had just been put away in a cupboard and forgotten about somewhere. I think that over the years the collection would have gradually been eroded, no one would really know exactly what was there and what wasn't.

The other subject that I wanted to mention at this particular meeting of Legislative Council, it's been something that a lot of people have spoken about in the last few weeks. I've had a number of my constituents approach me on it and I got rather a hard time from my eight year old daughter one lunch time over it; and that is the situation regarding the disappearance of Marine Alan Addis. I feel very very strongly that with the best will in the world our police force have done everything that they can do to sort it out and I believe that it still hasn't been enough. I feel that we must take more steps to sort this out before anymore time has elapsed. It has gone on long enough. I hope that this is something that has been taken on board, I think it's something that will happen in the future. I personally would like to see it resolved. Mr President, thank you.

The Honourable R J Stevens:

Your Excellency, Honourable Members. As the Councillor who sits on the Stud Flock Committee I would like to talk about the stud flock, so as Eric wasn't allowed to but did, I'd also like to do the same until I'm stopped. And in doing I won't duplicate anything that was said.

The stud flock, an idea with all the best possible motives to improve wool weights and micron and to make our country wool clip more valuable. I'm not going to beat about the bush but confidence in the National Stud Flock is very very low and the last twelve months has been an A-Z of disasters which is already being expanded on. Fortunately it didn't sicken everyone and sheep were sold this year and I asked farmers to give the National Stud Flock much thought and look at farms where this breed has successfully flourished. They aren't all good areas but many if not all of the success has been by careful close hand management of the pure bred rams. I hope we can rebuild confidence with a mainland farm and offer, animals in good condition and be able to respond to any eventuality on a site accessible to the expertise and manpower of the Agricultural department. I sympathise with the feelings of farmers on the west and the Stud Flock Committee should sit down and consider the logistical problems of having a sale on the west. If this is impracticable we should explore the possibilities with Byron Marine of running a ferry for west farmers with sheep moving facilities for the return voyage; a jetty in Brenton Loch built with STABEX funds would certainly help.

The abattoir has also been mentioned by two other Councillors and I also have very mixed feelings about the abattoir. There's a great interest in the farming community about the market for surplus sheep. There are farms however that don't have excess sheep, others that buy in and rely on other farms to maintain their numbers. If this supply is cut off it would result in the best farms becoming stronger and the marginal land owners suffering.

I would like to see the Agricultural department supporting and studying the concept of dry farms being supplied by breeding units perfecting wool production in the Islands. This would hopefully be a scheme that was beneficial to all farms, especially to our own product, the product we have a market for. Fat lambs I believe will never produce in enough numbers to create a market. They will be in competition for the best pasture. The lambing performance Islandwide is too low to maintain a reasonable meat product in my opinion. Cattle - I have thought about this for hours - and without supplementary feeding no breed will mature in two years. And to talk about supplementary feeding like silage, once you've considered the capital cost of re-seeding, fencing, three tractors, silage cutting, machinery, two high sided trailers, buck rake or fore-loader and spines. It sounds good but we should really look at it in great detail. I know from ten years of experience that cattle will not prosper when sheep numbers are maximised. With suggested prices of £150 per animal 100 beef would only realise £15,000; but how many cows, calves, yearlings and immature animals would you be grazing to maintain this production? 750, 1000, it's a lot of supplementary feeding and think of the state the Camp gets in when you're slightly late with peat carting. Whether you move food to animals or animals to food we are talking about a big mess. I still believe wool out performs meat production even in the worst session.

Another one of my favourite issues but very important to the whole of the Falklands and the Government farms have just had another review conducted yet again by interested parties. The long term future of Landholdings should be discussed and considered by all Councillors as part of our overall agricultural policy. A board should be made up of persons who see Landholdings as a part of the whole agricultural scene in the Falklands and respond to their changing needs. It must be in the interests of all of the Falklands to secure a stable resident population in Camp. The future of every Falkland Landholding employee should be guaranteed but as the exodus of people continues we shouldn't be looking overseas when there is still our own people prepared to go to Camp and make the ultimate commitment of ownership just like myself, just like Councillor Norma Edwards. Large farms have a future in the Falkland Islands but this should reflect the local demand for that type of employment and not be artificially kept going by workers, full time and seasonal from outside. It has been proved by farms even in the toughest farmland that most owner/occupiers perform well. I invite all sceptics to study the performance of Green Patch, the sections, an ex-FIC farm, from big farm to present day and compare the performance of the other ex-FIC farms over that period. This is fact. Green Patch was considered the toughest farm. Over fifteen years of performance just can't be a fluke. The families and individuals who have approached me within Falkland Landholdings and Stanley would equate to more people than there are at Goose Green and have more children than there are currently on all Falkland Island Government farms. Can we turn our backs on this healthy demand? There's plenty of room for everyone's need. Falkland Landholdings equals about a third of the Falklands' land. Every family that went to Camp would make a job opportunity in Stanley, in some cases two. With the increasing number looking for jobs each year this surely makes sense or perhaps only to me. Time and time again I have heard people from the Administration say how subdivision has led to de-population. Less than a handful have left Falkland Landholdings to take up a farm, where close to 200 have left the same area over the last ten years. I say to Councillors, let's reverse this process with our own people to the benefit of Stanley and Camp. Let's carefully consider our communities' needs before we loosen our hold on immigration. I will be putting Falkland Landholdings on the next month's GPC agenda as part of the Select Committee looking into development in Camp. Long overdue because of Councillors overseas leave and work commitments making it impossible up to now for a 100% participation. If Councillors don't support me at GPC next month I'm prepared to drop this stance I've taken since I've been on Council.

Lastly for anywhere in the Falklands that receives FM and medium wave like MPA and Stanley and myself, the ability to choose between current affairs, sports and news and pop music is a great improvement in service. It's a fact however that many farms in the Falklands can only get one or the other. If it's medium wave this has become the non local channel and many Camp dwellers are unable to listen to the announcements and News Magazine. As a local radio station priority should be given to the needs of the resident population. Sir, I support the Motion of Adjournment.

The Honourable Mrs S Halford:

Your Excellency, Honourable Members. In rising to speak to the Motion I too would like to welcome Councillor Birmingham to his first LegCo.

Recently I was in the UK attending the CPA Seminar at Westminster and whilst there I realised how popular the CPA visit to the Falklands in January had been; and the good publicity we got from that, it didn't matter who you bumped into they had nothing but praise for the Falklands. My only disappointment there was that I wasn't able to attend the debate in the Commons which Sir Andrew Bowden was responsible for. It was a good debate and certainly again gave us a lot more PR.

Also while I was there was the Clothes Show. Although I'd done my best to explain what the Falklands was like and tell people where it was, because the CPA had actually left it off their world map, the Clothes Show did an awful lot more. We heard earlier how it portrayed the "Falklander" sweater and hopefully will do a lot for our wool. But it wasn't just our wool it put forward, it also portrayed the Islands and everybody was amazed at what the Islands are like and I'm sure that was only 21 people from different countries but it went out to a lot more people.

I also have to agree with Councillor Teggart about what she said about Nutt Cartmell's stamp collection and although I did not want Government to buy it I am very pleased that the National Trust did, as I felt that was the right road to go down.

Minefield fences have often been a pet subject of mine and minefields in general. Some time ago I approached EOD and I have approached others asking that when these minefields were refenced rather than go to the added work of taking down the existing fences they leave them because they were actually higher than the new fences they are putting in, I was told on one occasion it wasn't necessary. The reason I asked for them to be left was that in my opinion the fences that have been put there now although are supposedly stop proof fences they are much lower, and I believe animals particularly horses will go over them. Yesterday I was proved right. Minefield 110 is in my paddock and a horse got into it. Fortunately for that animal it didn't find the mines and it was gotten out but it's a case of I told you so. With the fences being removed I still believe animals will now get into them much easier.

We've also heard today that the STABEX money has been released. It's my understanding that it hasn't been released but it's ready to be drawn down. Let's hope that we do get it and get it quickly.

I would also like to congratulate Falklands Conservation on their recent clean-up of Hadassa Bay. I had been invited to take part but I actually wasn't here and didn't get the letter until after I returned. Let's hope they don't stop there, there's an awful lot of the Falklands that needs to be cleaned up. Stanley Commons a good example, we have a lot of war debris around which and not just war debris, a lot of other debris which I'm sure a lot of us could help to clean up. But in their clean up campaign let's hope they also go down to Cape Pembroke. We have a rubbish tip down there, we have the remains of rubbish tips down there. These should either be buried or removed, but whatever I just hope they don't come into conflict with Councillor Cheek. Sir, I support the Motion.

The Honourable J Cheek:

Your Excellency, Honourable Members. I remember some years ago listening to a comedy on the radio where a public school co-educational headmaster was asked how he kept the sexes apart. I think the answer was he prized them apart with crowbars. It almost feels like that this afternoon with the new seating arrangement with the three ladies of ExCo on the south, and we five lesser male mortals are on the north with the might of the Administration keeping us apart. I welcome the move to try out new seating. The public can more or less see all of our faces but there are some disadvantages. Certainly over this side where in the sweltering heat from the radiators I suspect the ladies are freezing on the south side. Also if we want to leave, certainly if I want out and some of the Members to the east here want to leave the Chamber whether in umbrage over something that's been said or for whatever reason, we would find it impossible to squeeze past some of the seating. But I welcome this and I think there were one or two suggestions already going around to review this and I think it's a good idea that the public can see us better than they could before, or maybe they thought the back view was more entertaining than the front.

A number of people have spoken about Nutt Cartmell's stamps. As the public will have gathered although having come back from Houston and elsewhere and reading Penguin News, it was almost as if all Councillors were against buying those stamps. In fact I think I'm right in saying there was a 4-4 split. Some of us feeling strongly that Government should buy the stamps, some of us feeling equally strongly that they shouldn't; and certainly a number of us felt that we should buy them weren't thinking of putting them away in some dusty cupboard but of using them as a nucleus for a new museum of stamps, whatever you would like to call it. Those stamps of Mr Cartmell's combined with the original stamps which are held both in the Post Office and at the Secretariat and all of those could then be put on display. Possibly somewhere such as the Standard Chartered Bank when that is located and taken over by Government. I hope such a stamp museum is still a possibility.

Could I mention parking particularly in this area. At the moment if you come to the Post Office any time after a few minutes past eight, you'll find that most of the spaces in front of the Post Office are taken up by staff. Could I ask that it be arranged that the staff park around behind the Post Office thus leaving Ross Road free for the customers who would like to use the Post Office rather than for them having to park around here and walk all the way around. It would be particularly useful for the more elderly of us. A continuation of parking - I see looking out of the town hall windows that reclamation of land around the Government jetty. I know not what the purpose of that is but could that not usefully be used by public works people who are working in the dock yard. It's still a little bit unsightly but if it could be smoothed off then it would make a good parking area for the staff there.

Remaining in that area - adjacent to Gilbert House we still have a number of containers. Over the past years, certainly the planning part of Government have been very much against anyone sticking containers around Stanley. Well those containers next to Gilbert House have probably been there longer than that but I feel that if they could be removed, sited out of town they would improve the appearance of the area around there.

A very bitty finish as far as I'm concerned here but can I move on to another item. It's been mentioned that for those people away from Stanley who listen to the radio have trouble receiving FM. I'm sure they have little trouble receiving the AM. May I suggest that if they used as much effort and ingenuity as they did in setting up two metre aerials then I suspect that very few if any people would have any difficulty in receiving FM, and at very little cost.

Coming towards the end of my comments. Could I mention speed limits. When I was first elected to Council in 1981, at my first Council the Administration introduced a Bill that would increase the then speed limit of 20 mph to 30 mph and I introduced an amendment to that making it 25, which was carried. The reason that I introduced an amendment was at that time the Police had no sophisticated way of checking speed limits and it was very obvious that if we set a speed limit of 30, the Police would not do anything unless you were going over 35 or

possibly even 40, they had no way of accurately accessing the speed. So my thoughts were if we set it at 25 most people would do around about 30, maybe a little bit more and I thought that was a reasonable speed. The problem now is the Police do have this very accurate method of checking speeds and 25 mph means 25 mph or something very close to it. May I suggest that the Administration for Stanley introduce a new speed limit, the one that they originally introduced in 1981, that is a speed limit of 30 mph. And while I'm on the subject of speed limits and bearing in mind that when the road is surfaced to Mount Pleasant there is talk of increasing that speed limit to 60, that the current speed limit of 40 is not being observed. I think it was either the Public Works Department or the Police who checked that and found that somewhere around half the people are in fact doing a speed approaching 50. Now to my way of thinking it is not useful at all of trying to impose a law that the majority of people do not want to and are not following. All you do when you do that is you put peoples backs up, you use an inordinate amount of Police time checking for people who are speeding, and I suspect that if everyone that the Police saw that was doing over 40 mph was hauled into Court, Government would make a lot of money but we would end up I suspect with a large percentage of the population not being able to drive. Couldn't we be more rational over this? I would be perfectly happy if the speed limit was 50 and for anyone who was driving over that to be dealt with quite severely.

The last point hasn't been mentioned and I'm rather loath to mention fishing but I will. I would draw peoples attention to two things: 1) the current level of loligo catches which I would say is extraordinary, probably the highest that have ever been caught in these waters, certainly since the FICZ and the FOCZ were declared; and also give some little thought to the effect that those catches will have on prices and on the fledgling Falkland Islands fishing companies. The other thing is the catch levels illex which are, I don't know if I'm right in saying probably the lowest ever and as this is the second bad season, even worse I suspect than the last, the effect that that might have on those who apply for, or more importantly pay for, licences in the next season.

One last thing, I suspect most Members already know it and members of the public may find it interesting to know that with the last vessel that was flagged under the Falklands flag, the British flag admittedly but in the Falklands, that makes a total of six deep-water long distance fishing vessels, they may like to know that Britain only has four such vessels. So we are now 50% ahead of them. Sir, I support the Motion.

The Honourable W R Luxton:

Mr President, Honourable Members. I won't take up too much of your time. I just have a number of points that I would like to raise mainly to the benefit of the Financial Secretary affecting Camp population. I did discuss these with my colleagues at GPC and we are basically in agreement with my ideas.

One is the question of licensing. At the moment we have amateur radio licences and gun licences payable on an annual basis at a pretty high rate. For a family living in Camp, with perhaps three of them wanting gun licences, that's £25 each and amateur radio licences to operate two metre sets is another £10 each so it adds up to a tidy sum of money. I would like to propose that those licences be issued on the same basis as driving licences. In other words a one off fee and the licence is for life, or for whatever a driving licence is, until you're 65 or perhaps a geriatric 70 or whatever we decide on. I think it would save an awful lot of administrative work and I would be quite happy if the one off fee stayed at the present level. As far as the control of firearms is concerned that is done at the moment quite satisfactorily by a registration fee of £5 and that is a one off and that gun is registered to your name. However I would like the Financial Secretary to take that on board perhaps please with a view to looking at it in the Budget Session.

The other thing that affects a number of my constituents very dramatically is the cost of medical flights. This in some cases can be absolutely prohibitive, particularly in the case of an expectant mother perhaps with one or two other small children who may have to make a

number of visits into Stanley, stay in Stanley for up to a month before the birth of a child, finding accommodation, looking after small children whilst she's in Stanley; and then there's frequently a requirement to fly into Stanley with the children afterwards. I know of one particular case where this has caused a great deal of hardship even with the assisted passages, the final cost was several hundred pounds. The same thing tends to apply for dental visits, the dentist will visit the Camp and see patients and refer them to Stanley where he's got better facilities and in some cases people have to make a number of visits to Stanley. In the case of medical flights for any one individual I would like to see us put a cap on a total cost for that individual on an annual basis and perhaps we can consider that in the context of the Budget.

On the subject of roads the road building programme, Camp roads, has gone really well this summer. I haven't seen the north Camp road for a little while but they were doing very very well a while ago. I don't know quite how far they are now and certainly the west road and White Rock are to be congratulated. They have almost finished their allocated stretch for this year. I think they will have done something like 20 km on the west when they are finished which leaves about 23½ km to reach Fox Bay. Now we had planned to do that in three years but I would like Councillors and the Administration to give serious thought to trying to enable White Rock to finish that Contract next year right to Fox Bay. It's not a great deal more, another 3½ km so hopefully they would complete that next year and I do have some ideas about the next phase after that, which I would like to put to Transport Committee in due course and that will be a paper to ExCo: but the one that will need an earlier decision is whether we try to budget to reach Fox Bay in the one year. Whether it's possible to get right to Port San Carlos next year I'm not sure yet but I would like to see that as well, and I think this will result in a very large number of people travelling across Falkland Sound whenever there is an opportunity available to the benefit of the whole community, that's Stanley and West Falkland.

I understand the other flying squads and other contractors who are working in Camp roads are going apace and I look forward to catching up with how they are getting on.

The only other point I have is as usual to disagree point blank with my colleague on West Falkland over the question of STABEX monies and the abattoir. If we use STABEX monies for the projects already approved, if we use those monies to build the abattoir, I do not believe the EEC will have any more control over that abattoir than they will over the STABEX monies that are used to build camp link roads or the building of jetties. All it will mean is that the abattoir will be able to kill to EEC standards which may be an advantage to the agricultural community in the future but I do not think that we will be in any greater danger of having EEC rules imposed on us on our local consumption.

And finally I would like to welcome our new colleague, Councillor Birmingham to this Chamber and we look forward to a rousing maiden speech from him. Thank you Sir.

The Honourable J Birmingham:

Mr President. I don't know about rousing or maiden. Mr President, fellow Councillors. As pointed out it is my first meeting so I will keep it as everybody seems to keep it brief. First I would like to thank those people for welcoming me. I would like to thank CBFFI for the trip, my first trip over the water, to Albemarle and hope that we will be able to clear up the mess that's over there. It is very close to Leon Berntsen's house and the oil deserves to be moved.

We'll move on to Housing - I think that Government tenants who have been kept waiting for two years in the belief that they will be able to purchase their Government properties should be told one way or the other whether they are going to be able to or not and put them out of their misery.

I was pleased to hear this morning the Pensions Review is going on some more and I hope that as it has been going on for over a year now perhaps something will come out soonest. There are some people suffering in the community especially ladies who have been widowed or

divorced. There seems to be some topsy turvy logic flowing around.

The abattoir, everybody's speaking on the abattoir and I have a few things to say on that. I don't know whether I can support an abattoir built to EC standards when we don't know yet whether we've got to run it to EC standards and I cannot believe that there is a market out there that will accept all the meat that is, we're told, available. We don't even know whether there are ports in the UK that will accept the meat that ships from the Falklands are going to. At the moment the two ports that ships from the Islands go to are not registered for the importation of meat of any sort, so I don't think we have got all the information that perhaps we should have. I would imagine that if the abattoir is built to EC standards, it wouldn't happen at first but I would suspect that in a year or two there would be a clamp down on any meat coming into Stanley for sale from the Camp because it wasn't being slaughtered to acceptable standards as the standard would rise.

After first being elected I think I can honestly say I was chucked in the deep end regarding the CPA Conference but I found it very very interesting and met some characters there, some of whom had been in Council for 30 years whereas I hadn't even been in 30 days but nevertheless I did learn a few things, was told a few things.

After the CPA meeting the next person to come and travel down that I found very interesting was Mr Wallace who has been looking at our Constitution and I hope that in the next few weeks we will be hearing from the man as to what he would like done. One of the points that he brought to me was that he would like there to be more LegCo sessions; and more LegCo sessions means that there will be more debate in front of the public and the public would know more about the decisions and how the decisions are reached. And I hope that fellow Councillors will agree to that. He also was talking of increased Councillor membership to the Legislature by maybe two or three but he didn't see any lessening of the Camp Council representation.

I was at Hadassa Bay during the clean-up and Falklands Conservation did organise the clean-up but it was volunteers from Stanley and elsewhere who actually did the work and they are to be congratulated, and I'm sure that there will be other areas around the town that will be sorted out in due course. There are lots of jobs around Stanley such as the ditches on the side of the By-Pass where we already have a small under utilised gang, the SEP gang, the Special Employment Programme Gang, and but for the want of a leader this gang could be put to far more use than at present so hopefully that will be sorted out in the near future.

Speed limits - hopefully when the MPA road is tarmaced then I could see an upping of the speed limit but regarding Stanley I'm afraid I am quite happy with 25 mph and believe that the roads are too narrow and there are too many vehicles for us to even think of putting it up to 30. Some people think that 25 mph means that you can drive at 27 or 30 now. If we put it up to 30 then 35 will be the accepted speed. And with that Sir I would just like to finish off with - I was told just after getting onto Council that possibly the hardest thing that I would achieve over the three years would be to get rubbish drums on Surf Bay. I cannot believe that. I support the Motion.

Commander British Forces:

Your Excellency, Honourable Members. I shall be very brief. May I on behalf of those of us at MPA also welcome Councillor Birmingham to this his first meeting of Legislative Council.

Like Councillor Teggart I too welcome the decision to resurface the MPA road over the next two years. I'm quite convinced that the minds of my successors will rest easier as a result of this decision, which is bound to reduce the risk to personnel. And speaking of reducing risk, with reference to Councillor Cheek's remarks I have to say that I should not be at all happy to know that my service personnel and their families, many of whom will have only just got off the Tristar would be able to drive legally at speeds up to 50 mph over what is currently a very dangerous road.

Councillor Halford mentioned the issue of the height of EOD minefield fences. I have to say that I have not heard of that issue before but I will take it up with my EOD experts and report back to Councillor Halford in due course.

Can I say how delighted I was with the turn out of local people at our open day at Mount Pleasant on 25 February. Local support to this event coupled with some of the finest weather it has been my privilege to see in the Falklands, helped make the day an enormous success. Also very successful were the fund-raising activities and I was very pleased earlier today to be able to present to Mr John Teggart a cheque for £1700 to the CAPED Foundation being the sum raised on that day for that most deserving of charities.

Can I also take this opportunity to record my thanks on behalf of all of us at Mount Pleasant for the donation by Government of two new married quarters which are almost complete and which will be taken over by proud new owners at the end of May. These married quarters will do much to increase the continuity of administration at Mount Pleasant and as a result improve our effectiveness and our efficiency. Very many thanks indeed.

You will wish to know that on behalf of everyone at Mount Pleasant I have sent a message to Captain Alan Phillips, the Commanding Officer of HMS Endurance, whom some of you will know, expressing our deep sympathy over the tragic death of his young daughter earlier this week.

And finally you may be interested to know that our new Reinforced Infantry Company which arrived three and a half weeks ago has settled into Falkland life extremely well. Already they have been exposed to the pleasures of live firing on Onion Range, been exposed to even greater pleasures of contact with the local community on patrols over both East and West Falkland. Now naturally as the first all TA Independent Company serving in the Falklands they have been the subject of much public interest and there is more to come, but already it's clear to me that they have settled in well and are doing a first class job and providing the land element of our deterrent force, and I have no doubt at all that should they be called upon to resist Argentine aggression here they would acquit themselves in the finest traditions of the British Army.

Your Excellency, I should like to support the Motion for Adjournment.

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. In response to Councillor Luxton's request for looking at the matter of gun licence, amateur licence fees and introducing a sealing for medical and dental visits in respect of Camp people I can confirm that we will look at that in the context of the Budget.

Councillor Birmingham mentioned about a Pensions Review and that is the Old Age Pensions Scheme that is currently under review and it has been under review for about six years now and it is a complex subject, but hopefully we will be able to finalise it soon.

Your Excellency, I support the Motion for Adjournment.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I would like to comment on one or two of the points that have been raised. I was particularly pleased to hear the loud praise for both the Clothes Show and the House of Commons debate. I too think they are probably two of the most positive things that have happened to the Islands certainly since I've been here and I would imagine for sometime prior to that. During the Commons debate which I was very privileged to be able to sit there in the Stranger's Gallery, I felt there were many firsts from our point of view. Here was a Labour party very tentatively mouthing in public a policy which had many

features to it which we would be very much in approval of. We also had the Chairman of the Latin American Group in the Commons actually telling Argentina to grow up which I thought was a very useful step. We had the concept of the marginal cost of the military here raised on the floor of the House, I imagine for the first time. And we also had praise for ourselves here as this Government in the way that these Islands are run. And I felt that all those things were extremely positive and I was very glad to be there. But I think in both the Clothes Show and in the House of Commons debate that as we, in a sense, pat ourselves on our head, shoulders or back or whatever we do, I think we should also give some praise to those members of the Civil Service who have worked very hard to make both these events a success. You may think MP's standing up and saying things isn't actually brought about by members of the Civil Service but I have to say that people working in the London office and our consultants Profile, who have been working tirelessly in the House of Commons talking to MP's who have got a lot of these messages across and it's very hard work and it was a great success for them. And of course the same with the Clothes Show and all the work put in by many people here. This is only the beginning as far as the "Falklander" sweater is concerned as we all know and a great deal of work lies ahead of us but what a start, a superb start.

I would like to make a comment after what Councillor Edwards said about the EC money. I am absolutely certain that there is no linkage between using this money and regulations thereafter. In other words because we use the STABEX money to build the abattoir it gives the European Union no power whatsoever to come and say because you've had our money you've got to do this. That linkage simply doesn't exist and I'm certain of that here and having used European money in a previous existence believe me, they don't have the efficiency to follow these things up in Europe never mind down here.

I was fascinated by what Councillor Goss said about the liver/heart/spleen etc of the Falklands. Anyone who has any other ideas about various parts of the Falklands representing organs of the body I would be only too pleased to receive it please in an envelope.

Probably the most comment I will make on anybody's speech will be that by Councillor Stevens. I pondered as he mentioned the stud flock "whether the wether will weather this weather" but there is no doubt that confidence in what has happened to the stud flock has been very low and many farmers are cynical and the population imagines that a lot of money has been wasted. History shows us that many attempts of stud flocks in these Islands have not been successful and it can hardly be a surprise that this has happened as it has, and nevertheless the inquiry showed that the whole process has been to some extent badly managed. And I believe that we can only improve the confidence level by proving that the whole project works and is worthy of support and I know all of those involved in it will be trying along with me to make sure that that happens over the next few months and indeed over the next few years. We will have a plan and that plan will be approved by Councillors and we will do our level best to monitor it, to report it and to adhere to it.

Now as usual with Councillor Stevens there are many things that he said that I agreed with and there were other things that I also disagreed with and I felt that he was actually pre-empting a debate that is just about to start. That debate surrounds the report that I have recently submitted to ExCo regarding the future of Falkland Landholdings. I was tasked to do this shortly after I arrived in these Islands and I have been talking to a lot of people and taking their views and writing down some ideas to open up a public debate on these issues over the next few months. The fact that Councillor Stevens said that the report was prepared by interested parties, I couldn't really understand that because I certainly wouldn't consider myself as far as Falkland Landholdings is concerned a particularly interested party. The interest of Government must be to govern the Islands for the good of everybody and in the interests of the majority and that is what this report is about. Now, those listening may well say well when are we going to get a copy of this report so we can discuss it. It will be in the public domain after consultation with the specialist groups to whom it will now be distributed. We have a board meeting of Falklands Landholdings tomorrow afternoon and they will, I hope if I get a chance to put the amendments in the report between now and then, be able to go through a copy of that report. And after they have done so then it will be distributed to the

other specialist groupings and in about a months time after any other amendments have been put into the report as a result of those discussions, in the interests of open Government it will be distributed far more widely and everybody will be able to know what is in it.

I think it's quite appropriate at this point to pause and talk about another consultation because we are trying to run an open Government here and when I say "consultation" with specialist groups what I mean is that when we want to have something that we are able to discuss, that we share that with specialists in the community, without that necessarily being in the public domain. Now the reasons for that must be obvious. These things will be in the public domain eventually but it is only fair if we have representative bodies to talk to them first about such things and in the confidence of that relationship then to amend, so that when we go public we can say yes we have consulted with that body and this is the result of that consultation. That is the process that I envisage with these things with the interests of open Government. Now that didn't happen recently because a paper was given to the Chamber of Commerce about terms and conditions in the Civil Service which was quite blatantly leaked in public and that was never the intention of Government I have to say that; because what happened in that is that the consultation process and the confidentiality of that was broken. Now that might well be misunderstanding by the Chamber of Commerce and I do hope that in the future when any body is actually consulted with in that way that confidentiality will be respected and so that we can process towards the proper consultation and the proper distribution of documents.

To come back to the Falkland Landholdings situation - I would like to stress that as this is just about to hit the public that it is vital, it is important. Falkland Landholdings as we all know owns about a third of these Islands. Oil may come, it may not. Even if it does, in time it will run out. Squid is extremely volatile as we've heard with great precision from Councillor Cheek just a few moments ago. There is a very real sense in which it is land that must provide a stable and long term future for these Islands. If we get that right and we can optimise our utilisation of land then that is our best chance of long term stability and survival and it is that issue, the future of Camp and the future of the land that this report addresses and I look forward to the debate which I'm sure will rage over the forthcoming months on the contents of that report. At the end of the day I believe that we will be getting it right and will be doing those things that most people approve of and is in the good of the whole community.

I would comment on the issue of containers around Gilbert House. We actually discussed this in a PWD Liaison Committee only this week and it was agreed by the two Councillors present that there wasn't a problem. Now maybe Councillors speak with forked tongue or tongue in cheek but (laughter), but I do think if there is a remaining problem here I would be grateful for Councillors to let those Councillors sitting on the PWD Liaison Group to know what the problem is and then we can resolve it further.

On the issue of speed limits. We did in fact in ExCo some three months ago consider whether or not the 25 mph should be raised to 30 and declined that particular option at that time. So I think it would be a bit premature to go back as nothing much has changed since then. My personal view is that 50 mph on the MPA road at the moment might be safe under certain conditions. The insurance facts force us really to the situation that we have where a 40 mph limit is essential. However when the road is finished and we are setting ourselves a target once we get the thing into kilter and I do hope that two years from now this road will be finished, then of course we can review the speed limit and obviously 40 will be far too low for those of us who like to drive a little bit faster than others.

If I can complete my speech by referring to one or two things that Councillor Birmingham said and I welcome him again, I welcomed him at the beginning and I'm sure he brings his own inimitable style to the mix of Councillors and I welcome that. He too has fears about the abattoir and a lot has been said about the abattoir but I think we must when we think of the abattoir come back to the basic issues which I know frustrate my friend Councillor Edwards because the existing abattoir cannot continue. It is on it's last legs, we must replace it. With the STABEX money it is at least in the large part the new abattoir will be free and it gives us the options of exporting if we want to and believe me when it said, you know we talk about

markets that are there and markets that aren't there: market research is not all that expensive, we can find out whether markets exist and whether regulations are going to stop us and the Administration I'm sure are quite capable of doing that through FIDC or other means if we need to do that and of course we will do that. But the export option is not as attractive immediately as the sale to MPA option. Many MP's expressed horror to me in the UK that we don't sell meat to MPA. To them it is a nonsense, to us it is a nonsense and this will give us a very clear way of getting around that nonsense and will greatly increase our ability to sell meat and to make I trust a profit out of it.

On the issue of the SEP gang that Councillor Birmingham quite rightly raised. We did already agree to look into that and I have undertaken to look very carefully at the matter of a foreman for that gang so that it can be properly managed and be a very useful part of our society. Once again when in the UK talking to Members of Parliament they asked how much unemployment we had and I said none at all. I explained to them something of the work of the SEP gang and they were really envious. I think it is something that we can actually be proud of, that we have a mechanism like that to help these people. And so we will try to make sure that that is sorted out, Councillor Birmingham.

Having said all those things, Your Excellency, I beg to move that this House adjourns.

The President:

Thank you very much. I won't add to that, I think it's been a useful little debate. We've gone over most of the main issues of the day. Can I too congratulate Councillor Birmingham on a very thoughtful and valuable speech. And with that I say the House stands adjourned accordingly.

*Concluded this 27th day of
May 1995*

Governor.

RECORD OF THE MEETING
OF THE LEGISLATIVE COUNCIL
HELD IN STANLEY
27 MAY - 1 JUNE 1995

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ADDRESS BY HIS EXCELLENCY THE GOVERNOR
TO THE LEGISLATIVE COUNCIL ON 27 MAY 1995

Honourable Members,

It is a great pleasure to be here once again to present the reports of Government Departments to Legislative Council.

But before I start the reports can I suggest that you may wish to consider this time next year whether the present format of a long speech on the activity of every government department is really appropriate if the text of the account is published and made freely available - as it now is. I certainly believe that government departments must make a formal report to Legislative Council and it helps that this report can later be sent to the Library of Parliament in Westminster as an account of the activities of the Falkland Islands Government. But whether I or my successor needs to read the entire account aloud seems to me far less certain.

Treasury: The Honourable Derek Howatt

On 3 May Mr Peter Woodward took up the position of Deputy Financial Secretary for a contract period of 3 years. Mr Woodward is a qualified accountant and brings us a professional discipline in an area where we need it. Mr Richard Wagner, who had been performing the duties of Deputy Financial Secretary in addition to those of Economic Adviser, will now be able to devote all of his time to economic issues. Mr Peter Biggs, the Deputy Financial Secretary Designate, began a three year period of accountancy training in January at the Chartered Institute of Public Finance and Accountancy (CIPFA) College in Edinburgh. It is anticipated that, once qualified, Mr Biggs will take over the role of Deputy from Mr Woodward.

Oil Fiscal Regime

Considerable Treasury manpower resources have again been devoted to preparation for oil development. This financial year has seen the successful formulation of oil fiscal policy. It will be necessary later this year to enact legislation to amend the Taxes Ordinance 1994 to provide the legal authority to implement the fiscal regime. However, oil development, if it proves economically viable, will happen over a long time scale and any tax revenues will not be received for many years.

OAP Review

Unfortunately, due to commitments including oil and other management issues, the old age pensions review has not progressed as well as expected. The Review Committee, with Councillor Cheek in the Chair, expects its recommendations for changes to the existing scheme to be considered by Executive Council in June. The planned effective date for a replacement Old Age Pensions Ordinance to come into force has now slipped one more year to 1 July 1996.

Central Store: Mr Alan Jones

Central Store carries on functioning efficiently as a supply service to Government. Demands by other departments to use the Store's quotation and purchasing system increase each year and show the financial advantages of bulk purchasing. With the employment of another storeman

this coming year the stores should be able to offer a better service with the introduction of a telephone ordering system and a daily delivery service.

Objectives 1995/96

During the course of the coming year the Treasury's aims include:

- a review of certain areas of taxation policy;
- the completion of the OAP review exercise;
- further computerisation of accounting functions;
- a better return on investments and spread of risk by seeking to engage more than one investment manager.

Secretariat: Chief Executive, The Honourable Andrew Gurr, Government Secretary, Mr Peter King

The year as a whole has been one of substantial progress. The Offshore Minerals Bill was passed by Legislative Council in October 1994 and the prospect of oil continues to generate considerable work within the Administration. We have set up the Oil Management Team which meets fortnightly and includes the major decision-makers within government. This team has been managing the work programme on a planned basis since its inception and we are progressing towards the opening of a licensing round during 1995. In proposing oil legislation, the seven principles which summarise the government's policy are:

1. Openness - the communication of detail and the stimulation of debate.
2. A gradual planned progress (without too many surprises).
3. An emphasis of added value within these Islands, especially in the private sector.
4. A fair balance in the distribution of local wealth.
5. Protection of our wonderful natural environment.
6. Protection of our heritage and way of life.
7. Continual striving for improvement in all government services.

During November the MORI poll, sponsored by an Argentine businessman, to determine the attitudes of Islanders towards Argentina stimulated a great deal of interest both locally and internationally. The results emphasised the strong wish of Islanders to remain British.

A thorough review of Falklands Landholdings, which is 100% owned by government, has been carried out and the important issue of the future of this large area of Camp is now being debated and determined.

Following a useful consultancy project, Executive Council decided to proceed rapidly over the next two years towards the completion of the road between Stanley and Mount Pleasant.

The shareholding in Stanley Services Ltd of 45% has provided the government with a useful dividend this year and we believe that this cooperation between private and public sectors has proved to be particularly beneficial to the Islands.

Considerable attention has also been paid to management structures within government. Mr Walter Wallace completed a Constitutional review for Councillors which will be studied and debated for some time. Within the civil service we have instituted some new strategic committees to oversee the working of PWD, FIGAS and Fisheries. Councillors sit on all these committees and we believe that this unification of structure will generate more efficiency. A "training fortnight" has just concluded when two professional trainers from the UK held a wide variety of courses for both public and private sector employees.

A major review of all Civil Service terms and conditions has been proposed and will be undertaken over the coming months in order to bring both equity and efficiency.

The Islands have been regarded as being reactive in nature for too long and the production of a document outlining policy recommendations for the Labour Party generated considerable interest. These recommendations are equally applicable to any British government and will be re-published in a revised form in the near future. This more pro-active stance will be followed by a move towards a corporate plan for the Islands.

Mr Chris Dowrick has been appointed on a six-months consultancy basis to progress Health and Safety at work awareness within FIG and to set up accident reporting systems.

The Computer Section has been unable to meet the increasing demands placed upon it and the appointment of a further member of staff has been approved. Increasing knowledge of computer systems and technology will place further pressure on this small unit. The upgrading of Government's computer hardware and software is planned in order to provide better standardisation and the basis for improved data control and management.

Negotiations with Cable and Wireless will continue over the coming months in order to achieve the upgrading of the Camp VHF telephone system to microwave and the reduction of overseas telephone rates.

Legislature Department: Mrs Claudette de Ceballos

The past year once again proved to be a busy year, particularly in the months prior to the Commonwealth Parliamentary Association Seminar held in the Islands from 17-25 January. This event was a first for the Falklands and marked the 150th Anniversary of Representative Government in the Islands. Our first Legislative Council was established in 1845. Fourteen representatives from the British Islands and Mediterranean Region attended: they were Gibraltar, Guernsey, Isle of Man, Jersey, Malta, St Helena, United Kingdom and the Falkland Islands.

Fourteen meetings of Executive Council have taken place with one more scheduled before the end of June.

Legislative Council met on two occasions and fifteen Bills were passed. The present meeting will be the third and today five Bills are on the Order Paper for consideration.

The British Political Party Conferences in 1994 were attended by Councillor Norma Edwards and Councillor Richard Stevens. Also in October the 40th Commonwealth Parliamentary Association Conference was held in Banff, Canada and was attended by Councillor and Mrs Cheek and Mrs Claudette de Ceballos. The 41st CPA Conference will be held in Colombo,

Sri Lanka in October and it is expected that Councillor Teggart and the Clerk of Councils will attend.

In October Councillor Charles Keenleyside resigned his seat. A by-election was held in December which resulted in victory for Councillor John Birmingham.

The 26th Commonwealth Parliamentary Regional Conference is scheduled to take place in June in London and Belfast, and Councillors Edwards and Teggart will attend. Councillor Edwards will be joined by Councillor Goss in New York in July for the annual meeting of the Committee of 24.

Councillors Halford and Stevens will attend the Argentine British Conference with Miss Sukey Cameron in Oxford in September, followed by the British Political Party Conferences in October.

Fisheries Department: Mr John Barton

All species of squid, including the two species which are the mainstay of the Falklands' fishery and our economy, are often described as volatile and unpredictable, and the last year has proved no exception.

The first season saw a 'bumper' harvest of Loligo squid. Record catch rates were experienced for much of the season which brought lower market prices. Unfortunately, it has been another poor year for Illex with an early closure implemented for conservation reasons on 19 May. This is the second poor Illex year in succession and raises concern about the future of the Illex stock.

The South Atlantic Fisheries Commission continued its work. At the scientific level, reasonable progress was made. Joint cruises involving British and Argentine scientists took place to assess Illex and Blue Whiting stocks. A joint scientific workshop to review the state of Blue Whiting was also held. An agreement limiting the total fishing effort directed at Illex, and a division of that effort between the Falklands and Argentina proved more difficult to achieve. We have limited our effort to 1994 levels. The problem of straddling stocks has recently made the news off Canada, and the outcome of the UN Conference on Straddling and Highly Migratory Stocks which concludes in August may have relevance for Illex conservation.

The Fisheries department was awarded a one year contract to administer fishery licensing in the South Georgia and South Sandwich Islands Maritime Zone. This has involved the employment of a Marine Officer at King Edward Point, and additional responsibilities for Miss Ross, who is the Licensing Officer in our Fisheries Department.

Scientific activity has included the routine monitoring of all commercial fish stocks. Additionally, scientists from the department gave presentations at a major cephalopod conference held in Italy. In conjunction with Stevedore and Fishery Services Ltd., and their Spanish partners, a cruise to explore the deep water areas around the Falklands was undertaken. Several species were recorded in this area for the first time, a great deal of biological information was obtained and some potential commercial opportunities identified for further work. Scientists from British Antarctic Survey and Western Australia visited to conduct research on squid. Preliminary monitoring of water quality in Stanley harbour was started, in conjunction with the Medical Department.

Whilst fishery protection largely involved routine monitoring, there was a significant increase in the number of Argentine longliners found poaching, which were escorted from the zone.

The department's trainee fishery officer, Mr Roy Summers, successfully attended a training course in the United Kingdom, and a period of attachment to the Scottish Fishery Protection Agency. Facilities were generously provided by the British Ministry of Agriculture Fisheries and Food and their Scottish counterparts.

The involvement of local companies in the fishing sector has continued to grow. Consolidated Fisheries has been successful in the toothfish fishery. Further progress by local companies in the Loligo fishery has been seen, including an increase in the number of fishing vessels registered locally. Work has been undertaken in conjunction with the Agricultural Department and FIDC towards providing a system for certification of exports of fishery products to the European Union.

FENTAG

The Falklands Environmental Task Group has been set up to advise on environmental matters in advance of any potential oil development. The committee consists of civil servants and members of the public and Falklands Conservation, all of whom have experience of conservation and environmental matters. The main task of FENTAG has been to advise on the form of baseline survey to be undertaken. This is essential to record the unique Falklands' environment as it is now in advance of any oil development. It is hoped that baseline survey work will start soon with fieldwork being conducted during the forthcoming summer. This task group involves extra duties for all those involved, and a number of members of the public give their time freely to participate on these committees - something we greatly appreciate.

Customs and Immigration Department: Mr Robert King

The Customs and Immigration Department has experienced several staff changes. Mrs Sara Ford transferred to the Public Works Department on 20 June 1994. Mrs Julie Fisher-Smith moved to the Department of Agriculture on 1 March 1995 and was succeeded by Mr John Rowland, formerly of the Education Department.

After a fairly uneventful winter, the Department was overstretched during the 1994/95 tourist season due to staff absences. Thirty five cruise vessel visits were made, carrying 5650 passengers. Eleven visits involved exchanges of passengers by air through Mount Pleasant Airport.

Up to 25 April, 797 vessels were recorded entering Falkland waters, principally on fishing related activities. This was 426 fewer vessel movements, than in the same period in the previous year. This is in part a reflection of poor Illex squid catches and fewer transshipment operations being undertaken. Revenue from harbour dues will therefore fall.

The number of locally owned fishing vessels on the Falklands register increased by four to six during the year.

In the same period 4317 persons arrived at the Islands and 4066 departed, from 53 different nationalities. There has been a substantial increase in the issue of British passports and 4 persons were granted Dependent Territories citizenship.

Our objectives for the year ahead include further revisions to customs procedures and assistance in the formation of clear immigration policy guidelines.

Agriculture Department: Mr Owen Summers

The past year has proved a difficult one for the department, with a number of staff being absent for training or medical reasons.

Routine testing for Brucella Ovis and Tuberculosis has been carried out again with negative results which means that the department can continue to declare the islands free from these diseases. Analysis of information received from farms and Stanley Butchery showed that the general trend in the incidence of Hydatids in sheep is downward: four cysts were recorded in 1994 (0.02% of offals examined) and to date one hydatid cyst has been recorded in this year. The introduction of Falkland flagged vessels within the Falkland fishery requires the department to provide certification for the catches from these vessels. To meet this requirement laboratory testing and veterinary inspection is required, this along with the introduction of an EC standard abattoir and a general increase in veterinary consultations has led to the appointment of a second veterinarian.

The research work of the department has progressed at a steady rate. The surveying and vegetation mapping of the 1200 acre grazing trial in Fitzroy is now complete, and it is expected to erect the fencing over the winter period and start grazing in the spring/early summer. A joint project with Queen's University Belfast and the Falkland Islands Trust has been started to monitor soil erosion and implement methods of control.

The problems experienced with the National Stud Flock sheep on Lively Island last year and the subsequent decision to move the flock to an East Falkland location have placed a heavy work load on some members of staff. This will continue until the transfer of the whole flock is complete. Despite this, another successful sale of 183 ewes took place at Goose Green in March of this year, and a further 80 rams await sale. But unfortunately the wool samples sent overseas for analysis went missing and sale is now unlikely before next season. This is a problem which should not occur again now that our own laboratory and wool room is commissioned.

Agricultural Training continues with two young people undertaking the one year youth training scheme. In addition, there is the possibility of having two exchange students from Australia, and two GAP students will be coming to the Falkland Islands through the Department of Agriculture for work experience on farms while five will be working for Falkland Landholdings.

The current Agricultural Grant Scheme is now being wound down. An evaluation is underway and proposals for a replacement scheme should be placed before Councillors soon. It is hoped that this can be funded through the Stabex Funds due. Work is progressing on a new Farm Management Handbook.

Royal Falkland Islands Police Department: Superintendent Ken Greenland

The period under review has been an extremely satisfactory one for the Royal Falkland Islands Police. The decision last year by this Council to approve certain establishment proposals enhanced the investigative potential of the force and allowed a return to 24 hour patrolling for the first time since 1985. Reported crime has fallen by 25%. In particular, burglary, which was at a worrying level and which had a poor detection rate, was specifically targeted, resulting in a reduction of 57% in reported cases. In the last 10 years, although there have been peaks and troughs as with any statistics, there has been a general reduction in crime of 52%, a remarkable achievement.

The Chief Police Officer's aim now is to further reduce these levels of crime and at the same time to prepare for the new demands on the force which could materialise with the advent of oil. The basic patrol organisation, although insufficient to allow adequate cover outside Stanley, is, with the support of the Police Reserve, undoubtedly effective within Stanley, and can serve as a basis for expansion in response to oil-related problems. The headquarters, on the other hand, has not changed for well over 30 years and must be restructured and rehoused before it can begin to tackle such problems effectively.

During the year, in addition to dealing with routine issues, the force has made significant progress towards resolving the Addis case; has dealt with the fatal air crash at Rothera and a murder on the high seas; has undergone a detailed inspection; and conducted a 2 month course for 5 probationer constables. At the request of Executive Council, it has conducted over 500 speed checks per month, and the resultant decline in prosecutions indicates a generally satisfactory response to this public safety measure.

In addition to the very welcome reduction in crime figures, the return to a proper shift pattern has also permitted some continuation training to take place, particularly on contingency plans, and has enabled special operations, such as the search for missing persons, to take place with a minimum of disruption to normal services.

All in all, and thanks very largely to last year's modest investment in additional resources, the Royal Falkland Islands Police has had a most successful year and is set fair to cope well with any new demands which may be placed upon it.

Fire and Rescue Department: Mr Marvin Clarke

The department has responded to 90 calls during the year, covering a wide range of incidents.

The Service would not be able to operate or fulfil its role if it were not for the Retained Firemen (that is, those who make themselves available for call-out as required), to whom we are grateful.

The aim for the year is to introduce a form of Fire Safety legislation tailored to the requirements of the Falklands.

Falkland Islands Defence Force: Major Brian Summers

A very successful defence exercise "Kelper's Desire" was held at the end of July. Despite snow and sub zero temperatures, many useful lessons were learnt, the material and moral support from Headquarters at Mount Pleasant was tremendous. The Force were triumphant in winning back the March and Shoot trophy in early March. Their luck was not in however for the first fully competitive run of exercise "Commando Challenge", the march from Port San Carlos to Stanley. It is hoped that this will become an annual event attracting teams from overseas and ranking on the international calendar.

The Permanent Staff Instructor Mr Mike Hanlon completed his second contract and has now transferred onto local terms and conditions. Lieutenant Peter Biggs has departed on 3 years overseas training. Force Sergeant Major Marvin Clarke has been commissioned as Captain Adjutant; he has been replaced by WO2 Andrew Brownlee.

Civil Aviation Department: Mr Gerald Check

Stanley Airport saw an increase in passenger movements, in the twelve month period 1 April 1994 to 31 March 1995, although aircraft movements remained much the same as in the previous year. The number of FIGAS passengers increased by 770 and the Aerovias DAP service carried an additional 250 passengers. The total of 7,025 passengers who passed through the airport during the year was the highest amount since MPA began passenger operations in 1985.

Sunday 12 March proved to be a red-letter day for Stanley Airport when the British Antarctic Survey aircraft called in during their ferry flight back to the UK. FIGAS kindly paraded 5 of their Islander aircraft and all 10 together with Mr Rodney Lee's Cessna made for a picturesque sight for some 200 or so aviation buffs who visited the airport.

During November, the consultants Halcrows carried out a survey of the pavement surfaces at the airport.

The principal objective for the coming year is to have the runway and all the other aircraft movement areas at Stanley Airport slurry-sealed as recommended in Halcrow's report. Other outstanding work at the airport includes the clearing of the drainage system, which is now virtually non-operational, cutting the grass on the strip areas surrounding the runway, and the ongoing work of keeping the airport area tidy and the buildings decorated. In addition to the new airstrips planned at one or two of the more isolated homesteads, improvements to airstrips currently in use are and must remain continuous to enhance safety standards at all Camp airstrips.

Camp Airstrips

The four settlements most visited by FIGAS during the year were:-

Fox Bay
Port Howard
Sea Lion Island
Saunders Island

Once again Mount Pleasant received the most landings from FIGAS, apart from Stanley, with 706 an increase of 110 over the previous twelve months.

The clay airstrip at Fox Bay, which serves both the Fox Bay East and Fox Bay West settlements, received its Aerodrome Licence on 15 December 1994 and has been in use since then. To date the FIGAS pilots have been very satisfied with its smooth surface and load-bearing qualities in comparison with many of the grass airstrips.

Following requests from the farmers at Albemarle Station, Port Edgar Farm and Sheffield Farm for advice on how to provide an airstrip the Director of Civil Aviation visited the three locations and having chosen potential sites made a later visit together with the Senior Scientist from the Agricultural Department who subsequently produced a written report on the method of preparing the ground. These three farms are probably further from the nearest airstrip than any others around the Islands. The road system in the north of East Falkland means that Port Louis, Green Patch, Johnsons Harbour and Teal Inlet have had no scheduled visits by FIGAS for more than two years, although the latter two remain as aerodromes for training purposes. Douglas Station has also reduced its demand.

Overseas Visitors

The department received the following official visitors:

1. Mr Keith Newton a principal engineer with the Halcrow Airports Group, together with an assistant engineer visited the Islands in November in order to carry out an inspection and testing programme to evaluate the runways and apron pavements at Stanley Airport.
2. The British Department of Transport sent their Chief Inspector of Aviation Security Mr Peter Lapsley down to the Islands during March 1995 to review aviation security at both Stanley and Mount Pleasant Airports flights and to update his 1992 visit report as necessary.
3. A senior fire officer from the Civil Aviation Authority Mr Bill Bannatyne also visited the Islands during March 1995 to inspect the aerodrome Rescue and Fire Fighting Services at Stanley Airport and a number of the Camp airstrips. His report is expected to have far reaching recommendations.

Falkland Islands Development Corporation: Mr Mike Summers

The past year has been one of further steady progress for the Falkland Islands Development Corporation with a number of new initiatives being undertaken that will have a long term impact on the development of the Islands.

The visit of the BBC Clothes Show programme was one of the successes of the year, and resulted in excellent publicity, not only for Falkland knitwear and the Mill, but also for the Islands in general. A substantial expansion to the hydroponic garden at Stanley Growers was completed, whilst several grants were approved for the establishment of small gardening enterprises in the Camp. A revaluation of FIDC Farm Mortgages was undertaken along with FIG Mortgages, with 25% of the original purchase price being set aside as a zero interest loan. This scheme will greatly reduce the debt burden on farms and eliminate the need for any cash subsidy in future years.

The Private House Building loan scheme continues to play a valuable part in the provision of private sector housing, with eight semi-detached houses having been completed in Stanley under the scheme and two houses just completed at Mount Pleasant which are to be given to the MOD.

Land-based tourism increased considerably during the season and advance bookings for next year look good. There was also an increase in the number of cruise vessel visits to Stanley. The temporary siting of a portakabin on the public jetty comprising a tourist information office and public toilets proved an asset, being popular with tourists and other visitors from MPA and BAS vessels. Planning permission for a further year has been obtained but a more permanent siting must soon be obtained for everybody's benefit.

Senior members of staff have contributed to major long-term development topics such as oil, fisheries licensing and the setting up of Consolidated Fisheries. Plans for the building of a new abattoir using Stabex funds have been approved in principle and work on this project continues. Also under the Stabex scheme tenders have been received for the supply of materials for jetty repairs. An active role is also taken in the planning and operation of the Camp tracks programme.

FIDC continues to provide support and advice to many new and established businesses throughout the Falklands, while on the international front the appointment of Mr Ian Cox as Commercial Representative in the Falkland Islands Government London Office has provided a

considerable resource and improved our capability in tourism marketing and the promotion of other Falklands products.

Education Department: Mrs Phyllis Rendell

Both Stanley Schools and Camp Education had a full complement of teachers during the year. Teachers have continued to work hard to deliver an up-to-date curriculum to the children which has culminated again in very good GCSE results. 13 students gained sufficient grades to qualify for overseas training. They will join 36 other students currently studying overseas.

The Open University has recently agreed that Islanders may enroll on courses from early 1996. This will bring opportunities for study to an even wider section of the community.

Attention has focused on special needs education in schools this year with several specialists having been employed by the department to advise teachers and support parents. We are grateful to Mrs Jill Johnson for her work in the field of speech therapy.

The school leaving age for 1995 has been raised to 16 years. This brings compulsory schooling in the Islands in line with developed countries around the world.

There was a very successful visit by Chilean students in March who attended classes in the Community School to improve their English. A number of Falkland Island students now plan to attend the British School in Punta Arenas for a few weeks to be followed by inviting Chilean students back here to the Falklands.

The number of boarders from Camp staying in Stanley House has remained high, necessitating an increase in resident staff. It has been gratifying to see this facility operating so well this year.

The Sports Centre at the Community School has become a focus for many activities particularly with the playing field being used for the first time since the school was opened in 1992. One of the highlights of the year was the Beating of Retreat by the Royal Marine Band on the playing field on Battle Day to mark the Stanley 150 celebrations.

Progress in upgrading books and reference materials in the Community Library has continued in recent months. Up-to-date non-fiction material has made the library a very useful resource.

The main objectives of the coming year for the department will be to progress the building of an extension to the Junior School. The Falkland Islands Company are thanked for making land available to this site easing constraints in the design.

Once completed, the facility will enable a pre-school to be opened in the existing school.

Post and Telecommunications: Mr Jimmy Stephenson

Revenue and Expenditure remained at much the same level as last year. The creation of a large vault in the corridor of the Town Hall, with the resultant blocking off of the internal passageway, was not greeted with universal approval, but the vault was essential for safe storage of bulk stamps and covers. Tourism continues to be an important source of revenue.

Philatelic Bureau

This office has been completely restructured with greatly enhanced facilities for both customers and staff.

A few opportunities for sale were missed when several large cruise vessels bypassed Stanley but every effort was made to accommodate tourists and their needs. Emphasis continues to be placed on quality of design and increased publicity may help in a campaign to encourage people to collect Falkland Islands stamps.

Falkland Islands Broadcasting Service: Mr Patrick Watts

The Falkland Islands Broadcasting Service (FIBS) continues to provide its quota of programming into a 24 hours a day service, agreed under Charter with the British Forces Broadcasting Service (BFBS). FIBS has had to compete with the Island-wide transmissions of Forces Television and accordingly has slightly re-scheduled its programme output in an effort to broadcast the more popular news/current affairs programmes at more acceptable times.

FIBS played a major role in determining Islanders' views and interests on various major topics through the winter radio phone-ins. In particular the prospect of oil and proposed amendments to the Licensing Ordinance both provoked considerable response, which assisted the Administration in its thinking on these important matters.

Following five very successful years as Assistant Producer, Councillor Wendy Teggart moved to the Falkland Islands Development Corporation and her most acceptable microphone manner and journalist instincts will be missed. Miss Helen Andrews has been a worthy replacement with her enthusiastic approach.

Miss Lorna Howells joined FIBS as Record Librarian and has also on occasions taken the record presenter's chair.

The joint engineering arrangement with BFBS continues to work well under the present incumbent Mr Stuart Wadsley. The arrangement reduces the engineering costs to FIG while FIBS equipment is maintained. BFBS Station Manager Mr Chris Pratt completed his year at MPA having maintained the excellent camaraderie which exists between FIBS and BFBS. He has been replaced by Steve Britten who has previous experience of the Islands. For the first time, live transmissions were shown here - of the World Cup football final, the men's final at Wimbledon, the deciding match in the Five Nations Rugby Championship, and the FA Cup Final - and proved most popular.

FIBS News Magazine output continues to attract a high percentage of listeners. Production of this 1½ hours a week is generally in the hands of just two people, the Broadcasting Officer and his Assistant. In comparison BFBS in Germany require 15 people to produce 1¼ hours of news per week, while BBC local radio stations generally employ 14 staff in the newsroom.

Falkland Islands Government Air Service: Mr Vernon Steen

Air transport within the Falklands continues to grow, though with a shift in emphasis to the military traveller seeking days off duty away from the confines of Mount Pleasant.

Camp tracks have reduced the reliance on air travel particularly in the East Falkland.

The UK Civil Aviation Authority undertook an annual inspection of both the aircraft and the engineering section in September.

The department was fortunate in recruiting as an Instrument Rating Examiner the Chairman of the UK Civil Aviation Authority's Board of Examiners to undertake the annual instrument rating renewals. His remarks on the department were most complimentary.

I would like to pay tribute to the staff of FIGAS for the professionalism and dedication to duty that has become a hallmark of the service.

A Management Group was formed in November and considerable work will be carried out by this group over the next year to enhance various aspects of the operation. The decisions of this group will set the criteria by which the operation can gauge its effectiveness in increasing efficiency and productivity.

Public Works Department: Mr Brian Jarvis-Hill

The Public Works Department has provided another year of solid service as the building and construction arm of the Government and the suppliers of water and electricity.

In addition to high profile work such as the construction of the North Camp Rural Road to Port San Carlos and the building of dwellings at west Stanley those engaged on the day-to-day tasks also deserve recognition and our thanks. Repairs to Stanley's antiquated drainage system, power faults and water main problems are often needed in bad weather at weekends. Overtime is very often no compensation for standing in two to three feet of cold water or working up an electricity pole in high wind and rain.

I mention here the work carried out at the end of February to rebuild the dam at Moody Brook. Few people realise just how near Stanley was to water rationing, but thanks to a tremendous team effort which involved several sections of PWD and the Fire Brigade, disaster was narrowly averted and the dam rebuilt. The opportunity is being taken to enlarge the capacity of the reservoir at Moody Brook; and, with conservation in mind, an island is to be left to encourage birds to nest and breed.

Nearly 45 kilometres of rural road were completed, almost evenly spread between PWD's own North Camp Team and contractors. The road from Port Howard to Fox Bay has reached the Chartres River; and the North Camp Road from Stanley to Port San Carlos has reached John's Brook. Both teams are to be commended for their progress and the excellent quality of their work.

For the MPA Road, following a very enlightening report from our consultant, there is now a positive way forward and the whole road could have a tarmac surface by the end of the summer of 1996/7.

The Building Control Office provides assistance to applicants for planning permission, and the Building Advisor/Planning Officer is often able to help with this which greatly reduces the extent of documentation, thereby keeping bureaucracy to a minimum.

The Draft Town Plan for Stanley has been published and widely distributed. Everyone now has the opportunity to comment and I strongly encourage them to do so before the deadline of 30 June. These comments will, in due course, be brought before Executive Council for consideration before the Plan is finalised.

Over the coming year, we plan that both main rural roads will reach their destinations of Port San Carlos and Fox Bay; that the Junior School will have three new classrooms and a new hall, and that a start will be made on the East Stanley Development project to provide more serviced plots.

The Medical Department: Dr Roger Diggle

The aim of the Medical Department to improve staff skills in dealing with trauma was achieved during September, when the Royal College of Surgeons conducted their Advanced Trauma Life Support and Battle Accident Trauma Life Support Courses. A large majority of staff took part and supported these courses, and must be commended for their contribution.

The reduction in Military Staff to 8 will be completed by 1 July, 9 months earlier than anticipated. To-date, there has been a smooth transfer of military to civilian posts.

The department continues to promote preventive medicine and health education. This has included in-service training, assisting at the School with health education, local publications, along with the preventive clinical and support groups.

Dr Barry Elsby has taken over as Deputy Chief Medical Officer on the completion of Dr Tim Moore's contract.

Objectives in the coming year include the expansion of health education; use of the knowledge gained from the trauma courses; and implementing a Major Accident Scenario. It is also hoped to continue and upgrade computerisation and introduce a patients administration system.

Legal Department: Court - Mr Andrew Jones

Greater complexity in cases coming before the court resulted in a 50% increase in the number of hearings conducted in 1994. Despite such complexities cases are being concluded much more quickly and cost effectively than in England.

A number of cases have involved authorities and organisations from other countries, not only the United Kingdom and those with whom we have links through fishing, but also Russia, Germany, Canada and Norway. The Court staff are determined that the Court retain a reputation for impartial and effective justice both domestically and internationally.

The arrival of a set of Law Reports, funded entirely by the Foreign and Commonwealth Office, has proved to be of great assistance and regular updating of the legal library is being maintained.

Much time has been expended in dealing with the requirements of new legislation, notably that relating to domestic violence, children, liquor licensing and the development of the forms and procedures required to carry such legislation into effect.

As part of this process the training of the lay JPs has been accompanied by seminars on domestic violence and alcohol abuse to which a wide ranging audience was invited. Mutual appreciation of the approaches and problems of the different agencies involved in such matters can only enhance the limited facilities available to deal with them.

In addition to work on new legislation, guidance notes for court users have been published dealing with civil claims, and divorce procedure and various aspects of the new licensing laws. A register of civil judgments in the Magistrate's Court has also been established and rules

drafted to permit pleas of guilty to be received for minor offences without the attendance of the defendant. English laws and rules relating to Coroners inquests are also being adapted to local conditions.

An active and committed group of lay JPs has been involved in sittings and training sessions through the year. Their voluntary support for the justice system is much appreciated. However they are insufficient in number to meet the added requirements of the new licensing system and more will be recruited in the forthcoming year.

Registry

Work has started on installing the older and more fragile records on a new computer system.

The recent establishment of a permanent clerical post has increased the support available to the Registrar General but still leaves the department short of personnel qualified to assist the public in accessing the registers and records. This task is made more difficult by the lack of precise records relating to land ownership and highlights the need for an accurate survey to be undertaken as the first step towards a system of Land Registration.

Falkland Islands Government Office, London: Miss Sukey Cameron

Following the Dependent Territories Conference in 1993 we have set up, with our co-sponsors the Government of Gibraltar, the Dependent Territories Association. This is a useful forum for Dependent Territories Representatives to discuss matters of mutual interest and concern. The group was formally announced in November but had met several times prior to its launch. The establishment of the group has attracted a lot of interest and praise for FIG's initiative.

The Representative accompanied a group of four MPs to the Islands in November and, despite a somewhat shortened visit, it was a success. The growing list of those who have visited the Islands is impressive and visits such as these, whether sponsored by MOD or FIG, are an excellent way of heightening interest in, and knowledge of, the Islands in both Houses of Parliament. Preparations for a visit in November have now begun.

The Falkland Islands were represented at the Party Conferences in November and, as in previous years, the display on the 150th Anniversary of Stanley and on Education attracted a lot of attention. Among the many visitors to the stand were the new Labour Party leader, Mr Tony Blair, and the Argentine Foreign Minister.

FIGO assisted with the visit to the Islands of the CPA group in January and have also been involved in many briefings for other visitors over the year.

The Parliamentary briefing programme continues and several lunches for MPs have been held at Falkland House. The programme was intensified in the period of the run up to the debates in the House of Lords on Dependent Territories and in the House of Commons on the Falklands.

The Representative has given various interviews to the media including a live interview on Sky Television with the Argentine Ambassador. It is expected that following the appointment of Shandwick Consultants, the Islands will attain a higher profile in the media.

Many events have been attended throughout the year including the memorial services for both Mr John Smith MP and Lord Shackleton, and a seminar on education in the South Atlantic organised by the St Helena Link.

The office has been involved in the establishment of the Shackleton Scholarship Fund and the Oil Licensing Team. The Representative attends meetings of both groups.

On the personnel side, Miss Julia Thain began work at FIGO as Receptionist in July; Mr Ian Cox started as Commercial Representative in October; and Mr Christopher Pickard as General Manager in April. Mrs Diane Hall will be leaving the office at the end of June after six years and her post of Assistant Secretary will be filled by Miss Julia Thain.

The arrival of the Commercial Representative, interest in hydrocarbons, and the appointment of a public relations company mean that the office will be busier than ever over the coming year.

Media Trust: Mrs Grizelda Cockwell

The bulk of the work of the Media Trust has been with Penguin News. Steady improvement in the quality of the paper has been achieved in spite of a spate of staff changes. This situation is more settled now, and bodes well for setting up the in-house accounting system in the next few weeks.

Income from Penguin News seems to have reached a natural ceiling, dictated by the limited size of the local market. Attempts will continue to be made to maximise opportunities to generate income whenever it is feasible and practical to do so. One possibility, at relatively low cost, is the sale of photographs and other graphic images via fax modem to overseas clients.

The Board are concerned at the effect possible changes in the Print Shop may have for the printing of the Penguin News and are considering other arrangements.

The Media Trust Board very much appreciate Councillors' continued support, and hope to report on further improvements over the next few months.

The Falkland Islands Museum and National Trust: Mr John Smith

The Museum continues to maintain its high public relations profile. Visitor feedback is excellent. Major achievements outside the Museum have been the continuation of the survey at Port Louis, and the exterior refurbishment of the Cartmell Cottage on Pioneer Row. At the request of the Falkland Islands Development Corporation, the Chairman designed and prepared an exhibition on Fox Bay and its history, for display at the Mill. It is hoped to carry out a similar project for Blue Beach Lodge at San Carlos, concentrating on the Task Force landing in 1982. Possibly the most important event was the recent purchase by the Trust, of the Nutt Cartmell stamp collection. Although reducing funds earmarked for other projects, it was considered a necessary move to ensure that this unique collection stayed within the Islands. This action received gratifying public support.

Work is presently concentrated on events to record the 50th anniversary of the ending of World War II. Next summer it is planned to carry out the next phase of the Port Louis Survey, and at Port Egmont, to provide on-site interpretation. Both of these projects are in conjunction with Merseyside Museum and Galleries who continue to give enormously valuable assistance. Another major project for 1996 is the acquisition of a 1954 Antarctic Refuge Hut, donated by the Foreign and Commonwealth Office to the Museum, supported by a small exhibition recounting the work of Operation Tabarin, the Falkland Islands Dependencies Survey and the British Antarctic Survey.

Depth and scale of these projects depends much on whether or not Councillors allocate the Curator a permanent assistant. The increasing popularity and interest in the Falkland Islands Museum and National Trust has stretched present staff resources to the limit.

That concludes the reports from government departments: may I then finally say a brief word about our present financial situation. For the first time for many years we are consciously budgeting for a deficit in the next financial year. And we are choosing to do this at a time when our income from Illex is lower than for many years. This fall in income reflects a fall in the Illex stock during the past two years. So this year's catch volume was only 44% - well under half - of what we caught in 1993.

I realise that I am always the voice of caution in these discussions and that Councillors may reasonably say that in every year so far despite gloomy forecasts we have put sizable sums into our consolidated fund and other funds held in London. This has been true, but I think we may now be facing a new situation in which the future of the illex stock is seriously in question. Perhaps we shall be able to reach agreement with Argentina next year to cut back drastically on the number of licences issued, and thus preserve the stock. I certainly hope so: but this year's experience is not reassuring. And even if it is possible to agree with Argentina on much lower catches next year to enable the stock to recover, we must remember that lower catches will mean lower licensing fees. We may be facing a period of gradually declining illex stocks, of reducing income, when payments from our investments will, or should, provide a financial life-belt to keep us afloat.

So I believe this year we should look particularly carefully at proposals for fresh expenditure. The question to ask is not: "do we like this?" but: "do we need this project?". Is this really the best way of spending our money to achieve a given objective? Is there a measurable financial return? Who pays for this project? Who benefits from it?

I apologise for preaching yet another sermon on the virtues of thrift. The fact is that in the past we have done very well - our savings are very substantial and they offer us, as I have said, a life-belt in an uncertain world. Thanks to the conservatism of the Financial Secretary we consistently produce better results than we forecast. If we do so again this year I shall be delighted. But if we start to run down your savings - at the very moment when the illex stock is in trouble - we will not only puzzle our supporters in the United Kingdom, we shall lay ourselves open to pressure from those who in no way support us.

Honourable Members, I know you will be looking closely at all these questions in Select Committee. I wish you well.

MOTION OF THANKS TO HIS EXCELLENCY ON HIS ADDRESS TO COUNCIL

The Honourable Mrs N Edwards:

Your Excellency, Honourable Members I rise to offer a Motion of Thanks to His Excellency for his very comprehensive report on Government over the year. A lot of hard work by departments goes into this so that the general public have some idea of what people are doing from year to year and how we are progressing or not, as the case may be.

You mentioned Sir, that we have to be careful with the Illex fishery depleting regarding our budget and I would agree with you on that point. But I don't believe we have yet reached a situation whereby we are so hard up that we have to cut back drastically on our budget, in particular our capital expenditure in this next year. I think it would be very wrong to cut capital expenditure a great deal at this point in time because it creates jobs and stability and

bearing in mind that we have to be wary of what goes on and how much we are going to lose from the Illex fishery, I would point out that the other fisheries aren't doing badly at all. And I would suggest too that probably even if we start with a deficit budget this year, by the end of the financial year, with the underspend we have of some almost £4m and the extra revenue in the fisheries budget which was not budgeted for, which is another approximately £6m, we will be looking at a balanced budget at the end of the year. Having said that I do appreciate that we really have to look to the future and keep a cautious eye on what's happening to us; and hone our budget accordingly, maybe not this year but perhaps next year. I think the departments have been asked to cut 7% on their budgets this year and I'm not sure that I would see it's absolutely necessary at this point of time. However that's probably just my point of view.

I'm pleased that the oil front is progressing and hopefully there will be some revenue in the not too distant future, not a great deal of it but maybe next year we will be looking at sales of seismic material which will be of benefit to the Falkland Island Government and which will add a million or two to the coffers.

The rest of the departments, well this will be published so I won't waste everybody's time going through it bit by bit. You mentioned that I would be going to the UN with Councillor Goss this year. I would like to assure the general public that I will be fighting hard on the Falklands front again and look forward to meeting Doctor Di Tella who no doubt will be at the Committee of 24 too. I will be interested to hear what he has to say considering he sent us a very nice telegram on the occasion of the Queen's birthday wishing us well, and passing on his best wishes for our beloved Queen. I find that quite interesting and I don't know how he can then say that the Falklands are not British. It's almost tantamount to admitting that they are.

The Constitution we've discussed recently: I would just appeal to the general public to contact Councillors. It's not our Constitution it's everybody's Constitution and they really must put forward their views if they don't like the suggestions. They will have ample time to do so and I would plead with them to do just that so that they don't get changes in the Constitution that they don't want.

Sir, I support the Motion.

The Honourable Mrs C W Teggart:

Your Excellency, Honourable Members. I rise to second the Motion of Thanks to the Governor for once again an excellent address. I must admit that I rather sympathise with you Sir in having to stand up there for about an hour every year and read a very lengthy report. However I do think that it is important that this public mention really of what is happening in the different departments is made. I know it's something that is listened to on the radio and of course people in the departments also like to hear their names mentioned and realise that the work that they do through the year is appreciated by everyone.

It's been an interesting year in a lot of ways, there's been some major consultancies taken place, there's been some reviews: in particular, there's been a review of the Public Works Department, the Constitution - they spring to mind. Some management committees have been set up for various departments which I think provide much closer liaison between the departments and the Councillors with special responsibility for those departments. I think it all helps to help us understand the problems that are in those departments and perhaps go a little way towards helping solving them instead of always being critical about what is happening. I also welcome the Management Training fortnight that has just taken place. I've been privileged enough to attend a couple of the courses that were held and I think that we are already starting to see some of the results creeping in to some of the meetings. Perhaps we are

still not as effective as we ought to be but there are just little things that are happening that you think: oh yes somebody's done a course.

Also of course I ought to mention the CPA Conference in January. I think that the contacts that we made at that Conference, the people who came down, we can say it time and time again but the more people that come to the Falklands and see the way we live and what is happening, the more support we get from the rest of the world. I think that the people who were here for the Conference which I know meant a great deal of hard work for our Clerk and her staff but it was certainly a very worthwhile exercise.

Also I sympathise with your pessimism over a deficit budget this year. I think that we should bear in mind that we have some really major capital projects on line for the next year or so. I certainly want them to go ahead. There are things like the MPA road, it would be fine to turn round and say: oh yes well we're not sure about the Illex, let's put it off for a couple of years, let's not do it - until the first time there's another accident on the road. That is something that I don't want to see happen. At least we can provide a decent surface. I think also like my Honourable Colleague who spoke before me that at the end of the year we never seem to quite achieve everything that we want to in the year. I think departments understandably over estimate the expenditure that they are going to make. And I think that probably at the end of the year, this time next year we will once again be looking at, if not a surplus of funds but a fairly balanced year.

Sir, I second the Motion.

The Honourable J E Check:

Your Excellency, Honourable Members, I too would like to support this Motion.

Your comments at the beginning of your speech Sir regarding the report itself, I think the report has changed over the last six or eight years and has become much more factual. Before it tended to be to highlight some of the matters in the past but looked more to the future to the problems, the things that we needed to do in the future. Certainly I would think that it could well do with being reduced in length and to give you or if you're not here this time next year, your replacement less speaking time.

I don't want to mention too many things. If I could just briefly mention the OAP Review. I don't want to be presumptuous and say what it will actually do when it makes its decision, when it reports that decision to this House and whether Executive Council and Legislative Council actually accept the findings and pass them through to legislation. I just would like to indicate to particularly married women, married women who are approaching the age of 64, that when this legislation does come in I would hope that they would have every support for a pension, an old age pension when they reach the age of 64.

Regarding expenditure: I think one of our problems is that we've been crying wolf for the last 4 years, even Councillors are starting to suspect that it's another cry of wolf without any wolf in sight. Certainly the public are. I am somewhat concerned that Illex next year may be as bad as this year or even worse but we won't know that and the fishing companies won't know it until after they have actually applied for licences. I would suspect if that is the case the financial effects will not take place until the year after. However, if they do take place next year we have a lot of fat that we can reduce if it's absolutely necessary. Quite a few of the capital projects, if necessary and I hope it's not so, could be stopped in a very short space of time. And we could reduce or eliminate any deficit that might be.

While I'm on fishing, you mentioned Sir, the UN discussions on straddling stocks. Councillors may be interested to know that a former Legislative Councillor, Lewis Clifton,

attends I believe under the auspicious of a NGO and one of the things he does there, as there are no minutes actually taken, he takes his own minutes and publishes for all the Members of that meeting and newsletters as it were on a daily basis.

I think only one other thing, not in response to what you said but members probably noticed that there was no report from the Attorney General's department. We're all perfectly aware and are very pleased to note the extreme amount of work that the Attorney General's department is putting in, particularly with regards to oil and it might well be, and I'm sure it is, good to see that he is continuing to put more work into that rather than writing a report for us.

Thank you Sir.

The Honourable E M Goss MBE:

Your Excellency, Honourable Members. I thought with the definite lull there was going to be an end to the session and I was going to miss an opportunity to reply to your embracing address and report on government departments this morning. Like Councillor Edwards I would like to say a few words about our Constitutional Review. I feel it is expected of me to review, not review, but to bring to the people's attention that in this review that is going on at the moment, if the general public take no interest, and there's been very little interest as such, there is a great possibility - I wouldn't say danger but a great possibility - of the Constitution being changed and remodelled in ways that perhaps they won't like. And if the public do not come forward and speak up now to me with their views or to other Councillors they might find that it goes through and then in six months time, I don't want people meeting me on the street, and saying "hey you why did you let that go through, that's not good enough." So this is the public's chance to speak out on the matters and I urge them to take that opportunity and to consider the consequences if they don't. I would like them to look at some of the figures. The recently published electoral list gives 980 souls, divide this by four Councillors and it shows each represent 245 people. The same list show Campers having 343 voters, again divide this by four elected Members and you find they represent 85 3/4 persons. Now the two added together give 1323 as the grand total of Falkland electors. Which means eight Councillors represent 165 1/3 persons. If we had seven for Stanley they would each represent 140 constituents and if we take the grand total of 1323 and divide it by the proposed eleven it comes down to 120.27, just over 120 1/4 persons. I find these embarrassing figures that will cost the general public and us a lot more. I know the Constitution is not a sexy subject but I hope the possible changes will capture your interest. Please pay attention and respond. If you have views you should then contact me or any of the Councillors and let me know what you think. And I have to emphasise this point, if you say nought there will be things done that you might not like. Remember if the engine is running well why meddle with it and I believe for the minor changes that we are looking at, it just comes down to a bit of meddling. I believe the present balance of the number of Councillors in ratio to the number of constituents is about right and in fact it's a very high and generous cover. Double the eligible to vote to 2646 and divide it by 11 and it will only give you 240 people and in comparison with anywhere else in the world this must be a big load to carry. So I do ask people to look at that and contact all or any of us.

The Civil Service Review that is about to take place, I hope will become a yardstick across the board for all wage earners in the Islands and not just make the Civil Servants a very high paid faction, a large faction of our population.

The computer system that we are going to upgrade - I do hope that it will go out to public tender so that we can look at the options and perhaps draw on other experts in the field and get the best and something that is not going to be outdated before it arrives. I'm not into

computers but I do hope that if we spread the call into the field we will perhaps end up with the best.

On immigration, the review that's taking place in immigration policies is most welcome and I must say that it is well overdue, so I really look forward to that.

The GAP students, the opening of the door to these young men again is good news. They were very useful on the farms, they brought something with them and I'm sure they went back as ambassadors for the Falklands and particularly for the farming community.

Your mention of the Royal Falkland Island Police and the refurbishment of their building - I am very disappointed that we have been, since this Council's been formed, we've been looking and talking about upgrading that building and structure and nothing has been done. The dates are slipping all the time, it was first after the last budget, October, then January, then February, now I'm told it's this coming October or perhaps as early as August something might happen. I do think we've got to really get hold of that project and put it into motion. Whether we carry on with our plans to upgrade the building that is there or we build a new purpose built kit elsewhere we have to address that with some urgency.

You made mention of the abattoir - I personally am disappointed that this is not going to be built in the Camp. A new abattoir would give the rural development people a vehicle to bring more people back to Camp. I know it's not a great number of people and I know there are costs in electricity and purified water to make an EEC standard abattoir, but I think we still follow down the wrong road of siting everything at the Stanley end of the Falkland Islands. If we moved to keep it on the east I'd dare say is the correct thing but move it more into the centre and you know I think we are losing an opportunity here.

On postal matters - I would just like to make one comment. I would like to see the Stanley frank used in the post office rather than a frank that says Port Stanley. I would like us to address that, we've had a memo from the boss of the Post Office where he outlines the costs and I think he is talking about £150 to change the franks; and I would like to see us change them to the town of Stanley.

FIBS - your comments about the broadcasting studio appears to indicate that at least we have one government department that is giving value for money, and well done to that department.

A new subject that wasn't in your notes - FIGO. I'm glad you gave the Falkland Islands Government Office in London a cover and I'm pleased that Miss Cameron is here with us today to know that we are still regarding that office as very high profile in our international field.

Your closing on thrift has been a subject that I have often brought up in these meetings. I'm one to save and sit on my money, not that I have any but when I'm looking after public money I support you on that. And I'm sure the Financial Secretary is pleased to know that at least he has one elected member in his corner.

Thank you Sir.

The Honourable R J Stevens:

Your Excellency, Honourable Members. On rising to support the Motion of Thanks I would like to mention a number of topics that are in the report.

I think it's very important for the general public to know that the Oil Management Team have so many reassuring directions to discuss like the fair distribution of wealth and the protection

of our environment which is very important to all of us. And the one which possibly will be most difficult is to maintain our own heritage and our very unique way of life and many people think that over the last few years with the extra wealth that fishing has given us that these ways of life and our heritage, our unique heritage has been encroached on.

The MORI poll put everybody that was interested in the outside world in the picture on how we view ourselves politically. But the great thing about it was that it was good publicity paid for by an Argentine businessman.

I can't let Cable and Wireless, the mention of upgrading VHF slip past me without commenting, and it has to be to the benefit of everybody that has any system in Camp that it is workable and it will be very important in any kind of development like very possibly education and very futuristic like teleworking, which would let people wherever in Camp do any kind of work. An example perhaps is Secretarial work. So I look forward to when the whole of the Falklands are on a compatible system.

I'm not the first Councillor to put my small weight behind the anxiety over two poor Illex seasons. It must be an ongoing aim for Argentina and the Falkland Islands to effectively manage their own fishing zones and together with any United Nations directives exert pressure to control fishing effort on the high seas, and control in all three areas to ensure a healthy renewable stock must be in everyone's long term interest.

I'm pleased that the Camp airstrips were mentioned and some of the more isolated farms have been supported by the Civil Aviation Department and Agricultural Department and with this support these farms have been able to build airstrips which will certainly help these areas. I hope these departments continue to support other such farms.

I would also like to mention the revaluation of farm mortgages and all farms have benefited to some degree but the time delay involved in helping farms with mortgages outside FIG and the whole scheme being based on the wild swings of Government valuation does open the door of accusations of discrimination. This apart we must now look to the future.

The Post Office and the Philatelic Bureau which I have responsibility for: the Post Office needs the same uplift as the Philatelic Bureau and made more user friendly for both staff and the general public. Plans to renovate the Post Office exist and with liaison with the Post Office staff to be finalised and implemented. What concerns me is the outside appearance of the Post Office as well. As a revenue earner the outside should be attracting visitors in, something to pull the ordinary person in to buy stamps. The white triangle nailed to the Post Office door saying Philatelic Bureau will be found mainly by the dedicated stamp collector. I believe that once you get your punter inside most people would want to buy from the attractive display of stamps therein.

I have a few more subjects if you'll bear with me. The Education Department, it's a great pleasure for me to hear how Stanley House has carried on from strength to strength and most of the feedback I hear is positive about this institution. On a negative side it's been recorded by the Education Department that we now have the lowest number of children in Camp I suppose since records began.

And to end I would like to say how I think we have great value for money for Camp roads. There is an area where because all the teams have such a competitive spirit that they like to say that one road is better than another. But I don't think we're really comparing like with like. They are all good value for money and it's all working towards development to all farms and to all people who live outside and in Stanley.

Sir, I support the Motion of Thanks.

The Honourable Mrs S Halford:

Your Excellency, Honourable Members. In rising to support the Motion I would like to touch upon a few subjects. I have mixed feelings on the OAP Review. Yes I'm pleased it's going to happen soon but I'm also disappointed that it has slipped by a year and as we've heard this is due to oil. I hope this is not going to be a lesson of things that will happen in the future.

With the FLH Review I sincerely hope that this comes to a positive conclusion soon for the sake of the people on the farms who must, all the time this is going on, feel somewhat insecure.

I was also pleased to see the MPA road: I'm sure it's necessary to tarmac this and although this is going to be quite costly to us how can we really cost a life.

It's also good to see that we are going to be upgrading all the computers within Government. I'm not sure that this exercise will be very good for the rainforests of the world but no doubt we are following progress. But when we do upgrade them I sincerely hope we upgrade the use of them as well and don't continue to use them as super typewriters.

It was nice to hear that conservation was being thought of when we were redoing the dam at Moody Brook. I actually went past Moody Brook at the time this dam was being redone and I wasn't at the time aware of what was actually happening; but I did question afterwards because I thought every vehicle in Stanley must have been there. But it is nice to see that they are going to leave an island there for the birds to nest on but I wonder if this is such a good thing for conservation because as it's a brook that does flood frequently, I'm sure they will get washed away.

Councillor Goss touched upon the Constitution and urged people to comment. I would like to do the same over the Town Plan. I'm sure lots of people going into the Post Office have seen it and probably think it's a pretty picture on a wall. But if they don't comment now it will be too late once it's passed to say: I don't like this or I don't like that. And I would urge them to please comment.

As to the budget and our funds I can't actually take the same view that you do Sir. Whilst I realise that we shouldn't spend too much I'm not concerned for the next year. I do think however that just because we have the money in the bank doesn't mean to say we've got to spend it. When we are looking at the review I really think we should be looking at what we need to spend, not to spend it just because it's there.

On the fisheries, I'm sure the agreements that have been reached now are good and I know a lot of our revenue comes from fisheries but when we can get to a stage where the Argentineans and us can agree to close the fishery at the same time, that will then be excellent.

Sir, I support the Motion.

The Honourable W R Luxton:

Your Excellency, Honourable Members. I wish to support the Motion.

Your comment about the length of your report, I sympathise with you in having to read through this and perhaps it could be reduced in length a little and it does tend to be rather a dry report. Perhaps you or your successor could get into some of the things that happen internationally to the Falklands rather than just government business.

I cannot agree in any way with your comments on the budget Sir. We've been down this road before, the gloom and doom. I would like to think that the majority of Councillors in fact won't support your view, but it must be of concern to the general public to have you mentioning this type of thing Sir and I think it's totally wrong. We have an enormous amount of money in the bank which we are lending to other people to spend on their capital projects. While we are in a comfortable situation I think we can proceed cautiously but there are a large number of capital projects that we need to complete in these islands and if we have the money to do so then I don't think we should let the prospect of one budget deficit put us off. Historically it's never happened anyway - the forecasting of our income has always been pessimistic and the forecast of our expenditure has always been over the top. Now we have an enormous surplus this year and if we put this year's surplus together with next year's forecast deficit, even that would give us a surplus over the period of the two years.

The Review on the Constitution is complete and Councillors have now looked at this, and they will be moving on to the next stage under the Chairmanship of Councillor Cheek. I too hope that members of the electorate will look at it closely and give us some feedback. There's been a lot of debate on the representation between Camp and Stanley and I accept that it isn't really possible to defend a 4-4 split on the basis of population. However on the basis of land area you have four Councillors representing 99% of the Falkland Islands so that may be another way to look at it. I'm not sure that I'll get very far with that one but it might be worth a try.

Lastly I would like to support what Councillor Stevens said on the subject of the roads. I think it really is very exciting to see 47 kilometres, I think it is of road constructed this year, on both Islands and both achievements have been brilliant. And one of the things that hasn't yet been mentioned and perhaps I might just take this opportunity because I know a lot of people on the West Falkland will be anxious to know. After a review by the Transport Advisory Committee putting a number of options to Executive Council and quite a lot of debate amongst all Councillors, I understand Executive Council now has decided that once the road to Fox Bay is completed then the next phase is planned to go north towards Hill Cove and Roy Cove. This on the basis I think that a larger number of people will be served in less time than going south. You're looking at two years construction going north serving nearly twice as many people as three years construction heading south. I'm disappointed that we weren't able to persuade Executive Council to budget for some more machinery on the West Falkland so that we could have got two projects going at once because at this rate by the time the people on the extremities see a road, you're probably looking ten or twelve years in the future which is rather a long time. I would like to think that most people in the Islands could look forward to having the road system close to them within five or six years at the very most. However I won't give up on that one.

Sir, I support the Motion.

The Honourable J Birmingham:

Your Excellency, Honourable Members. I too rise to support the Motion of Thanks.

Some Departments within Government feel that they are being picked on in some ways and I hope that they don't. I personally feel that all the departments of FIG do a very good job and behave in a professional manner. I think it's probably not right to pull out any one particular department but I must take this opportunity to thank the emergency services. We tend not to think of the emergency services until we need them and these people really do back up when things go wrong. We should help and support Government departments whenever we can and one of the ways of helping is through health and safety. In some eyes this is a dirty word but I think otherwise. Health and Safety is not just about unnecessary rules and regulations. It's also about the environment that people work in. There are still some departments that work in

appalling conditions such as the Post Office and the Fisheries Department. I hope that in the not too distant future we will be able to do something about this.

I won't speak on the Constitution as I'm sure this will come up at the end of the week. I've heard "cry wolf" spoken this morning regarding the finances of the Colony. As a newcomer to the Council I remember last year's budget when 12 months after we had the big panic, in fact I half expected people to be wearing black arm bands. Things were so bad, we then lose over £¼million worth of revenue by doing away with MSL. This year we are in doom and gloom mode again. It's hardly a wonder why the general public are starting to be complacent about it.

Your Excellency, I won't go on any more because I think that the days events will run out of time for the rest of the day.

I support the Motion.

Commander British Forces:

Your Excellency, Honourable Members. In responding to the Motion of Thanks to His Excellency on his address I should simply like to thank you and all Members of Council for allowing me the great privilege as an Honorary Member to share in the decision making process and affairs of the Falkland Islands over the last year. Now I hope in some small way I've been able to make a positive contribution to the well being of these Islands through membership of Council and I look forward to keeping fully in touch with developments here over the next months and indeed over the next years. Unlike so many nations it seems to me that your future appears bright and long may it continue.

Your Excellency, I support the Motion of Thanks.

The Honourable the Financial Secretary:

Your Excellency, Honourable Members.

I share the concern and caution you expressed Sir about the security of our future revenues and this is reflected in my budget presentation. However I am also confident that we will be able to adjust and manage our resources in a responsible manner to ensure that we continue to live within our means. At least I know I will have Councillor Goss to help me pull in the reins. For the necessary leverage to pull we need our feet firmly on the ground and not in the clouds. In other words, not a pessimistic or optimistic but a realistic approach. Throughout the financial year at meetings of the Standing Finance Committee as is normal practice, the finances of government have been constantly reviewed. A comprehensive Review of the financial requirements for next year will be carried out at the Select Committee proceedings where Honourable Members' views and comments and matters of finance will be considered and taken into account. I join the elected members in supporting the Motion of Thanks to your address.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. It is my pleasure and duty to add my thanks and congratulations to those that have already been expressed in this Motion of Thanks. It has been a great privilege for me to be Chief Executive for the last nine months working with Your Excellency and I would thank you for your help, professionalism and comradeship during those nine months. It's very much appreciated. I would also wish to thank Councillors. Being a Councillor is not an easy job in the Falklands and those who may think it is, if they ever become a Councillor, I think would realise that that is so. A great deal of work

goes on behind the scenes, a great deal of maybe not midnight oil but early evening and later evening oil is burned and the Administration is particularly grateful for the work that Councillors put in and I would wish that to go on record. I would thank them too for their comradeship, for their help and for their openness because the discussions are sometimes lively and the disagreements are robust but there is a feeling of comradeship and a feeling of unity and a feeling of working towards the same end to the good of the Islands. Many visitors to these Islands over the last nine months have commented to me on the quality of Councillors that they have met and they compare Councillors, I think, unthinkingly with say local borough Councillors in the UK. They say we couldn't in a population of this size, in a borough in the UK, find such people who would have such a grasp of major issues and who would make decisions of this moment. And I think it's a great tribute to the Islands and the Councillors themselves that that kind of thing is said by visitors. And it would also be terribly remiss of me not to thank the Civil Servants. I think it very appropriate that Councillor Birmingham saw fit to thank those who do work very hard within the Civil Service for the good of the Islands. Down there in the boiler room it's not always the best place to be and we do appreciate the work that is put in.

I view the last year and the last nine months in particular as having been something of a time for unpicking some of the ongoing problems. If we look back at the Governor's speech at some of the things that have been done. The MPA road presented us with a problem. We now think we see a way through that. The Cable and Wireless situation gave us a problem in all sorts of ways, whether it was the earth station, whether it was the tariffs, whether it was the Camp VHF system and we are beginning to unpick those problems. The Stud Flock you may recall was a tremendous problem and recently the news of that has been much better. We had a problem with how we were going to get to the launching position with our oil licensing round and now I think we can see a clear way through that. There was very little clarity concerning the future of Falklands Landholdings and now we are in open debate and that will be resolved I hope by the end of August. There is the problem of inequities in terms and conditions within the Civil Service which is a major problem but once again we have found a way to tackle that problem and we hope resolve it. We even had a problem with the methodology of actually building roads in Camp and we seem to have settled that one as well. And last but by no means least the problem of management information systems and controls within Public Works Department and indeed other departments. We seem to be finding our way through to resolving these matters and I think that's a great tribute to everybody concerned over the last few months.

I think it worthy too that the seven principles that were outlined at the time that the Oil Bill was presented were mentioned in the Governor's speech. They are important principles and it's important to keep these things in balance and I won't weary you with it now, but if you look at the text of the speech and go through those principles and consider whether or not we have behaved according to those principles over the last nine months, I think you would find it very interesting to compare reality with what we set out to do.

I'd like to comment if I may very briefly on one or two updates and details. The Cable and Wireless situation I think will be of interest to everybody. We all use the telephone. I am able to update the situation following what the Governor has said. The Earth Station as we know is going to come, it is going to come next year. We have managed I believe to speed it up and we have managed to create a better capability for handling information in that Earth Station, so we have been successful there. The VHF system is clearly not good enough in Camp for at least 100 users and that has been acknowledged by Cable and Wireless and although the negotiations have been somewhat protracted on this issue, there is now a chance that they are going to end on 15 June when I visit Cable and Wireless in London and I look forward to reporting back on that situation. But what I can announce today, is if you like a trailer for what is happening on the tariff scene. On Wednesday of the coming week Cable and Wireless will be announcing a three month experiment during June, July and August.

Each month there will be a different experiment and a different pattern of reduction on tariff for overseas calls. That reduction will be up to 20% and how it will be presented in one form or another will be made clear by Cable and Wireless on Wednesday of this week. I'm sure everybody will look forward to seeing what those details are. And of course what happens during those three months will determine what happens thereafter; the pattern of calls and the revenue situation as far as Cable and Wireless is concerned. And we would thank Cable and Wireless for moving in that direction and for the frankness and the honesty in the discussions that we have had with them.

I would like to outline four priorities for the year ahead. There is a sense in which one is putting one's neck in a noose in doing that but, if we are spared in the providence of God, to be assembling here in another year's time it would be worthwhile to see whether these things have actually been done. If we don't do it then we will explain why we haven't done it. I can see Councillor Stevens grinning at me happily at the thought of my neck being in such a noose, however it is a clear priority to get the Oil Licensing Round launched. There is a sense in which that is the most important thing in the coming months. I was horrified to hear that it has been said that it has held up the review of the Old Age Pensioners' situation. If it is going to eliminate certain essential things then clearly we can't allow that to happen but it is a real priority to make sure we get through that soundly, in good fettle. And I have to say that the work that is being put in by the Attorney General certainly matches the work that he put in on the Bill before it was published. Again much midnight oil is in fact being burnt by him in getting us to that pitch but we will be there and this year we will launch; and we hope for the sake of the future of this country and of our children that that is a success.

The second important thing I think is somewhat more nebulous, but it was mentioned in the speech, and it is to get somewhere with this idea of having a Corporate Plan. It may be the wrong word for a country to actually have a corporate plan but some sort of plan for our future that clarifies that well known word 'vision,' that gives us policies, that there is tangible agreement too on things like rural development. Now people are commenting on the FLH report, they may not be commenting on the Constitutional Review or other matters but they are commenting on the FLH report in considerable length to me and bending my ear almost daily. It may be because the subject is somewhat sexier than the Constitution but nevertheless I am very grateful to those who have expressed their opinions and I would hope that they continue to do so right through to the end of the consultation process. And during August and during Farmers Week I hope that will reach almost a fever pitch of excitement and information as we try to resolve some of these issues.

Within the Corporate Plan, the National Plan, I believe we should link that in with our environmental protection policy, we should link it in with how we deal with those with special needs and with older folk. We should link it in with immigration. It isn't just the economy, it's what we're actually going to do socially with funds, whether they are big funds or whether they are small funds, that I think needs careful planning. And I would hope that by this time next year we will be beginning to build this plan with many of the bricks that we have already got in place.

The third priority I believe is the Civil Service Review. It is complex but I would make the point, particularly for the public sector who have made many representations to us on this fact, that there will be, if there is to be change, gradual change. Whatever happens in bringing about some degree of equity here cannot be done overnight. It would be horrendously expensive to do so, we believe it needs to be done gradually. But it does need to be done and it needs to be done so that everybody understands what is happening. And by the end of this year when we stand here in a year's time or when I stand here and you ask me to answer that one: what have we actually done to get that moving along?

And the fourth thing in a sense almost the difficult nut to crack is to get real organic growth in the private sector. How we measure that I'm not at all clear and I will be working hopefully in the coming months with FIDC to develop a true measurement of how we can measure real growth in the private sector. But I do believe we need to have an ongoing organic growth in that sector and we will be working towards that in the coming year.

There is I think here in these Islands a feel-good factor which doesn't exist in the UK. I lived in the UK through those years when the feel-good factor disappeared. In the late 80's it just eroded away and it eroded away because people lacked confidence both in themselves and in their government. They were fearful, businesses were fearful of investing, people were fearful that they would lose their jobs and there was really a very negative feel throughout the whole of the UK, and that exists even to this day when the economy is picked up. Very very difficult to get the engine started and get people feeling confident about their future. I know those who have been in the UK recently will agree with me on that point. Here at the moment we don't have that problem. There is still a robust confidence in our economy, there is a confidence in the government and particularly in the Governor who came out top of the MORI popularity poll and I believe we have a self-confidence that the Islanders feel that the future is meaningful for them and that they are going to grow in prosperity themselves.

Now having said that I'm forced to comment on the financial side having had the representations from everybody regarding their positioning on the future budget. And as the prospective but not yet appointed Chairman of the Select Committee I can assure Your Excellency that the principles of thrift will be ever present in that Committee. It is the job as I view it of government to balance a budget, whether we balance it in one year, two years, three years, nevertheless we cannot overspend if we are a responsible government. And the incoming resources must be used efficiently and effectively for all the people and that will be our aim. But I must place the debate in perspective because the most useful measure I think of how we are doing in terms of what is our savings position is to look at any growth or decline in our balance sheet. Because it is possible to move money from one pocket to another but the bottom line of the balance sheet, the total figure there gives us an idea of where we actually are in total and in the year 93/94, and this you remember was the first of the two bad Illex years which we have just been talking about; our balance sheet increased by £17½m. And in the year that is just ending, the second bad year of Illex that we have been talking about, I cannot give you an exact figure - the year's not yet ended - but I would be very very surprised and I think even my colleague the Financial Secretary will be very very surprised - if the balance sheet does not increase by a further £7m. Now that is two bad years by anybody's judgment and this year, ok it is worse than last year, our spending has been up and indeed fishing income has been down but not by the amount of the change between £17½m and £7m. So, our surplus on the balance sheet in two years is something approaching £25m. And at present, as we stand today, the estimates for next year show a deficit, again a balance sheet deficit, of about £3.9m. However we know that we can do a lot better than that and we know that after we have finished our Select Committee discussions we won't have a deficit as big as £3.9m, so if there is a deficit and it is somewhat smaller, let's say £2m we've got to bear that in mind that in the last two years we have had a surplus of £25m. The reason that we have exceeded our expectations in the last two years, there are a number of factors and I wouldn't wish to decry the well known conservatism of my friend the Financial Secretary but it is really due to the vicissitudes in squid and somewhat more to the actual system that encourages over-budgeting. In the past it has been a terrible crime to overspend and so Heads of Departments quite naturally within that system, over-budget; and then when we come to the end of the year if they're responsible they don't spend up to the limit they underspend. It's been a well known technique in the UK for many years to spend up to the limit and I'm very glad that the MOD is now allowing for the first time those who are responsible for these things to carry sums unspent forward in to the following year to offset that problem. And that is a great saving and should bring in efficiency. But here we suffer from the technique over many years of actually

over-budgeting and it is that system that causes us to have these surprising surpluses which are unexpected at the end of each year and this year will be no different in that respect.

So our objective in the coming year is to make steady progress. Those things that go up spectacularly sometimes come down spectacularly. We want to make sure as a Government we can manage steady progress; that we can keep the feel-good factor; that the economy is in good shape; that people have confidence in what we are doing and in themselves. And if at any stage the Administration believes that we are on the brink of a downward spiral that erodes reserves and reduces confidence, we can act at that time. There are plenty of mechanisms we have and plenty of levers we can pull to reduce expenditure and to do it gradually without distorting the economy or without taking away that much treasured feel-good factor that we have. Bearing all those thoughts in mind, Your Excellency, I thoroughly support the Motion of Thanks.

CONFIRMATION OF THE RECORDS OF THE MEETINGS OF COUNCIL HELD 30 MARCH 1995

The Records of the Meetings of Council held on 30 March 1995 were confirmed without amendment.

PAPERS TO BE LAID ON THE TABLE BY THE HONOURABLE THE CHIEF EXECUTIVE

Copies of Subsidiary Legislation published in the Falkland Islands Gazette since the last sitting of the Legislative Council and laid on the Table pursuant to section 34(1) of the Interpretation and General Clauses Ordinance 1977.

The Electricity Supply (Amendment) Regulations 1995

The Road Traffic Regulations (Amendment) Order 1995

The Fishing Licences (Applications and Fees) Regulations Order 1995

The Various Wreck Sites (Designated) (Amendment) Order 1995

The Firearms (Special Exemptions) Order 1995

The Coroners Rules 1995

Annual accounts and auditors report in relation to the Media Trust for the year ended 30 June 1994 and laid on the Table pursuant to section 9(2) of the Media Trust Ordinance 1989.

The Honourable the Chief Executive

Your Excellency, I beg to lay on the Table the papers named by the Clerk.

The Honourable J E Check:

The Falkland Islands Development Corporation legislation requires their annual reports to be laid on the Table. This allows Members to comment on that report if necessary. Can I ask that the report which is now out be laid on the Table before the end of this session.

His Excellency the Governor:

Yes, we will do that on Thursday. Thank you Councillor Cheek.

Question Number 8/95 by the Honourable W R Luxton:

Will the Attorney General explain why he decided to mount a prosecution of one of my constituents Mr Dunford when the police advised against this? Is he aware that the police would have advised a caution in that particular case? In view of the way in which a subsequent case was handled does he now consider that the outcome was excessive and is generally regarded as victimisation and will he take steps to assist Mr Dunford in making an appeal with a view to having the conviction quashed?

The Honourable the Attorney General:

The prosecution was brought by the Government Veterinary Officer with my consent. The circumstances of the offence were that Mr Dunford had culled approximately 400 sheep and placed their carcasses in a depression in the ground at a distance of approximately 150 yards from his house at Saddle Farm. He had not covered over the carcasses. The Hydatid Dogs Control Order 1981 requires that culled sheep carcasses be placed in a dog proof enclosure for a period of at least 28 days or disposed of in a place approved by the Director of Agriculture. The place in which the culled carcasses were placed was not dog proof nor had it been approved by the Director of Agriculture. When interviewed Mr Dunford said that he did not know the provisions of the relative law and that he had placed the carcasses in the depression to fill it in and had not got around to covering them over although he admitted that they had been in the depression in the ground for about six weeks and he also said that his dogs had been locked up for the whole time, that is to say the six weeks that the carcasses had been in the depression in the ground. I over-ruled the Police proposal to deal with the matter by way of a citable caution for two reasons. The first was that the breach of the relevant provision by Mr Dunford appeared to me to be so great that if he were not prosecuted it would be difficult to prosecute any other person at any time in respect of an offence under that provision of the Hydatid Dogs Control Order. The second was that at that time great public concern was being expressed about alleged failures, I emphasise alleged failures, to enforce the Hydatid Law as a result of which it was alleged a number of dogs were infected by Hydatid. Mr Dunford who was advised by legal practitioners with the assistance of the legal aid scheme decided to plead guilty by post to the offence. He was fined £120 by the Court having brought to the attention of the Court in a lengthy written statement in mitigation prepared by his legal practitioners, the circumstances which he relied on to excuse himself from the offence. I do not accept that the prosecution and the sentence of the Court was in fact a victimisation of Mr Dunford. I cannot assist Mr Dunford to have his conviction quashed nor can anybody else. This is not for any reason other than the law provides in the Administration of Justice Ordinance that where a person pleads guilty to an offence there can be no appeal against conviction. Mr Dunford could have appealed against the fine of £120 had he done so within 14 days. Now the time has been extended by a recent amendment to the Administration of Justice Ordinance, but at that time it was 14 days. He is out of time to appeal against sentence. He can appeal against sentence now only with the leave of the Court. He would have to apply to the Supreme Court for permission to appeal; but in a case earlier this year the Chief Justice made it clear that very special reasons would have to be given for somebody to be allowed to appeal so many months out of time.

The Honourable W R Luxton:

Would the Attorney General agree that someone in that situation, faced with the possibility of pleading not guilty and losing the case, is likely to suffer a penalty that would be very, very

much higher, and would he agree that there was substantial incentive and pressure on my constituent to plead guilty simply because he could not risk the possibility of losing the case and having costs awarded against him?

The Honourable the Attorney General:

There are a number of questions that the Honourable Member has asked. I will try to address them all. Firstly - I do not take the view that Courts penalise people because they have pleaded not guilty where they think they have a genuine defence to the case. That's the first point. Secondly - I do not know of anybody putting pressure on Mr Dunford to plead guilty. He was advised by legal practitioners: I do not know and I'm not entitled to know what advice his legal practitioners gave to him. But he was legally advised. As far as I am concerned the case was one in which Mr Dunford could not possibly have escaped conviction. I say that because I have seen a photograph of the carcasses lying in the depression in the ground and if Mr Dunford had pleaded not guilty the photograph would have been produced to the Court. I venture to say with the greatest respect that the case was an open and shut one. Mr Dunford may have had a fair amount of mitigation but he brought his mitigation to the attention of the Court. I don't think that I could agree with the Honourable Member that any great pressure was applied to Mr Dunford to plead guilty and certainly not by anybody in any official position. It would have been quite improper for anybody to do so but as I say he was legally advised. Beyond that I would point out that Mr Dunford was assisted by being enabled to plead guilty by post if he wished to do so, because the law had been altered shortly before the time in question and Mr Dunford was the first person, as far as I am aware, ever to have been enabled under the changing law to plead guilty by post and thus to save the journey from West Falkland to the Court. Now had he wished to plead not guilty, he could have done so. As far as I am concerned he was under no pressure to plead guilty.

The Honourable W R Luxton:

Your Excellency. I find it difficult to put some of the things I would like to say in the form of a question which I realise I have to do, but I would just like to comment that I have heard a very different view of things of the so called facts that the Attorney General put forward. For one thing the depression to which he refers to in fact was a peat bog so it was better described as a trench or a deep ditch I believe. He hasn't answered the question which I asked him first of all - why he decided to prosecute in view of the very strong recommendation from the Chief Police Officer? I have a letter from the Chief Police Officer in which he robustly disassociates and disagrees with the prosecution and I find this very hard to square.

The Attorney General:

Well I am not aware of any view that the Chief Police Officer may have had in the matter, but the Chief Police Officer will know that the Attorney General is charged under the Constitution with the duty to decide in any matter of controversy whether there should be a prosecution or not. It is improper for the Chief Police Officer to express any view in criticism of any decision by the Attorney General to mount a prosecution. I do not know that the Chief Police Officer has done so and if he has done so I take the profoundest objection to it, because of the Constitutional situation. I was approached by the Director of Agriculture who was responsible for the enforcement of the law in question because it is a matter of agricultural law and I was asked to authorise a prosecution by the Department of Agriculture which I did, in the exercise of my functions under the Constitution. In taking that decision I had in mind only the public interest and in particular the public concern in relation to the enforcement of the Hydatid Law. It is a decision which if the facts were the same today I might say that I would be likely to take in the same direction. I'm entitled to say that the decision was mine, that anybody can criticise it if they will but that I applied what I considered to be the right considerations.

The Honourable W R Luxton:

I would just like to ask the Attorney General if he is satisfied that in view of subsequent events that a single individual of limited means facing the full wrath of the Attorney General's office can feel as happy in the administration of the law as someone with much better means at his disposal and much more powerful organisations behind him?

The Honourable the Attorney General:

I answer that question by saying to the Honourable Member that I take no notice of the size or strength of people in deciding whether to bring a prosecution. And I believe that the Honourable Members has another matter in mind but the circumstances of that case are different and they related to another matter and I can't usefully discuss them. But as far as I am concerned, it matters not how great a person is, how powerful they are, how much money they have. That is not and has never been any element in my mind in deciding whether or not there should be a prosecution.

Question Number 9/95 by the Honourable Mrs S Halford:

Can the Chief Executive confirm that should agreement be reached on the international control of straddling fish stocks to the North of the FOCZ in International Waters, then FIG will use every endeavour to ensure that Falkland Island registered vessels receive due consideration and are allocated a fair quota of whatever fishing effort is available?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. The answer to the question is of course, yes. We are talking here about Illex and as we have said already today in this Chamber we are concerned over the depletion of the Illex stock both in this year and last. We closed early last year, we've closed early this year. The reason for the depletion may be attributed to a number of factors. It could be one factor, it could be some factor we know nothing about but among the factors are such things as: overfishing by Argentinean registered ships or indeed unregistered; fishing on the high seas north of the FOCZ and south of 42 south and also natural phenomena which may have played a part which is not yet understood by the scientists. However your question relates to what will happen on the high seas and in the past I understand that the voluntary restraint that we were able to apply before Argentina started to issue licences was successful. As soon as the Argentineans began to issue licences our ability to do that waned and we are now very interested in a joint approach which seems to me to be mutually acceptable to both sides. We're also very interested of course in what happens in the High Seas fishing convention at the UN and we welcome the UK's participation on our behalf there. These discussions have been very protracted but an end is in sight. So, we as a Government want an agreement to be reached. If that agreement bans all fishing in this year and if that indeed can be effected then we would welcome that. If there is some, then as the question asked, we will do all we can to ensure that our registered vessels get a fair quota of what is available.

The Honourable Mrs S Halford:

I thank you for your reply.

The Honourable W R Luxton:

The Argentines have demonstrated in the past that they are fairly good at shooting unarmed vessels. Should they take a leaf out of the Canadians' book and start taking unilateral action

on the high seas, could the Chief Executive say what might be the Falkland Islands Government attitude to that?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I mean that's a very good question. I would love to speculate about that but it is so hypothetical I'm sure I would consult with other people before any reaction from the government was forthcoming on such an incident.

The Honourable J E Cheek:

Your Excellency. At the straddling stock talks in the UN in New York would Great Britain argue on our side to cover these areas if that's our wish when it's quite possible that the EU would be arguing the opposite way?

The Honourable the Chief Executive:

Well my information and my understanding Your Excellency, Honourable Members is that they are taking our views and our needs into account in these discussions. But I must confess I am not fully briefed and fully up to date on what is going on and I think my answer really can be nothing other than sketchy in that area.

His Excellency the Governor:

Could I just comment on that, Councillor? I think there is a tension in the British position because on the one hand they are in line with European Union which is dominated by Deep Sea fishing fleets and on the other hand they have to defend the interests of Dependent Territories. We have in fact been trying to move the EU closer to the fishing ground states of which we are one. I can't say clearly they are this side or the other; they are trying to reconcile the two positions.

Question Number 10/95 by the Honourable Mrs S Halford:

Can the Chief Executive confirm whether or not it is FIG policy to make known to the general public any land it may have available for sale or lease?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. It is my understanding that it is the policy of the Government to make known the availability of land which it is prepared to dispose of for housing purposes. It would appear from a recent decision of Councillors in Executive Council that it is not the policy of Government always to make known the availability of land which it may be prepared to dispose of for commercial purposes. There is of course no obligation whatsoever upon Government to make known publicly the availability of any land anywhere it may be prepared to sell or to invite competing offers for any land. The policy in this matter is entirely one for Councillors.

The Honourable Mrs S Halford:

I would like to thank you for that reply. I simply wanted the general public to be aware that although I chair the Lands Committee it is not up to the Lands Committee what land is disposed of. Ultimately it is up to the Council. Thank you.

Question Number 11/95 by the Honourable R J Stevens:

Can the Chief Executive say whether the cost of warehousing and handling of bales of wool on FIPASS are the same for wool arriving overland and that delivered by ship?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. With effect from 1 August 1993, FIPASS was leased by Government to the private sector resulting in significant savings to Government. Now it is not clear from the wording of Councillor Stevens' question whether his concern is with respect to the costs of operation of FIPASS or the cost for the farmer of wool freight, but I would anticipate it is the latter in which he is more interested.

In terms of the cost to farmers for shipping wool, the lease agreement for FIPASS provides that no warehousing charges be applied to wool in transit. It also provides for the continuation of the handling charge of £2.50 per bale for wool received overland and 50p per bale by ship which was previously in place and which amount was agreed by Council. The freight rate charged by Byron Marine Limited includes the discharge of wool at FIPASS as an integral component which is not broken out from the overall freight rate. The fee for discharging wool from the M/V Tamar onto FIPASS, which is in addition to the 50p mentioned previously, is a matter of commercial negotiation between Byron Marine Limited and the Falkland Islands Company Limited, which is not known to Government.

With respect to the other interpretation of the question the breakdown of the costs of the operation since it was privatised are also not known to Government.

The Honourable R J Stevens:

Your Excellency, Honourable Members. I should really ask a supplementary question but as the answers aren't known to Government it seems that another question would be pointless. So I would like to ask the Chief Executive how I would find out if there is any discrimination between two farmers and the costs of that bale of wool being handled on FIPASS by ship or delivered overland?

The Honourable the Chief Executive:

Well Your Excellency, Honourable Members. I will undertake, if Councillor Stevens can give me some details to ask the parties involved, to approach FIC managing FIPASS and see if I can get any information from them. But I would stress that they aren't necessarily obliged to provide that information to Government.

The Honourable R J Stevens:

Thanks very much for that answer, Chief Executive.

The Honourable Mrs N Edwards:

I don't know if Councillor Stevens or the Chief Executive is aware that you're obviously asking which is the cheaper way to handle the wool.

The Honourable R J Stevens:

No. I'm really more concerned of discrimination rather than...

The Honourable Mrs N Edwards:

Oh well, just take this into the equation then. To actually freight wool by ship is more costly than to shift any other kind of freight. We pay more to freight wool than any thing else.

His Excellency the Governor:

I wonder if Councillors should declare an interest in these questions. They are perfectly valid questions

The Honourable R J Stevens:

Sir. When we discussed the matter of Codes of Practice and that matter of interest at the CPA it seemed to be unanimous amongst not just ourselves but other Members in small communities, that if we were representing the interests of a large proportion of our constituents of which we were a part of, that it was quite acceptable.

The Attorney General:

Your Excellency. I think that is right in relation to the general interests and it must particularly apply in relation to Camp Members where a great majority of their constituents are farmers and all of whom will be affected by the answers to those questions.

Council adjourned for lunch.

Question Number 12/95 by the Honourable R J Stevens:

With a number of people experiencing radio interference in Stanley on their telephones and televisions, can the Chief Executive say whether private and business radio transmissions are conforming to our laws on signal strengths?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. It is particularly welcoming to get a question on Stanley from such a well known enthusiastic of Camp systems. Licences issued by the Superintendent of Posts and Telecommunications require the licensee to comply with the relevant provisions of international telecommunications conventions and the regulations made under them as well as the conditions of the licence. It is possible that a number of persons operating radio transmitters are not complying with the requirements as to the frequency and strength of signals transmitted by their apparatus. Some of them indeed may not have locally issued licences. We have no precise information, however, as to who the persons responsible may be and to obtain that information we would need to establish some sort of monitoring system. Because the problem has become apparent since the establishment of the fisheries, because it is more prevalent at busy fishing periods and because voices speaking in what sound like relevant foreign languages are heard during some of the interference, we believe that foreign fishing companies operating here may be partly responsible.

The provisions of the conventions and the regulations under them are somewhat voluminous, and it is unlikely that many licensees who are obliged to comply with them are aware of such requirements as are applicable to them. For that reason several years ago we approached the Radio and Telecommunications Agency in London who agreed to provide technical expertise to us to draft appropriate, comprehensible and local regulations and establish the necessary local administrative and monitoring procedures. For some reason which is not entirely clear, the project did not proceed although as the Honourable Members will be aware late last year

the new Wireless Telegraphy Ordinance was enacted which would enable the regulations to be made, once they can be drafted. It may be that Honourable Members will wish the project I have mentioned to be resuscitated. I am advised that in the event it will be necessary to provide £10,000 in the estimates to cover the fees and travel costs of the Radio and Telecommunications Agency.

So, to answer the question simply, it does seem obvious that some people or peoples out there are not complying with the International Conventions and as yet we have not brought the resources to bear to deal with the problem effectively. Should Councillors wish to commit resources to this that is entirely their prerogative.

The Honourable R J Stevens:

I would like to thank the Chief Executive for his answer and say that is food for thought for Councillors to discuss sometime in the near future. Thank you.

The Honourable J E Cheek:

Your Excellency. Would the Chief Executive confirm that, or at least indicate, that there will not be a witch hunt against those who are transmitting when quite often in these cases its the inadequacies of the receivers that are causing the problems.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I certainly disapprove of witch hunts so whatever is done would not be a witch hunt. But I think it is entirely up to Councillors to determine what is going to be done.

The Honourable R J Stevens:

Your Excellency, Honourable Members. My question said conforming to our laws on signal strengths, so it would be asking everybody to conform so it wouldn't be a witch hunt, it would just be getting people to comply to laws. Thank you.

Question Number 13/95 by the Honourable R J Stevens:

Nearly a year has passed since the presentation to farmers at Farmers Week the FIDC's plans for Rural Development. Can the Chief Executive give an update on progress to date on the issues discussed?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. The answer to the question specifically is: yes I can give an update and I shall assume that it is your wish that I presume to do so.

The Draft Rural Development Policy which was first released in January 1994 was much discussed in its entirety at the time and as the Honourable Members has noted was discussed with farmers last winter.

The draft policy remains very much a live document in FIDC and provides the framework for a significant number of on-going issues. It has not been formally adopted by FIDC, nor has FIG asked FIDC to bring the Policy to any kind of agreed conclusion.

The key issues raised by the document and progress to date in each area are these:

1) **Sheep Farming**

- (a) Stock Improvements - the NSF is being moved to a permanent location on the mainland at Saladero.
- (b) Research is being clearly focussed by the Agricultural Advisory Committee on areas that farmers are requesting advice. Contacts have been established with research bodies in Australia and Chile to see where we can benefit from other peoples experiences.
- (c) Subsidies. The need for subsidies has been eliminated by rises in the wool price, but action has been taken to reduce the debt burden on farms by reducing the capital element of FIG/FIDC mortgages.
- (d) Other Projects. FIDC is actively pursuing other projects to support the sheep farming industry. Knitwear remains the priority on the wool processing side but possibilities for selling organic scoured wool are being investigated as is the potential to make house insulation from low grade wool.

On the meat side the abattoir project is progressing together with investigations into upgrading Falklands cattle for beef.

2. **Diversification**

- (a) Tourism remains the most obvious diversification in rural areas with sixteen self-catering establishments in operation and four lodges, and several destinations benefiting from cruise vessel visits. Efforts continue to increase tourist numbers.
- (b) Other agricultural enterprises are supported whenever they make commercial sense; there is a surprising diversity including goats, pigs, hens, turkeys, lamb production and skin tanning, but there is much scope for more.
- (c) Non agricultural enterprises in camp remain few, and currently centre around providing support to farmers.
- (d) Marketing. The key to being successful with alternative products is being able to sell them in sufficient volume. Since the draft report was issued a commercial marketing presence in the London office has been established.

3. **Infrastructure**

- (a) Transport Policy. Road building continues as does the development of key ports. The Transport Advisory Committee constantly monitors the development of transport to Camp.
- (b) Renewable Energy. The Energy Advisory Committee has been charged with the responsibility of creating an energy policy for the Falklands and overseeing its implementation. This will co-ordinate with FIDC renewable energy pilot/test projects.
- (c) Land Availability. This has been partially addressed in two ways. Firstly through an FLH co-ordinated project to make land available at Fitzroy and

Goose Green, and possibly subsequently in other areas depending on success. Secondly through the debt reduction scheme; the opportunity exists to negotiate the acquisition of common land in return for the release of zero interest loans, though this has not been followed up to any degree.

It may be seen from the foregoing that although no work has been done on amending the Draft Rural Development Policy itself, most of the issues addressed by the Draft Policy are being progressed.

I would add to that written answer the fact that I believe these issues fit quite closely in with what I said earlier about the corporate plan and the strategic work that we hope to do over the next year. They relate definitely to the re-definition of the Agricultural Advisory Committee as the Agricultural Management Committee and they also relate to the future of Falkland Landholdings. So I believe that during the next year we will certainly see more movement on the front of rural development in line with the FIDC report.

The Honourable R J Stevens:

I would like to thank the Chief Executive for his answer and it's a statement that I'm sure a lot of people in Camp will be thinking about. Thank you.

Question Number 14/95 by the Honourable J Birmingham:

Your Excellency, Honourable Members. Can the Honourable the Financial Secretary inform me of the total cost of preparing, printing and distributing the Draft Town Plan?

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. The cost of preparing, printing and distributing the Draft Town Plan excluding staff costs mounted to around £4,700. There is no official record of staff time involved in the exercise but it is estimated that the cost would have been at least £35,000 making a total cost in the region of £40,000.

The Honourable J Birmingham:

I thank you the Honourable Financial Secretary for his answer and I'm sure that the public will be pleased to hear this information and maybe its knowledge of its cost will create more interest in the Town Plan.

Question Number 15/95 by the Honourable J Birmingham:

Your Excellency, Honourable Members. Could the Honourable the Chief Executive state how many abattoir questionnaires were sent to farmers, how many were completed and returned, and the total number of mutton sheep and culls, farmers will be able to supply to the proposed new abattoir?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. Questionnaires were sent to 88 farms and to date there have been 45 replies. Farmers are indicating that 26,454 culls would be available on an annual basis. This compares favourably with the 30,000 estimate of culls on which the throughput of the new abattoir would be based.

We have 51.1% replies at the moment so there is 48.9% missing and in those replies we have achieved an estimate of 88.2% of the target in the abattoir report.

The Honourable J Birmingham:

I thank the Honourable the Chief Executive for his answer and I am pleased to hear that there is so much interest being expressed in the availability of sheep to the new abattoir.

The Honourable W R Luxton:

Could the Chief Executive explain why the Draft Town Plan was sent to every household in town whereas the proposals for the abattoir weren't.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. The honest answer to that is: no I can't.

The Honourable Mrs N Edwards:

Can the Honourable the Chief Executive tell us out of these 26,450 culls as he proposed, might be available for the abattoir, where are the vast majority of them coming from; bearing in mind that a lot of small farmers buy in cull sheep to bring their wool weight up? Will this then put small farmers at risk if people are going to sell all their culls to the abattoir and small farmers are not able to avail themselves of this facility as they do now?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I'm afraid I don't have that amount of detail as it really is a much more detailed analysis than the original question sought, but I'm very happy to look it into that for the Honourable Member and provide an answer for her.

The Honourable J Birmingham:

Could the Chief Executive tell me whether the abattoir report will be sent to every farmer in the Camp in the future?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I understood that it certainly had been made available to every farmer in the Camp and quite a few copies had been distributed in that manner. But I think it was on a - if they asked for it they get it basis, rather than actually send it to them.

Question Number 16/95 by the Honourable J Birmingham:

Your Excellency, Honourable Members. Taking into consideration the application made for supplementary funding during the financial year can the Honourable the Financial Secretary tell me whether he can see any merit in abolishing the annual budget and operating a more flexible system similar to the one in Jersey, Guernsey?

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. During this year supplementary funding has amounted to £1.5m or 4.5% of the original expenditure estimate. I have received an outline of

the budgetary process from Guernsey for which I thank Councillor Birmingham. My interpretation of this is that Guernsey still has an annual budget. What may be significant is that they commence their budgetary process much sooner in March for a December budget. Also it would appear that they review and adjust their rolling capital programme or increase taxation to balance the budget each year. The Constitution determines that appropriation is required for all expenditures on a strictly annual basis. It appears that to adopt a more flexible system to accommodate appropriation for a three year capital programme for example, would require an amendment to the Constitution. It is noted that the report by Mr Wallace on the Review of the Constitution does not cover any finance aspects. At the moment I do not see any merit for change but will examine what options are available to improve our budgetary process. An important aspect will be to ensure that control is not sacrificed for greater flexibility and that any revised budgetary process remains as simple as the existing one to manage with our limited resources.

The Honourable J Birmingham:

I thank the Honourable the Financial Secretary for his answer.

Question Number 17/95 by the Honourable Mrs C W Teggart:

Can the Chief Executive please advise when the long awaited roadworks on Endurance Avenue, Discovery Close, Scoresby Close and Shackleton Drive are likely to commence?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. The roadworks for Endurance Avenue are currently out to tender and the work is scheduled to be undertaken by the successful contractor in the summer of 1995/96.

For Discovery Close, Scoresby Close and Shackleton Drive, an item appears in the current estimates for the 1995/96 Capital Budget for the refurbishment of these roads, and it is for Honourable Members to allocate a priority in their deliberations in Select Committee.

The Honourable Mrs C W Teggart:

Sir, I would like to thank you very much for that reply. I'm very conscious of the fact that before I was elected to this Council I made a joke that I would like to see Callaghan road. I might get a decent surface on it if I was elected to Council. In fact that has happened so I am now quite concerned that other roadworks also take place, as well as the one I am living on. If I could just ask you - do you think it would be possible for some interim work to be done on these roads before the actual rebuilding process takes place? Travelling along Endurance Avenue as I do fairly regularly and up Scoresby Close they are almost impassable in a car now. You certainly have to crawl along them at a terribly slow pace because of the potholes. I think that we could well get sued by someone who takes the bottom out of their car by one of these holes if something isn't done fairly soon. And I would also like to ask if it is possible when Endurance Avenue is - I know the tender has actually gone out and I possibly should have thought of this beforehand - but would it be possible for the By-Pass road at the top of Dean Street to also be included perhaps at the tail end of that tender. My reason for asking is because it's the most convenient way for a lot of people to leave town onto the By-Pass. It's certainly the most convenient access for long lorries and heavy vehicles entering the town. It's now been closed off for a couple of years and I would actually quite like to see that built in to the end of the tender process and perhaps that done at the same time while the machinery and everything is in place.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. We are in the business I suppose of managing finite, sometimes scarce resources and if we are to work in one particular place it means normally we're not working somewhere else, so it is a matter of allocating priority. And I would suggest that on both these issues that we discuss it in Select Committee when we are going through that particular phase of expenditure.

Question Number 18/95 by the Honourable Mrs N Edwards:

Can the Honourable Chief Executive please tell us if it is the intention of the Fisheries Department to increase the longlining fishery in Falkland waters? If the effort is to be increased, how many longliners can we expect to be active in our waters?

The Honourable the Chief Executive:

The Falkland Islands Government has no immediate plans to increase the number of licences or vessels in the longline fishery.

It will be recalled that in November 1994, Executive Council agreed that Consolidated Fisheries Limited (CFL) should be allocated two licences for up to six months. It was further agreed that providing CFL implement their five year plan, that insofar as FIG is legally able to do so, CFL should continue to be allocated licences to longline for toothfish.

The development of the fishery is still comparatively young bearing in mind the target species lives to an estimated age of 20-25 years. Catch rates have fluctuated. A tagging programme is about to be implemented to try and determine migration and possible relationships with other fisheries for toothfish in the South Atlantic. The scientific information gathered so far, would not support an increase in effort on toothfish. Proposals to longline for other species might be considered although it would be important to ensure that any such ventures do not catch significant quantities of toothfish.

The Honourable Mrs N Edwards:

Thank you Chief Executive for that reply. I'm pleased to hear this. It is my understanding and I don't know too much about fisheries, I have to admit, but it's my understanding that this type of fish takes a good number of years to mature and I'm gratified to hear that we're not intending to increase this fishery in the near future and that we monitor it carefully. I understand that they are eight or ten years old before they breed and it's something that I feel we should watch very closely before we open up the fishery to a great extent.

Question Number 19/95 by the Honourable Mrs N Edwards:

Can the Honourable the Financial Secretary tell us how much movement of freight around the Islands and the warehousing of freight realises in income, and the cost of subsidising the coastal shipping service we enjoy in Camp?

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. The Coastal Shipping service is provided by Byron Marine Limited. During the Company's financial year ended on 30 June 1994, receipts from local freight around the Islands were £208,521. The subsidy received from Government for the same period was £261,470.

The Honourable Mrs N Edwards:

Thank you very much for that reply. I'm gratified to see. I asked this question because I thought it was wise that the general public knew exactly how much money Government was having to subsidise Coastal Shipping to the tune of and I will come back to this subject later in this meeting to comment on freight rates. Thank you.

Motion by the Honourable Mrs C W Teggart:

That this House provides financial support for the preservation of Bodie Creek Bridge.

Proposed by the Honourable Mrs C W Teggart.

Seconded by the Honourable Mrs N Edwards.

Your Excellency, Honourable Members. The reason that I have decided to bring this Motion to Legislative Council today is because of what I would call, in the Chief Executive's probable words, a robust debate we had in Standing Finance Committee last month after we had given approval in Executive Council for funding to be made available over the next ten years to support the bridge. Some Members weren't very happy about it and I really thought that the best way of getting this out in the open and airing it was to bring it along to this meeting today.

As many people know, Bodie Creek Bridge has been there for about 70 years. It's had to be closed off now for insurance purposes. We have to decide and we have to decide here and now as in this year, in this budget session, whether or not we are going to let the bridge fall down or whether we are going to take active measures to preserve it. We've had discussion in the past on the loading of the bridge. Was there a lesser measure that we could take, something that wouldn't cost us so much so that the bridge would still be there and so that it would still look fairly good and still attract the tourists because it is recognised as the most southerly suspension bridge in the world? But I understand after a conversation with the Design Engineer it doesn't matter how many sheep you put across it, it doesn't matter how many vehicles might want to cross it. The important factor is the wind-loading on the bridge. The bridge has to be strong enough to face up to the winds we experience in this part of the world and that is the important factor.

I have tried to put the amount required to save this bridge into some sort of context. The best thing I could probably come up with is that over the next two years it would probably cost us about the same sum that we would spend on two new landrovers. And I wonder if for that sort of money we are really going to quibble about saving it. Whether we can justify ourselves to our children and our children's children if we don't make some attempt to save it. We of course as a Council cannot commit future Councils to what priorities they might decide that they have on funding; and a Council in five or six years might decide that it isn't one of their priorities and they are not prepared to give this money for this purpose. But I would like to feel that we as a Council had made a commitment to do something rather than just to sit back and let it happen and shrug our shoulders and think well, it doesn't matter. It's just another bridge, let's let it fall down.

Sir, I believe that I have the chance afterwards to sum up after the debate so I will listen with interest to what other Members have to say.

The Honourable Mrs N Edwards:

Sir. In rising to support this Motion may I say that I have been approached by an awful lot of Camp constituents and Stanley people as well who want the bridge repaired, and they want it

to stay. They don't want to see it fall into disrepair or even more disrepair and fall into Bodie Creek itself. There has been a petition from North Arm and from Goose Green which has been sent to me recently and there are about 100 names on that petition asking that we please consider seriously saving the bridge and I would support what Mrs Teggart has said. I think it would be very sad if, as she said for the cost of a couple of landrovers, we let this bridge disappear from the face of our land. It does serve a very useful purpose for the people of Walker Creek, it cuts off almost two hours of the journey for them from Walker Creek to Goose Green. And it attracts a lot of visitors, people come down from MPA just to look at the bridge. Recently we have spent a little bit of money on it, well we are at the present time spending a little bit of money on it because some urgent repairs needed to be done and Mr Michael Butcher and some helpers are at the present time renewing bolts and doing some repair work on the bridge. And that is being funded by the Historic Buildings Committee. However we do not have enough in our budget to repair the whole bridge properly. So I would like to think that other Members of Council will support this Motion and that we will leave the bridge for future generations to enjoy. And it is a feat of our fore-fathers that we shouldn't forget what they undertook. They had no mechanical aids, it was done with hard graft and elbow grease. So I would hope that people will support this Motion.

His Excellency the Governor:

Does any Councillor want to speak to the Motion?

The Honourable J E Cheek:

When we spoke about this in GPC, I opposed it and I feel it would be wrong of me not to oppose it in public.

So formally I would oppose the Motion. It's funny how you can compare prices. I thought it was rather more than two landrovers, certainly over the ten or fifteen years. I thought it was much more than two landrovers. It doesn't sound much: two landrovers. If we're short of money at the end of this year, at the end of next year, I wonder how many patients that is that we're sending to UK to save lives. How many children we're sending to UK to train. All emotive stuff but I believe that it's quite a bit of money, quite a bit more than £30,000 which two landrovers would be.

There are a tremendous number of things in the Islands that I would like to see saved but I don't think we can do it. I think there are more immediate things, our own future, that are more important than all the historical things that we all I suspect would like to save. And what of the future of the bridge? We all know that the bridge is not suitable for the road, therefore the road will not be built to it or from it the other side. The roads, and forgive me if I don't know the names of the passes to the west of Bodie Creek, will go in that area. And from there presumably south to North Arm and then east to Walker Creek. So we would end up with a monument that people might go and photograph but at what cost?

I will go on no further than that but to say again that I oppose the Motion.

The Honourable W R Luxton:

Your Excellency, I too oppose this Motion. I have no objection to providing sufficient funds in the short-term to maintain the use of the bridge until the road system is complete but I would not want to see us committed to the preservation of the bridge for evermore. I think it will be an escalating sum and an escalating burden and I believe we fund the Trust and that the Trust should decide on its priorities for maintaining ancient monuments. And something like the Bodie Creek Bridge is an ideal case for the launch of an appeal and allows some sort of private funding or public subscription and it could be a good emotive project. But I will

oppose this Motion but in Select Committee until such times as the road system is complete I will support sufficient funding to keep it in operation until the road is able to take its place.

The Honourable E M Goss MBE:

Your Excellency, Honourable Members. I would like to join the debate here and change the balance and support the Motion we are two for and two against.

I support the Motion to provide the necessary funds for the maintenance of the structure. Not only as a cheap option because I think we should all recognise the fact that should it be neglected and fall into Bodie Creek the removal would bring us much more pain and much cost us a lot more money. It is a thing of beauty, it's a great engineering feat for the Falklands from local labour and I think we should do the immediate repairs and follow it up with a constant minor maintenance programme. We in the southern hemisphere, not like West Falkland and North Camp will not enjoy a road for some time. We are on the bottom of the list, like we're in the bottom of the end of the Falklands so at the moment we need that bridge. OK its no use for the heavier traffic; and the heavier traffic and summer traffic can move quite freely down the Orqueta Camp, but you try it at this time of year. There has been work done on Salinas's beach and at Colorado Pass and Cobb's Pass and The Saltwater but to continue from there down the soft camp of Orqueta is a hard task. Eventually I would see the road going to Walker Creek and joining up with the old existing road that goes to North Arm and I think that would be a cheaper option for us to follow. But I must support this Motion to maintain the bridge, do immediate work now and follow it with minor work for the next ten years or more. I wish to support the Motion.

The Honourable R J Stevens:

Your Excellency, Honourable Members.

Firstly I would like to say how much I welcome this opportunity to debate an important issue like this. In fact my powers of debate aren't brilliant but it's a good opportunity to say in public what you think in private. It helps people in these Islands to know how their Councillors are acting and thinking.

I see Bodie Creek Bridge as an issue of the heart and mind and my heart says that we should carry on and repair it and keep it going, because it is part of our heritage. But my mind tells me that, and we're talking about the figures that I'm thinking of, £30,000 for ten years which is £300,000. Now in those terms that's a lot of money. In time after this debate we might find out that it's less but this decision and this direction that I'm taking is with the information that I'm aware of now. There are the limitations of the Bodie Creek Bridge being very narrow and not fitting in to the eventual overall plan. And for people of Walker Creek it's certainly very important. But to weigh up the price that I've been informed that it will cost to keep the bridge going, my mind tells me that the price outweighs the arguments of the heart; and I could see £300,000 being better used in other directions. So, my mind dictates that I don't support this Motion.

The Honourable Mrs S Halford:

Your Excellency, Honourable Members.

I must say that I also do not support the Motion. I feel it would be a blatant waste of public funds at this time to commit that amount of money to a bridge which at the end of the day, no matter how desirable that monument is going to be, that is all it will be. I believe the money will be far better spent if it were to go towards the roads. And for that reason I cannot support the Motion.

The Honourable J Birmingham:

Your Excellency, Honourable Members.

£300,000 to my mind would buy a lot of things and even if it is over ten years it's still a lot of money. I think that if we have the money then we could and should spend some on keeping the bridge to an acceptable standard. I don't see how we can try and get it back to anything like the condition it was in when it was new, as we'll find out tomorrow when Mr Butcher brings the rusty bits to show us. If we've got the money then OK we'll spend some on it but to me there are more important things that need money spending on. I really think that if we've got £300,000 to spend then we should be building an old people's home. To me it's people that count and not rusty bits of iron. But having said that I would support the Motion to spend some money on it. I think the idea of starting an appeal is a very good one and I suggest that we start a buy-a-bolt appeal as soon as possible. Thank you.

The Honourable Mrs C W Teggart:

I think that this debate has served a useful purpose because it's brought out into the open, as some people have pointed out, the arguments we've been having in private. I am a little bit disturbed at the thought that we have decided today not to support funding for the bridge. The idea that we should spend a little bit and keep it going for a little while to me is completely ludicrous. I just find that so hard to accept. To spend a little money on it and then in three years to let it drop into the sea, and I think Councillor Goss made an excellent point when he said "it's going to cost us a lot more to remove it", because we can't just leave a pile of rusting junk sitting in the middle of Bodie Creek. It just won't happen that way, it will cost us a lot to remove it. But I think that now the members of the public will be aware of the stance of Councillors on this issue and I hope that the phonedines will be fast and furious when this is broadcast because members of the public will now know who to target.

A vote was then taken on the Motion which resulted in four in favour and four against. Therefore the Motion was lost.

ORDERS OF THE DAY - BILLS

The Appropriation Bill 1995

Clerk:

This Bill is laid on the Table under a Certificate of Urgency and is recommended to this House by His Excellency the Governor pursuant to section 45(2) of the Constitution.

The Honourable the Financial Secretary:

Your Excellency, Honourable Members.

The purpose of this Bill is to appropriate and authorise the withdrawal of monies from the Consolidated Fund to supply expenditure votes contained in the Draft Estimates for the service of the financial year beginning on 1 July 1995.

The Draft Estimates have been issued to Honourable Members in plenty of time for them to examine the detail, the summaries and the explanatory notes. Additionally, two Executive Council papers on the subject have been issued to all Members. The amount of paper we generate seems to increase every year but it appears to be necessary so that all

information is at hand when examining the suggested level of public service activity, capital investment, social and development assistance to be afforded by Government during the forthcoming financial year. To minimise the reciting of a lot of figures which become meaningless after a while, a public information paper has been prepared and is available for the media, and for anyone else who would like a copy.

As is customary, before dealing with the 1995/96 budget, I will briefly review the current financial year which we have already heard something about:

Despite an extremely poor Illex season which lead to early closure for the second year in succession a budget surplus of £3.6 million is forecast, an improvement of £3.4 million from that indicated in the approved estimates. This is after taking into account a proposed transfer of £2 million to the sinking fund in respect of a further contribution towards the future cost of constructing a permanent port facility to replace FIPASS. The authority for this transfer is sought by the Supplementary Appropriation (1994/95) (No 2) Bill 1995. As a result of the increase in surplus it is forecast that the balance of the Consolidated Fund at 30 June 1995 will reach £71 million. This represents around three years' operating expenditure or two years' total expenditure and is an appropriate point to start the report on the 1995/96 Budget.

Total revenue is forecast at £35.6 million and the proposals for expenditure inserted in the draft estimates total £41.6 million to produce an estimated deficit of £6 million. It is proposed that, at Select Committee, the deficit is reduced to £3 million by an equivalent reduction in expenditure. Please note that £2 million of the deficit is due to a proposed internal transfer from the consolidated fund to the sinking fund in respect of a further contribution towards the future cost of constructing a permanent port facility to replace FIPASS.

Income from fisheries is inserted at £16.7 million which is £2.5 million less than the revised estimate for this year and represents 55% of operating revenue. Following two years of poor Illex squid catches and early closures of the season, this and future projections can be regarded as extremely fragile. The fragile nature of the fish stocks, in particular Illex at this present time, cannot be ignored. From 1990 to 1992 in the days when VRA, Voluntary Restraint Agreement, was part of the Falklands vocabulary, one species of squid, namely Illex, was generating revenue for the public purse in excess of £20 million per year. This year we are fortunate to be expecting to receive £11 million. Next year £8 million from Illex is included in the revenue estimate and this must be regarded as an optimistic figure. It is too early to make any accurate predictions for the longer term but it appears that, due to circumstances beyond our control the best years of the exploitation of the illex squid are over. Thankfully, due to circumstances that are partly under our control, other species of fish and Loligo squid are estimated to generate more revenue to Government than in previous years.

As indicated by the forecast of a deficit budget, all estimated revenues for the year are planned to be consumed. This includes £22.3 million for operating expenditures in respect of departmental submissions to enable government to continue to provide the full range of improved public services we have become accustomed to enjoy. From submissions totalling £23.5 million, £19.2 million has been inserted for capital expenditure for 1995/96. As reported earlier it is proposed that total expenditures be reduced by £3 million to reduce the estimated deficit to a more acceptable level.

I will now deal with the revenue proposals:

It is proposed that harbour dues be increased by 10% with effect from 1 January 1996. This should generate an additional £50,000 revenue per annum.

It is proposed that the Customs Services fees levied by regulations under section 23 of the Customs Ordinance be increased by an equivalent of £1.00 per hour and that the entering and clearing charges be increased by 50% both with effect from 1 July 1995.

For the second year in succession it is considered that duty on beer, spirits and wines remains at an adequate level and therefore no increase is proposed. Although the impact on revenue is small, for health reasons it is proposed that duty on tobacco products should be increased by 20%. This would put an additional 16p on a packet of 20 cigarettes and 24p on a 50 gramme pouch of tobacco for example. It is estimated that additional revenue of £27,000 per annum would accrue from this source. At the moment approximately £132,000 is generated from imports of tobacco products and around £271,000 is generated from imports of liquor products.

Currently no charge is levied for the hire of the FIDF Drill hall but it costs public money to heat and maintain. It is proposed that, with effect from 1 July 1995, a hire charge of £6.50 per hour non-commercial or £12.50 per hour commercial be levied other than for official FIDF functions. This hire rate equates with the charges for the hire of the junior school hall.

Again for the second year in succession no increase in rentals is proposed. This is on Government owned housing. The review of rentals approved by Executive Council on 23 June 1993 has not been carried out and it is considered to be inappropriate to propose increases when it is suspected that existing rentals contain irregularities. It is proposed that the review should be carried out as soon as time and priorities permit.

After the major reduction in tax rates approved last year there are no further taxation changes proposed. It is expected that at the next meeting of Legislative Council amendments to the Taxes Ordinance 1994 will be sought to accommodate the potential of oil development.

It is proposed that water charges should remain at their current level.

The following proposals relate to matters raised by Councillor Luxton at Legislative Council on 30 March 1995:

FIGAS Airfares for Medical and Dental Patients

Currently airfares for Camp medical and dental patients referred to Stanley for treatment are cost shared in the ratio of 25% patient and 75% FIG. Councillor Luxton expressed concern that where a patient is required to make several medical or dental visits the cost of the flights can be prohibitive and suggested that consideration be given to putting a cap on the total cost per patient on an annual basis. Rather than introducing a maximum value of flights per year it is suggested that, in any 12 month period, beginning on 1 July 1995, a patient should not be charged any more than 4 return flights, that is the equivalent cost of 1 return flight at the full resident rate. It is expected that the additional cost to Government for this further concession will be minimal.

Amateur Radio Licences

Amateur radio licences currently attract annual fees of £10 for a full frequency band licence and £5 for a 2 metre licence. These fees have remained static for many years. It was suggested by Councillor Luxton that rather than an annual fee for a licence renewal a one-off fee for a life licence should be considered. It is proposed that, with effect from 1 July 1995, once only fees for amateur radio licences be imposed at £20 for a full licence and £10

for a 2 metre only licence. The annual revenue loss from this proposed action is estimated at £2,000.

Firearms Licence Fees

It was also suggested by Councillor Luxton that consideration should be given to issue firearms licences for life. A firearms licence currently attracts an annual fee of £25.00. It is proposed that, with effect from 1 July 1995, a once only fee of £25.00 for a firearms licence be imposed. The annual revenue loss from this proposal is estimated at £9,000. The registration fees and the annual fees for dealer's licences imposed under the Firearms and Ammunitions Ordinance to remain in force.

Turning now to the application of revenue. Operating expenditure has been inserted in the 1995/96 draft estimates at £22.3 million and represents an 8.5% or £1.7 million increase over the approved estimate for 1994/95. A detailed analysis of the expenditure is provided in the public information paper.

Retail Prices Index

The retail prices index for the calendar year 1994 decreased by almost ½%. As deflation, rather than inflation occurred, mainly as a result of the abolition of Stanley rates approved last year, there are no proposals to increase salaries, wages, public service pensions or family allowances.

Old Age Pensions

With regard to old age pensions, as there has been a downward movement in the Retail Prices Index and no proposal to increase salaries and wages, there is no justification on a normal basis to adjust benefits. However, it is proposed that the electricity subsidy currently afforded to old age pensioners and to any other consumers on attaining the age of 64 years be withdrawn with effect from quarter ending 30 September 1995. The electricity subsidy causes administrative problems and is difficult to extend to Camp consumers particularly those who are generating their own electricity. Currently the subsidy is given in the form of a rebate of 2.5p per unit up to a maximum of 400 units per quarter. Its maximum value to pensioners works out at £40 per annum, or in other words, 77p per week. To compensate for the withdrawal of the subsidy it is proposed that old age pension benefits be uprated as follows:

Non-contributory married pension from £89.00 to £92.00 per week
Non-contributory single pension from £57.00 to £59.00 per week

Contributory married pension from £93.00 to £97.00 per week
Contributory single pension from £59.50 to £62.00 per week

The proposed rates of benefit provide a minimum increase of 2.2% after deducting the maximum electricity subsidy entitlement. In comparison it is interesting to note that our proposed rates of contributory old age pension are greater than basic UK state pensions which are currently £59.15 per week at the single rate and £94.45 per week at the married rate.

The cost of non-contributory pensions is provided under the Social Welfare Head of Service in the estimates and the cost of contributory old age pensions is met from the Old Age Pensions Equalisation Fund.

It is proposed to increase weekly contributions by approximately the same percentage as benefits as follows:

Self-employed from £13.40 to £14.00
Employer from £8.00 to £8.40
Employee from £5.40 to £5.60

Provision of £15,800 is inserted under the Social Welfare Head of Service in the estimates to enable a Christmas bonus, equivalent of one week's pension, to be paid to all old age pensioners again this year.

I now deal briefly with the capital expenditure for 1995/96 inserted at £19.2 million. Capital expenditure is funded from local revenues with the exception of £2.1 million of EEC STABEX monies. The Capital Estimates, shown under eleven cost centres, can be summarised as follows:

Projects and purchases	£11.0 m
Loans and investments	£ 1.6 m
Consultancies	£810,000
Fund transfers	£ 2.0 m
and transfer payments	£ 3.8 m

A more detailed breakdown is provided in the public information paper and full details can be found in the confidential Capital Estimates.

At £8 million greater than the current financial year the capital expenditure submissions for 1995/96 are worthy of further explanation. The provision for road construction including the purchase of earth moving plant amounts to £5.5 million, that is 50% of the provision inserted under the projects and purchases category. A substantial amount of this sum is allocated for surfacing the MPA road at a much faster pace than previously planned, mainly for safety reasons. A further substantial amount is inserted in the projections for 1996/97 to complete the task. Provision for other plant purchases and road building is inserted at existing levels to continue with the surfacing of Stanley's roads and the construction of the main Camp road network and link roads both on the East and West. Other significant capital project items, for which funding is inserted next year, include:

- The infant and junior school expansion;
- The provision of 26 serviced plots at East Stanley;
- The construction of 4 houses at east Stanley for government contract officers;
- The construction of more housing for rental;
- The first phase of constructing an archives building;
- Major renovations and improvements to the Town Hall and Secretariat buildings;
- The continuation of installing services to the Lookout Industrial Estate and the start of putting proper services in at squid row.

It is my duty to warn of the dangers of becoming complacent in relatively good times when those good times are mainly dependent on the revenues derived from a fragile Illex squid stock which we are unable to control and safeguard to guarantee our future prosperity. It is also my duty to prepare budgets that avoid those dangers. In our present financial position of substantial reserves a small deficit budget to accomplish particular and sensible objectives is not a disaster. This is why a reduction in the estimated deficit is being proposed rather than a balanced budget for next year. But for the immediate future, when it is known that our narrow income base is insecure, it would be irresponsible not to plan to live within our means.

With all the talk of the millions that can accrue from oil why should there be a pessimistic outlook? Firstly, the reality of the situation is that, although we are confident our continental shelf contains oil reserves, it is uncertain at this stage whether we can attract sufficient investment for it to be ultimately exploited. Secondly, if oil exploitation does go ahead, it is likely to be at least 10 years before the government benefits from the receipt of meaningful revenues.

I am grateful to Heads of Departments for their polished submissions which are needed to produce the Budget and to Treasury staff involved in assisting in the preparation of the draft estimates.

This, concludes my budget presentation and I beg to move the first reading of the Bill.

The Bill was read a first and second time . The Bill and Draft Estimates were referred to a Select Committee of the House and it was agreed that the Chief Executive would act as Chairman of the Committee.

The Finance Bill 1995

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. The purpose of this Bill is to amend a number of Ordinances in one piece of legislation to implement the changes to statutory fees, pensions and contributions proposed in my budget presentation as follows:

An increase in Harbour dues

An increase in Customs Services Fees and Customs entering and clearing charges

A substitution of once only fees for annual fees in respect of Firearms Licences

An increase in old age pension benefits both contributory and non-contributory

An increase in old age pension contributions

The Bill also makes provision under paragraph 1 of schedule 1 for the changes in vehicle licence fees approved by Executive Council on 24 November 1994. The changes do not include any increase in fees but categorise vehicles by weight type in order to bring the fee for vehicles designed and constructed as agricultural tractors down from the heavy vehicle category of £86 per annum to the lighter vehicle category of £54 per annum. It is proposed that the changes to vehicle licence fees should take effect from the publication of the Finance Ordinance 1995 or 1 July 1995 whichever is the earlier. I beg to move that the Bill be read a first time.

The Bill was then read a first and second time and referred to a Select Committee of the House:

Council adjourned.

The Honourable the Financial Secretary:

Report of the Select Committee on the 1995/96 Estimates

Your Excellency, Honourable Members.

This report covers both the Appropriation Bill 1995 and the Finance Bill 1995 referred to the Select Committee on the Estimates.

The Committee occupied three full days, on Monday, Tuesday and Wednesday of this week, in examining the Draft Estimates of revenue and expenditure for the forthcoming financial year. All Heads of Departments and, where appropriate, Section Heads, attended the meeting to justify their budgets and answer questions put by Members of the Committee. Officers were given the opportunity to address the Committee on Financial matters affecting their departments so it was not a one way discussion. As is customary the debate at times appeared from eight different directions at once so it would appear that the next training course on effective meetings needs to be aimed at a different level. However, the Chairman with the help of his gavel was always able to bring the proceedings to order to ensure that decisions were made in a democratic manner.

Details of the amendments made to the Draft Estimates have just been circulated to Honourable Members. There were significant changes made to both operating and capital budgets to reduce the estimated deficit to an acceptable level. In the adjustment to the estimates for next year it was necessary to make changes to this year's figures and an improvement of £597,240 was made to the surplus. The surplus for this financial year is now revised at £4,194,800.

In summary, the 1995/96 estimate for total revenue was increased by £536,000 and the 1995/96 estimate for total expenditure was decreased by £3,248,500 to reduce the estimated deficit of £6 million to £2,166,560. The Committee therefore achieved more than the proposed reduction by a combination of revenue and expenditure adjustments rather than just a reduction in expenditure. The Committee achieved this despite inserting provision in the Capital Budget to construct two houses to donate to the MOD at Mount Pleasant for use as married quarters. The end result is a budget which is both attainable in revenue terms and hopefully more realistic and achievable in terms of planned spend. Unfortunately not all of the wish list of capital projects could be accommodated next year but to arrive at an achievable target, the Committee, as requested by Executive Council, determined priorities and thus have provided the balance needed to keep both the private and public sectors in full employment.

A report of the adjustments made at Select Committee was presented to Executive Council earlier this afternoon. As required under the provisions of the Constitution I can now report that Executive Council recommends to Legislative Council the amendments to the Appropriation Bill necessary to accommodate the increases in the charge on the Consolidated Fund which result from the adjustments made at Select Committee.

The proposed withdrawal of the electricity subsidy was approved as was the more than compensating increase in old age pension benefits. The increase in old age pension contributions was also approved.

I now turn to the revenue proposals.

Following advice from the acting Director of Fisheries the proposed increase in harbour dues was not approved. It is intended that harbour dues should remain at their current level for at least another 18 months.

The proposed increase in customs services fees and customs entering and clearing charges were approved with effect from 1 July 1995.

The proposed increase in import duty on tobacco products was approved but not unanimously. A resolution follows to bring the revised rates of duty into force with immediate effect.

The proposed introduction for a hire charge for the FIDF Drill Hall was approved.

It was agreed that house rentals should not be increased but that further consideration to an increase should be given once the review of rentals has been completed and reported to Executive Council. It is still the intention of Government to reduce the housing subsidy on a gradual basis.

It was agreed that no further tax changes were appropriate at this time.

It was agreed that water charges should remain at the current level.

The further concessionary FIGAS airfares for medical and dental patients referred from Camp to Stanley were approved. The concession was extended to children who have to accompany a parent and to a parent who has to accompany children.

The proposed once only fees for lifelong amateur radio licences and firearms licences were approved.

Although the Legislative Council is not the policy making body of Government its power to influence policy through the Select Committee on the Estimates, for example, is apparent. This is obviously proper as it is part of the democratic process. Money is a very effective tool and as Honourable Members become more experienced in Government affairs and in the operation of that tool it will become more effective. That it can only be adjusted downwards without Executive Council authority makes it very efficient indeed.

The adjustments made in Select Committee this year reflects the amount of fat incorporated in some departmental submissions. However only one layer has been removed. In the event revenues in future years decline further there are other expenditures that can be adjusted downwards without a detrimental affect. A leaner, meaner and healthier machine will result if we continue to make bold decisions.

That concludes my report of the Select Committee proceedings on the Draft Estimates for 1995/96.

Councillor Edwards accepted the Report and Councillor Halford seconded.

His Excellency the Governor:

The Appropriation Bill is now referred to the Committee of the whole.

The Attorney General:

Your Excellency. The procedure on Standing Orders is that it goes to a Committee of the whole and the report of the Select Committee can be debated in the Committee of the whole.

His Excellency the Governor:

Does anyone wish to comment on the report?

The Honourable E M Goss MBE:

I would like to take this opportunity to say that I think that the speed that we achieved in getting through the work in three days reflects the quality of the work done and the preparation and presentation of the budget. When we went into Select Committee and made attempts to pare the fat off some of the cats we found they were lying on very few fish and it wasn't possible. We did our best and as you heard from the Financial Secretary we did achieve something but there was not a lot of spare meat to be got at and I think the Financial Secretary has set the trend to continue the practice of thrift for years to come. So if we follow that course all should be well. Sir, I support the Motion.

The Honourable Mrs C W Teggart:

Your Excellency, Honourable Members. I don't think its fair to let all the hard work that the Financial Secretary and everyone else has put into this budget go by without comment so there are just a few things that I would like to highlight.

Apart from the fact that I always feel extremely tired after the end of a Budget Session, I must say that I do enjoy it. It gives us a chance to get together with Heads of Department that we perhaps normally don't come into a lot of contact with and it gives us a chance for a good exchange of views and sometimes admittedly fairly heated views. But I think that it is important as most people know we all have our portfolios and there are different departments that we deal with quite regularly, but it is also quite nice to actually get to know better the ones that you don't deal with on a daily/weekly/monthly basis or whatever.

I was quite interested to hear the Financial Secretary talk about us removing the fattest layer. I think he had removed the fattest layer in the budget before it got anywhere near us, and in fact when he introduced the budget the other day and said that he'd like us to cut down another £3,000,000 I thought: well if he's done his usual thorough job of it, there won't be any leeway anyway to remove anything else. So it's the first time I've heard him say, although he was keeping a running count through the meeting as you could imagine on how much that was knocked off, I was really quite amazed to hear him say today that it was over £3,000,000 that had been done away with.

I am pleased that we've decided during this budget, this is something that he hasn't mentioned, but it's something that I have put some time into over the last few months since I've become Chairman of the Computer Committee, we've been looking at upgrading government computers and I'm delighted to say that Honourable Members supported an upgrade for a rebuy of computers throughout government to bring us in line with some of the modern technology. Hopefully we will get better software and I think an important component of all this although it seems a terrific amount of money to start with, is the training that should take place and funding has also been put in the budget for some training on these different computers.

I don't think I can possibly let the increase on cigarettes - I know it's coming up in a Customs Bill shortly - but I don't think I can let that go past us. The Financial Secretary has already mentioned it, I was one of the - possibly the only one maybe not - who objected to once again an increase being put on cigarettes. I always think that Honourable Members mean it for the best and everything you know because it's all to do with health they inform me, but I think I got a very good comment from my favourite landlord the other night when I went to a pub and I think I was the only person in the pub apart from himself who didn't smoke. "Well," he said "if smoking cigarettes is so bad for your health perhaps that means that cigarette smokers shouldn't have to pay OAP." Thank you Sir.

The Honourable J E Cheek:

Your Excellency, Honourable Members. Just a few little comments.

Firstly I'm sure most people will have listened to our Financial Secretary and realised that this has not been a panic budget with panic cuts. I think they were prudent cuts. Generally they were those where some departments had put in worse case figures and we were able to prune those. Probably the biggest cuts came in capital projects where we just do not have the manpower to take them forward although we would very much like to. Nor are there contractors available for all of the projects we would have liked to have moved ahead and we were not mindful of bringing in too many extra people from overseas.

I was rather disappointed that the Ministry of Defence don't consider the large amounts of money we are spending on the Stanley to Mount Pleasant road as aid to the Ministry of Defence. I would have thought it could well be viewed as assistance to them particularly looking at past histories on that road.

And lastly I would like to point out to those that have been waiting for improvements to the infant/junior school, that after two or three projects that are currently underway that has the highest priority of all to capital projects.

The Honourable Mrs N Edwards:

Yes, I too would like to congratulate all the staff in the Treasury for all their hard work on this budget and if the Chairman had eight different views at various times then I suggest next time round he gets a bigger hammer. He only had a tack hammer this year so perhaps we'll progress to something bigger next year. I hope people will be relatively pleased with the budget. Nothing too much has changed I don't think, no tax increases. I would have liked to see the old age pensions go up even more because I do think there are a few - not very many - but a few people who haven't got a lot of money if they have to rely on just their old age pension. But hopefully - it's better I know than UK - and maybe in years to come we'll be able to increase it tenfold, I hope so.

Some of them I know are concerned that if they don't get their reduction on electricity that they are going to be worse off. And that I think will not be so, I think they will still be a little bit better off as far as their pensions are concerned and it does make sense to discontinue that subsidy because there's so much administration that goes into it and I think the administration is more costly than the amount that's taken off the bills.

I'm glad that we didn't put up harbour dues again. We haven't increased our facilities for ships, we've increased our harbour dues last year and I think the year before - correct me if I'm wrong - and I don't think we should be continuing just to put them up to get a few pounds extra when we haven't got anything extra to offer these ships when they come into our harbours.

Sir, I support the Bill.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I would like to add some brief comments to what has already been said and to thank the eight Councillors for their behaviour during the Select Committee. They were terribly well behaved, we got through some very serious business with a bit of humour and a bit of debate and I believe we managed to achieve a great deal; and of course I would add my thanks and congratulations to my friend the Financial Secretary. I suspect he's healthy but I know he's certainly lean and mean and that was proven over the

three days. I must also thank the Departmental Heads who I thought performed very well under a great deal of provocation during the Committee and thanks to all of those.

We didn't actually save nearly £4,000,000. I would like people to be very clear about that. This was not saving. What we achieved was to do a phasing of expenditure and defatting. Many of the budgets were pessimistic in the sense that over expenditure was estimated - money which would never have been spent was in the budget, and we tried to extract that. And we also, because of the limitations on resources and capability were pushing certain things into the following year that had been put in the budget for the coming year. Real savings - and I must emphasise this - real savings only come from improved efficiencies. And real progress in our economy must come from creating an environment for a truly prosperous private sector and I would make one comment by turning to the supporter of the private sector, the FIDC. Because the FIDC's budget has been pruned a bit but the Select Committee has approved an increase of 27.6% over the current year in the expenditure planned by FIDC and I believe that to be a very tangible statement, a very strong support by Councillors for the private sector and the growth and the energy that we must put in there.

I think it would also be appropriate and very briefly, and this is edited highlights, three days work in half a minute. What in fact are these priorities and phasing that we talk about? The first one is that we are going to finish what we are going to finish what we are actually doing at the moment, that might seem like common sense but I think it's worth saying. The work that's going on in the Lookout Industrial Estate; the work on Endurance Avenue that's about to start and the Camp roads work, all that is going to continue unabated. The infant/junior school will now progress I hope rapidly and we will be starting the process of tendering and building the infant and junior school as quickly as we possibly can. That is our number one priority. We are also going to continue during the coming year with the East Stanley Development. In fact we decided only a few weeks ago to speed that up and that is what we will be doing to enable the population here to be able to cope with the housing problems. We are going ahead as we have already indicated with the MPA road to achieve our target of actually finishing it within a two year time frame. And we will also be in the year to come dealing with the Town Hall renovation and the renovation of the Post Office. So those are the highlights of those things which have not been deferred which we are going to be doing in the year ahead.

We're looking then to a much smaller deficit, £2.166 million as against the nearly £6 million that confronted us only a few days ago. And I believe Sir, that we have achieved the thrift which you so eloquently sought in your instructions to us. Beating this budget won't be easy because we have taken out fat that I suspect has been there in previous years budgets. We have a history over the last few years of beating our budget quite easily by 8,9,10 million on occasions. That is not going to be so easy for us to achieve in the coming year and I must make that clear. I've always been very much against having both a budget and a target. I like a bit of realism here and I think the two should be the same. Nevertheless I shall do everything I can to make sure that this budget is at the end of the year balanced and that this £2.1 million deficit is actually zero when we meet this time next year. I believe we should try to balance this budget as a target. Nevertheless as a £2.1 million deficit it is a very appropriate budget and a budget that I think looks to the future with a great deal of confidence.

Clerk:

Clauses 1 and 2.

The Honourable the Financial Secretary:

I beg to move that clause 1 stands part of the Bill but that consideration of clause 2 be left until after the schedule has been considered.

In the Committee stage clause 1 was adopted as part of the Bill

The schedule was adopted as part of the Bill with the following amendments:

The Honourable the Financial Secretary:

I shall read first the number, the Head of Service and the figures.

Head 100	-	Aviation: delete £1,642,920 and insert £1,533,830
Head 150	-	Post & Telecommunications: delete £324,770 and insert £320,850
Head 200	-	Medical and Dental: delete £2,225,340 and insert £2,228,450
Head 250	-	Education: delete £2,155,690 and insert £2,159,060
Head 300	-	Customs and Immigration: remains at £145,280
Head 320	-	Fisheries: delete £4,508,820 and insert £4,248,820
Head 350	-	Public Works Department: delete £5,269,840 and insert £4,795,160
Head 390	-	Fox Bay Village: delete £72,470 and insert £68,770
Head 400	-	Agriculture: delete £555,420 and insert £543,420
Head 450	-	Justice: remains at £458,390
Head 500	-	Falkland Islands Defence Force: delete £177,590 and insert £159,310
Head 550	-	Police, Fire and Rescue Service: delete £601,720 and insert £565,820
Head 600	-	Secretariat, Treasury, Central Store, Broadcasting: delete £2,821,430 and insert £2,550,650
Head 650	-	Pensions and Gratuities: remain at £345,400
Head 700	-	Social Welfare: delete £428,000 and insert £458,000
Head 750	-	The Governor: delete £135,870 and insert £141,880
Head 800	-	Legislature: delete £208,000 and insert £213,000
Head 850	-	Falkland Islands Government Office: delete £298,890 and insert £314,750

Total operating budget delete £22,375,840 and insert £21,250,840

Head 950 - Capital Expenditure delete £19,237,670 and insert £17,114,170

Total expenditure - delete £41,613,510 and insert £38,365,010

Clause two was adopted as part of the Bill with the following amendments.

Delete the words and figures £41,613,510 and insert £38,365,010.

The Bill was then read a third time and passed.

The Finance Bill 1995

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. I have already reported on the proceedings on the Select Committee on the Estimates where this Bill was debated along with the Appropriation Bill. During the Committee stage I will propose amendments to reflect the decision of the Select Committee in relation to this Bill.

As remitted by Executive Council a further amendment will be proposed to amend the Family Allowances Ordinance 1960. This amendment will insert a new provision to ensure that allowances are only payable in respect of any child who has been ordinarily resident in the Falkland Islands for six months or more. A revised Bill incorporating this amendment has been issued to Honourable Members. Sir, that concludes my report.

Councillor Edwards accepted the Report and Councillor Halford seconded.

The Finance Bill was then referred to the Committee of the whole.

In the Committee stage clauses 1 and 2 were adopted as part of the Bill.

Schedule 1 and 2 were adopted as part of the Bill with the following amendments:

Schedule 1

To renumber paragraphs 3 and 4 with numbers 4 and 5 respectively and to insert a new paragraph 3 to incorporate proposed amendment to the Family Allowances Ordinance 1960.

Schedule 2

In paragraph 2 substitute 1 July 1995 for 1 January 1996. That is in relation to the date when the customs services fees come into force, the revised customs services fees; and delete paragraph 3 which relates to the harbour dues, which has been agreed, should not be increased.

Council resumed. The Bill was then read a third time and passed.

Motion by the Honourable the Financial Secretary

The Customs (Amendment of Import Duties) Resolution 1995

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. This Resolution will bring into force on 2 June 1995 the increase in Customs Import Duty on tobacco products proposed in the budget as follows:-

Cigars from £71.64 to £85.97 per kilo
Cigarettes from £51.82 to £62.18 per kilo;
Tobacco from £47.09 to £56.51 per kilo;

On the Motion that the Resolution be adopted Honourable Members spoke as follows:

The Honourable R J Stevens:

Your Excellency, Honourable Members. I was also a Councillor that didn't agree with the increases on tobacco and I'm a non-smoker but if it's for health reasons then eventually we've got to consider other things in our life that we also enjoy consuming like: fatty chops and butter products that are bad for cholesterol levels and alcohol or any food that makes us put on a bit of weight and other such things. So I think it's an area that if we start where does it all end. Just a small contribution. Thank you Sir.

The Resolution was adopted.

ORDERS OF THE DAY - BILLS

The Supplementary Appropriation 1994/1995 (No2) Bill 1995

Clerk:

This Bill is being presented under a Certificate of Urgency.

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. Clause 2 and the schedule to this Bill provide for supplementary expenditure amounting in total to £160,690 approved by the Standing Finance Committee and authorised in the first instance to be advanced out of the Contingencies Fund. Clause 3 of the Bill provides for the transfer of £2,000,000 from the Consolidated Fund to the Sinking Fund in respect of a further contribution towards the further cost of constructing a permanent port facility. Provision for this transfer was discussed at Select Committee. It did not receive unanimous support but I believe it received the support of the majority. For the 1995/1996 Estimates and future projections a reduced transfer of £1,000,000 per year was inserted and was supported by the majority of Honourable Members. I beg to move the first reading of the Bill.

The Bill was read a first and second time. In the Committee stage clauses 1-3 and the schedule were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Taxes and Duties (Special Exemptions) Bill 1995

Clerk:

This Bill has been published in the Gazette and therefore a first reading is not required.

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. The purpose of this Bill is to amend the Taxes and Duties (Special Exemptions) Ordinance 1987 so as to provide the Governor acting on the advice of Standing Finance Committee with the power to grant by order an exemption from liability to income tax and old age pension contributions, to persons in defence related employment in respect of income derived from that employment. Under section 9(a) sub-section 2 of the amendment an exemption may only be granted to a person or class of persons whom or which the Governor is satisfied:

- a. is or are present in the Falkland Islands in the course of relevant employment; and
- b. is entitled to be accommodated upon land which for the purposes of the defence of the Falkland Islands is in the occupation of Her Majesty in the right of her Government of the United Kingdom.

Under section 9(a) sub-section 4 of the amendment an exemption may be granted so as to have retrospective effect and to have effect indefinitely or for a definite period.

The decision for this particular tax exemption provision was made by Executive Council on 21 September 1994 and was chosen from three options presented in the Third Policy Paper submitted on the subject of Mount Pleasant Tax Status of Employees. The approval for

granting exemption subject to the conditions mentioned previously, was taken following advice from the Commander British Forces that without exemption from income tax the overall cost of defence to Her Majesty's Government would increase. I beg to move the second reading of the Bill.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable J E Cheek:

I had hoped that someone else would have stood and supported the Bill. Sir, I cannot support the Bill. I have no wish at all to see any increase for our defence placed on the shoulders of the British taxpayer. But effectively what this Bill does is disallows or does not allow a level playing field for Falkland Islanders who may wish to work at Mount Pleasant. And therefore such persons or contractors would be disadvantaged. I still believe that we could devise a system whereby Falkland Islanders wishing to work at Mount Pleasant would not be disadvantaged nor would there be an increase the cost of defence of the Islands to the UK taxpayer. Sir, I cannot support the Bill.

The Honourable the Financial Secretary:

I would just like to say that there were three options put to Executive Council and the option that was chosen was the one that is incorporated in this amendment and it has fully considered by Executive Council and the option that the Honourable Member mentioned was one of the options that was put to Executive Council.

Commander British Forces

I would just like to say that the Bill does not prevent people coming to work at MPA. I'm sure that you are well aware that there are four employees living in Stanley that do work daily at MPA and we would welcome more should they wish to come and work for us. And I can also say that it does not prevent local contractors from undertaking work from MPA; and I'll explain that later when I come on to the married quarters.

The Bill was read a second time. In the Committee stages clauses 1 and 2 were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Marine Environment Protection Bill 1995

Clerk:

This Bill has also been published in the Gazette so therefore a first reading is not required.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. I beg to move the second reading of this Bill.

The Honourable the Financial Secretary:

I beg to second the Motion Sir.

The Attorney General:

Your Excellency. If I can explain, (I see there's twelve minutes to tea, the Bill and I hope I won't cause the time available before tea to be exceeded), the provisions of this Bill.

The object of it is to prohibit except under the authority of a licence granted by the Governor, the deposit of deleterious matter in controlled waters of the Falkland Islands and to enable the provisions of the London Dumping Convention 1972 to be implemented in the Falkland Islands and in Falkland Islands waters. As the short title of the Bill makes clear it is an environmental Bill. Some of its provisions were contained in an early draft of the Oil Legislation which was before the House last year, but were removed for technical reasons. Sir, the provisions of the London Dumping Convention are international provisions which we have not so far applied in the Falkland Islands. The Bill would require the dumping of deleterious matter to have a licence granted by the Governor but the provisions of the Ordinance enable the powers of the Governor to be delegated to a licensing authority who may be a public officer. The Bill provides that certain dumping operations may be exempted from the need to obtain a licence under the Ordinance if it becomes such. I have circulated to Honourable Members a copy of the regulations made under the equivalent English legislation which indicate the sort of things, I said which may indicate the sort of things which Honourable Members may wish to exempt from licences under the Ordinance. Of course, and I emphasise this, we do not have to play copy cat. It will be a matter for Honourable Members to consider when the draft regulations come before them - that is Councillors in Executive Council - as to what should be exempted from the need to obtain a licence. I would point out however that very great difficulties will be created, for example, for fishing operations and the processing of fish at sea if fish waste matter is not allowed to be returned to the sea and that I anticipate that Honourable Members will quite readily agree to some of the exemptions which are tried in the equivalent regulations. Sir, I believe that this is an important piece of legislation and may foreshadow other legislation which we will need to consider, and Honourable Members will need to consider, on environmental matters and which may be before the House later this year or early next year. I believe that the provisions are important and would be necessary even were we not to be engaged in oil matters and that there are other considerations which, quite apart from the exploitation of the Continental Shelf, would make this Bill a useful piece of legislation in the circumstances of the Falkland Islands. Sir, the Bill is not one which is in technical legal language I believe and should be readily understandable to anybody who reads it. And for that reason I do not think I need to dwell very greatly on any of its provisions.

Honourable Members I commend the Bill for your consideration.

His Excellency the Governor:

Do any Honourable Members wish to speak to the Bill?

The Honourable J Birmingham:

Your Excellency, Honourable Members. The Honourable the Attorney General brought up the questions of fish waste. I think it would be quite wrong if in some way we decided to stop fishing vessels dumping fish waste and I hope that we don't get to that situation.

If we're going to be introducing more and more legislation to do with the environment and the protection of the environment then we are going to have to at some point in the near future spend some money in actually helping vessels and people passing the Islands to dispose of their waste and I hope that we will be able to do something about that in the near future. Thank you.

The Honourable Mrs N Edwards:

Your Excellency, Honourable Members. This I suspect will be the first of quite a number of environmental Bills that will be put before us, or laws that we will have to pass concerning our environment and I support it of course wholeheartedly. I'm curious to know whether deleterious matter is the right word for Bodie Creek Bridge and whether when that falls into Bodie Creek would we be liable to fish it out? Or does the Bill not come right up, is it only from the three mile limit or is it right up to our shores that we will have to apply the law?

The Attorney General:

I would prefer to be able to answer "I would like to cross that bridge when we come to it" but I can see that it is entirely inappropriate. I think that the answer is: where something accidentally falls into the water it will not be deposited in the water it will have fallen into the water of its own inclination almost and I promise that nobody whose house falls into the sea will be prosecuted!

The Honourable Mrs N Edwards:

Can I just comment on that Sir. I think this will hardly be an accident if it falls in, it'll be a pre-conceived accident anyway.

The Bill was then read a second time. In the Committee stages the Attorney General spoke as follows:

The Attorney General:

Your Excellency, may I take the opportunity of Council being in Committee to ask the House to agree to correct some minor mistakes, which are entirely mine, which appear in the Bill and which do not in any way affect, or at least the corrections will not affect, the provisions of the Bill and their effect upon people.

In the long title the fourth word should read "under" instead of "that". "To prohibit except under the authority of a licence granted by the Governor," that would then read.

To correct clause 6 sub clause 10 by the deletion of the words "Food and Environment Protection Act" so that it becomes "the 1985 Act" and the reason for that is I've defined in drafting clause 2(1) the 1985 Act as meaning the Food and Environment Protection Act 1985 which is the parallel English provision, and in other clauses I've used the expression the "1985 Act." That's an amendment entirely for consistency and no other reason.

And in schedule 1 paragraph 4 the words should read "if the licensing authority" and not "if a licensing authority."

And in paragraph 7 of schedule 1 "the licensing authority shall notify the person who made the representations of the result of the authorities reconsideration and the reasons for it," I think that would be clearer if it said "as to the result of the authority's reconsideration and the reasons for it".

And I ask Honourable Members to agree to those technical and boring amendments.

His Excellency the Governor:

Does any Honourable Member wish to speak to those amendments?

Clauses 1 to 13 and schedules 1 and 2 as amended were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Attorney General:

Your Excellency. I see there are still two minutes before tea time and I wonder if I might take this opportunity of mentioning that the Honourable Mr Cheek at the sitting of the House last week asked whether the report of the Falkland Islands Development Corporation could please be laid on the Table of the House today in compliance with the Ordinance. I had entirely overlooked the other day that the Ordinance had been amended so that it is no longer a requirement of the Falkland Islands Development Corporation Ordinance 1983 that the annual report be laid before the House. The reason for that amendment I may say is because there are so many occasions when the report and accounts weren't ready at the Budget Session of the Legislative Council. There was no other reason for it. This year they are ready, they've been presented to Executive Council which is what the Ordinance now requires and there is no requirement for the report and accounts to be laid before Council and therefore they are not laid before the Council today and weren't laid before the Council last week.

Council adjourned.

MOTION FOR ADJOURNMENT

The Honourable the Chief Executive:

Your Excellency, I beg to move that this House stands adjourned sine die.

The Honourable Mrs N Edwards:

Your Excellency, Honourable Members. In rising to speak to the Motion for Adjournment can I just say we've been chewing the cud now for three days non stop so I won't take up too much of anybody's time in the Motion of Adjournment. Just to mention one or two things.

The Town Plan which I'm sure there will be some comment about. I actually sat down last night and studied it and was amazed. It seems to be my eternal war cry in this Council: "where are the public toilets?" There seems to be a lack of public toilets in this new Town Plan and I would suggest that when it is, before it's accepted, that that is addressed because if you happen to be taken short on Davis Street, because it's a long run to the Town Hall or down to the Public Jetty and if it happens to be in the evening you're even in less luck because usually they are locked up. So I would suggest that's carefully looked at when the Town Plan is finally discussed and finally approved.

I would just like to mention freight rates. With the advent of the roads around the West and the East, a lot of traffic goes now overland and I would hate to see in the future that freight rates are put up to compensate for the roads that we are going to enjoy. We must remember that we have still to supply the Island community and some of the people on the West and at the present rate that we pay for freight, which is set by Councillors. So this is food for thought for the future I would say, the rates are set by Councillors and I would hate to see them rise any further in the future. At present we are hard pushed to meet freight bills sometimes and I would hope that they don't get pushed up because we are going to be taking more stuff overland. I would rather see the subsidy increased than freight rates increased. I think I've said in this House before, it costs less for me to freight goods from UK than it does from Stanley to Fox Bay and I think that's a high enough rate.

Cable and Wireless: we've heard that they are going to have a little trial to see how a reduction in phone costs can be met and I wish them well with that and I look forward to the

reduction when it does come. However I hope that we don't then overlook the fact that because we're getting cheaper phone calls we don't have to pursue Cable and Wireless to make sure that the Camp system is put right and I hope that we are not standing up in this House in Budget Session next year making the same plea. I hope within this year it will be sorted out.

I'd just like to wish Mr Mike Summers well. He's retiring from FIDC and he took on a very difficult job six years ago when he took on the Manager of FIDC. It was in a bit of a mess, it no longer is and we'll be sorry to see him go and I would like to wish him well in whatever he chooses to do in the future.

The situation with Doctor Di Tella constantly offering us money is still a burning subject amongst the population. I haven't yet heard anybody showing any interest in accepting his money but I would just say to people who may be inclined in that direction: think very carefully if it is a genuine offer and if it ever does come our way because I really don't think at the end of the day you'd get any money anyway and the Argentineans are notoriously bad payers and I can't see that situation ever changing.

I've got a very nice duty to do now and that is to offer a little gift to CBFFI from us all. He'll be leaving us before the next Council meetings and this is his last Budget Session and probably your first I don't know. However we will be very very sorry to see you go Sir and you've been a great help and have given some wise Counsel to us in Executive Council over this year. At times it must have been extremely boring for you to sit and listen to all the mundane things we chew over and we look forward to seeing you back here perhaps one day as a visitor or maybe back again as CBFFI who knows. But in the meantime may we just say its been a pleasure to have you with us, its been a pleasure to work with you and we wish you and your wife well for the future.

Commander British Forces:

Thank you very much indeed, you are all very kind.

The Honourable Mrs N Edwards:

Sir. I support the Motion for Adjournment.

The Honourable J E Cheek:

I thought tradition had it we went clock-wise or anti-clockwise around the Table. Tradition is going out the window today.

I too had in my notes here to bring up the Argentine bribe. I see Doctor Alan Walters has back in Argentina again talking to various Argentineans. Obviously not talking with them because he's talking about \$100,000 US, at least he was the other day, I don't know what he's talking about today, whereas Di Tella was talking about £450,000 last time I heard. But that seems to change as frequently as he mentions the subject. I suspect it upsets some people in the population although my advice for them is to switch off. I think they will carry on, it's a form of propaganda and they are not going to give up. If they don't come up with this bribe they'll come up with some other bright idea and I must admit Dr Di Tella's ideas have been if not right certainly surprising, whacky almost in some cases. We find him that way and I suspect his own Foreign Office find him just as embarrassing for them. So as far as I'm concerned, it's a bit of light amusement, but I wouldn't take it too seriously.

Oil has not been mentioned much during these meetings. We all know the licensing round is coming up later this year, closing sometime next year and hopefully there will be considerable interest. My assessment as a strictly amateur at Houston was that there seems to be a fair bit

and the reports we are getting is that despite the Argentines' mutterings, there is still considerable interest there. If the Argentines smile benignly on us or on our oil round at no political cost to us, then so much the better. But what I was really going to say is for all the talk of oil, all the reports in the newspapers, all the reports that our area is 1½ times the North Sea therefore a little bit of simple multiplication the value must be 1½ times the North Sea. May I just remind you that to date there is no evidence at all that there is any oil out there, no matter how glamorous seismic reports may be. Ultimately we won't know if there is anything out here until someone drills a hole and oil comes gushing out or doesn't. And the odds are that it won't come gushing out for the first five, ten, fifteen holes if there is enough money pumped into it to drill that number of holes. So although there may be oil there let's not get too excited and start thinking of the jobs, the money or whatever in the next week, year, five years because even if there is something there, it will probably be nearer ten or fifteen years before much money comes into the Islands.

One other point: I've brought it up before and this is - Tax Ordinance - with regard to pension schemes. I know Councillors have considered it, in fact passed a Bill I think was last year. The Financial Secretary suggested a change to Executive Council which was refused. May I just make one or two points. Presuming that we're in favour of people putting money into taxes and as such allow tax rebates on that, the problem is as I understand it with our tax laws in this regard it's unique and at the moment the Tax Department have not allowed any tax schemes that people have been able to find in the UK and possibly elsewhere. I believe there is possibly one tax scheme that may be acceptable if someone approaches the Tax Department with it, but may I suggest that if we are relying on only one product it will be expensive because anyone who has something to sell, and there's only one selling it will put a much greater mark up on it than if there's competition. I would like Councillors to think about that and possibly reconsider once again changing our laws in this regard. Sir, I support the Motion.

The Honourable Mrs C W Teggart:

Your Excellency, Honourable Members. I'm not quite sure why everyone's hanging back today, perhaps everyone knows something I don't, or they are waiting to see if I say something controversial that they could then comment on. I actually have very little to say and I'm conscious the last time I stood up and said that I then went on for about quarter of an hour as subjects kept coming to mind as I was talking. But I don't think that is going to happen today, I think after this week I'm fairly well talked out.

I'd also like to say thank you to the Commander British Forces for the contribution that he's made during his time in the Falklands. I think it's been a very worthwhile contribution to all our meetings, I've thoroughly enjoyed the input that he's had and I think he's given us a very useful steer from time to time on the military point of view. I'd like to wish him and indeed his wife well for whatever they do in future. It would be most unfair of me as well to stand up and not mention the great input that Jill Johnson has had to the Falklands in her time here. I think she started off doing speech therapy with possibly a few children at the school at one stage and her commitment has been such that I think at this moment in time she's probably giving speech therapy to about 51 people in the Falklands, not only in the schools but in the Medical Department; and not just at school during term time either. Her commitment has been such that she has also taught the children during the school holidays and I think that is - well I can't put it into words - it's enviable when you get someone who's willing to work extra hours like that because of their commitment.

For those of my constituents who don't know, I'll be away for a couple of weeks and I'm a little bit sad to be going at a time when there's a fairly emotive issue at stake which I'm obviously not going to mention because we've debated it at length. But I will be back in a

couple of weeks and thanks to everyone that's contacted me in the last day or so. I look forward to speaking with you again when I get back.

I was, as I think other Council Members, saddened to hear of the impending resignation of Mike Summers as General Manager of FIDC. I've had the privilege of working there for the last year and I think that although it's difficult for me to talk about it and say that FIDC does a good job, I think that possibly there are a lot of misconceptions on the street as to just exactly what FIDC do do simply because a lot of the things are confidential and they are not the sort of things that you can talk about. But I do think that Mike Summers has done a marvellous job for the Development Corporation. I think that to get a replacement for him is going to be difficult in that I don't think there's a Falkland Islander that we can replace him with and I always feel very sad that when we've had a Head of Department who is a Falklander Islander that we then take the fairly backward step of importing somebody to do the job and I always feel that they don't have the knowledge that a Falkland Islander does of the way people think and feel, so that's another reason why I'll be sorry to see Mike go. But I am also sure that he will be successful in whatever he chooses to do in the future. I think that during his seven years with the Development Corporation Mike has earned the respect of all those who have dealt with him. I suppose then I was rather miffed to actually have the Penguin News thrown at me yesterday by one of my constituents who sort of threw it at me out of a rover window and said "read the editorial," and I actually took it along to Select Committee to show the other Councillors. I, although it is not up to us, we have no editorial control over what the editor of the Penguin News does or says, but I hope that when he eventually resigns from the Penguin News he will have earned the same respect as the General Manager of FIDC has done. Thank you Sir.

The Honourable R J Stevens:

Your Excellency, Honourable Members. In rising to support the Motion of Adjournment it seems appropriate to speak about the Constitution at this point.

There hasn't been a clamour by the general public for change in our Constitution pointed out by Mr Wallace in his report. As usual it's a few strong voices in the community applying the pressure. I believe that in this quest for a fairer distribution of voters to Councillors we are ignoring some very important issues. In the Falklands there is either Camp or Stanley so there are two sets of interests although people on the West or on Islands would say there are four. In a bigger community you will have a counter balance in any democratic system. In party politics there will eventually be change even if it is to a coalition government. One group of people and interests are changing even within a party. In party politics interests of a whole nation have to be considered if you want to stay in power. In the system we are proposing Camp is going to become a powerless minority which in my opinion will just lead to Stanley becoming bigger and stronger, and Camp a forgotten land. Another point worth mentioning is the fact that the total administration lives and works in Stanley and in so being are influenced even if subconsciously by their own environment. The weight of argument has always because of this been in Stanley's favour. The administration has the time and resources to plan and execute persuasive arguments against Councillors who start Council work after their full time job. To be equally informed and prepared Councillors who make the decisions should I think explore every possibility in some kind of system that has full time Councillors. Another area discounted is the fact that many organisations employ many of the Islands constituents and are only there because of Camp. For example, the Agricultural Department, Byron Marine, North Camp track team, FIGAS and others. This change in representation will be damaging in my opinion and leads to even more division amongst our already divided community.

I don't think we should wait until August to reassure the people on Falklands Landholdings farms. We should do that now regardless the outcome of the Review. I've had support for the things I've spoken about concerning Landholdings, probably a healthy majority when it comes

to the duplication of management and whether an industry which is hard work but simple needs management that costs at least £1.25 a sheep. If we are going to develop Falklands Landholdings using Falkland Islanders I suggest that many of the ideas I put forward are sound. If we are looking to seriously bring people and children back to Camp, people who have the skills and enthusiasm to carry out modern concepts like teleworking we need to offer them something they want. A fraction of the people, I know that include professionals, proven businessman, experienced Campers, have written to the Chief Executive saying what that is. One of the difficulties I find in arguing this very important case is that fact versus opinion and sometimes there's a great gap between the two things. If we are looking to strengthen the private sector let's not stifle it in Camp.

Finally I'd also like to thank the CBF for all his support and for offering an intelligent view from a completely unbiased angle or unbiased within our community and go on to thank Jill, his wife, for the hard work that she's put in as a speech therapist which was highlighted by Councillor Teggart. Sir, I support the Motion for Adjournment.

The Honourable E M Goss MBE:

Your Excellency, Honourable Members. I would like to stand up to speak to the Motion for Adjournment and I would like to go back to the beginning of this Budget Session and thank Canon Palmer for his prayers and I'm sure the Financial Secretary will agree with me that his blessing for wisdom might have worked during this Budget and I hope that the passage through the year will prove that right.

I know this will be the last public opportunity for saying farewell to Air Commodore Peter Johnson for his, and I would like to thank him for his active contribution in Executive Council, but I would also like to extend my thanks for the help given to the community by his lovely wife Jill. I'm sure she will be missed in some of the lonely corners of our community and may you both leave the Falklands with fond memories and wish you both well in the future.

Some of the topical subjects of the week amongst ourselves more than anyone has been the response, or the poor response to the Walter Wallace report on the Review of our Constitution. To date I've had seven calls and also a fairly low response on the demise of Bodie Creek Bridge. I was a supporter for the maintenance so I did not expect to get too many calls because Councillor Teggart did say to the public in her wind up to the Motion the other day that by listening to the announcement or the programme they would know who to target. So I asked my fellow Councillors I met this morning how many phone calls had they had on the subject and it was shaking of the heads. Well last night I had a call from one of the oldest residents, probably one of the oldest male residents of the Falklands, Mr Ewen Morrison, who told me that he and the well known North Arm character the late Murdo McLeod were the first to ride over it from North Arm. And he claims also to have been the first to drive sheep over it when he had to take the cast rams from North Arm to the ram paddock in Goose Green and for the first time he was able to go over Bodie Creek Bridge. Only there was a problem, there was no gate between the Trap and Bodie Creek Bridge so he laid the fence down, drove his sheep across but next morning Manager Finlayson gave him a savage ear bashing - one that he still remembers 70 years later. But the point he was making, with a little bit of help and a little bit of maintenance, he's lived now to the grand old age of 94 and he still feels strong, and he says he does not understand why responsible people looking after the public purse couldn't find a little bit of help for a fine old gentleman like that bridge. And he goes on to tell me quite a bit more about it but what I think, we're a gap missing in gauging public opinion is that FIBS have not been out on the street with their microphones asking what do people want. "How do you feel about the Bodie Creek Bridge?" "How do you feel about the proposed changes to the Constitution, how do you feel about the forward direction of Landholdings?" because a lot of people will not phone in, they will not take part in phone in

sessions on the radio and they will not write letters but they will mutter away to themselves so I think that if Patrick could get out to the street with his microphone we might be able to gauge the sentiment of the public.

I'd also like to take this opportunity to thank the Chairman of Select Committee and my fellow Councillors for letting me off on Monday to attend the service in the memory of those who fell for the Battle of Goose Green from 2 Para. I thank you for that.

Now if I may perhaps I suppose draw some stones from the bag. I'd like to put one towards the Financial Secretary. I would like him if he can remember the terms and all the arguments that went through the licensing of vehicles to clarify what the Ordinance actually means in relation to trailers. I had a phone call at lunch time from a chap who owns one of these articulated trucks and the front unit is called a tractor, the big long thing behind is called a trailer, but that is really a semi trailer, and when he's got the whole unit together on the road which he pays his £84 or £86's licence fee for he wonders if he has to pay another £20 for that trailer. Now he has eight trailers and he would like it clarified, does he have to pay £20 for each of those trailers? He only has two tractors and only at one he can only have two trailers on the road, for two reasons. They are too long for the Stanley roads should he put a second trailer behind his artic and the insurance people will not insure the second trailer because of the limitations of the road obviously. I think it is a factor and so if the Financial Secretary or the Chief Executive can clarify the licensing regulations I would be very grateful. Sir, I support the Motion.

The Honourable W R Luxton:

Your Excellency. I won't take up too much time, as usual at this stage of the proceedings most things have already been said but I'd like to extend my thanks to the Financial Secretary and his team - not to forget his team - they've had a pretty busy time. It was alright for us we knocked off at six o'clock or something and went home and I suspect they were burning the midnight oil to cook the figures up to hit us over the head with in the following morning, so they must have put in some very, very long days and nights.

I would also join my colleagues in wishing the Commander and his wife all the very best for the future and thank them for their contribution to the community. I would thank him for his good advice and I thank him for his help to me on occasions as well.

Councillor Cheek mentioned the Di Tella bribe. I don't think Falkland Islanders are going to be side tracked by this. It's part of an ongoing process. Probably not many people know that when they threw me out in '82, in actual fact they sent somebody over to Britain at one stage and asked me to name my own figure if I would return via Argentina and support their wonderful effort to liberate these Islands. It's one of the few times in my life when I really lost my temper, I remember. I had to be separated from him and I remember Pat's comment at this stage was she thought I was going to kill him. And not too many people know either but I think the next stage of course after the bribes, once it doesn't work, then will come the threats. A few people around the room know that that already happened to me two years ago just before the UN when I had a phone call suggesting that it would be better for my health if I didn't go to New York. Wendy knows that and so does our Representative. So I think probably when the bribes and the sweet talk don't work then we're going to get some of the threats. Probably if we proceed with our oil licensing round. And that's one reason why I would be very reluctant to have our communications going through South America because we could easily be back in the situation where they could cut them off at will.

I mentioned in passing there - oil. Again I think Falkland Islanders are pretty relaxed about the prospects of oil and it hasn't gone to their heads and I think everybody takes the view that

if it's there well fine but if it isn't we'll manage without it and basically I think we're mentally geared to managing without it until we know it is there.

I was one of the sitting on the fence brigade as far as the bridge is concerned but with a projected expenditure over ten years of £300,000 I don't think we could justify that. That would more than pay for the whole of the road to go round it I believe but perhaps the Honourable lady could take a leaf from the book of Greenpeace who are sitting on an old oil rig somewhere round the coast of Britain and daring them to take it out to sea and dump it. I'm sure if the Honourable lady wanted to sit on the bridge it wouldn't dare fall into the water. Sir, I support the Motion.

The Honourable Mrs S Halford:

Your Excellency, Honourable Members. In rising to speak to the Motion I must agree with other Councillors and really urge the public to comment on the Constitution because at the end of the day once it's decided and passed if they haven't commented they can't really complain if they don't like the outcome and once again I have to say that the same does apply to the Town Plan. I'm probably talking with a bit of self interest here but when you look at the Town Plan not all of it is going to actually happen some of it is there as a suggestion. But do we really want a road across the racecourse? I mean I don't, perhaps others do, but there are options and unless people look at this and comment they might get the option that they don't like. I also have to agree about the public toilets, there are very few. But in the Town Plan the suggestions, there could be roads closed, there could be as I said new roads. One thing that is shown is quite a few areas of what is considered outstanding natural beauty. Well I suspect that the person that looked at a couple of them must have been rather blinkered, but there's no mention of actually a Stanley common. We've always had what we call Stanley Common but at the moment that could be taken at any time. Has anybody actually thought of where Stanley Common should be? At the moment a large part of what was, and a lot of us still consider Stanley Common, we are unable to get to. Should we be looking at new areas? If so where? But if people don't address these points now it's going to be too late at some date in the future to say well I'd like to go there but I can't because it's not common. There's also a suggestion for the Moody Valley for smallholdings to go right up the length of the brook. If this happens that's our main source for drinking water. Do we want the smallholdings to go way past the dam which is the point for collection, or do we wish to keep them more towards the Stanley end? Again if people don't comment this could happen. All sorts of things could leak into the water.

I'd also like to thank Derek and his band of people for putting up with us, or being there with us over the last three days and I probably said more than enough then so that's why I have got very little to say now.

And I'd like to wish CBFFI and his wife all the best for the future and also thank them for the contributions that they've made in the time that they've been here to the community. Sir, I support the Motion.

The Honourable J Birmingham:

Your Excellency, Honourable Members. In rising to support the Motion I have a few things.

This is my first Budget Session and if I say I found it interesting I think would be an understatement. I would like to thank the Financial Secretary and his team for all the hard work that they put in to it.

The other day I forgot a word which is not unusual, the word I forgot was 'consistency' and I believe that this is what people require from administrators. I hope that we are on the way to

finding some now. The only sector of FIG I thanked on Saturday were the emergency services. This does of course include the FIDF who do a valuable and professional job and should be proud of the contribution they make to this community.

What do I feel about the great leap forward - this being oil? Yes I agree let's go down that road but don't lose sight of what we have here now. A small but close community rather like a family with all the good things and maybe some of the not so good things. But I think it's something that Mr Alan Walters would not recognise. You cannot put a price on this kind of thing. I wonder if Mr Alan Walters knows the price of Paxo!

I think I have to say something about the Constitution. I too feel that the public should be more interested in Constitutional change. The way we are at the moment is unrepresentative and I feel that we should have more input from the community to tell us what it is they require and hope that over the next couple of months we shall get it.

Like Councillor Edwards I believe that the provision of public toilets certainly should be looked into and would support any move to spend money.

I shall be interested in seeing the Pension Review but there's one sector of society that does need help and the help that they are getting at the moment really isn't enough, and this is the disabled in the community. We don't have many but for the long-term disabled if you've got something in your bank balance then you get very little help. I feel that if you're disabled through no fault of your own and are unable to work and can get medical certification to that effect then you should get some help from the Financial Secretary, not himself obviously. I shall be proposing a change in this in due course.

Maybe the time has come for some form of educational trust. We seem to have a lot of money set aside for various things. I like other people with young children are worried because at the moment we are sending a lot of children away for further education but feel that there's a possibility in the future that we might not have the resources to do this. And I would like to at least go down the road of looking to see what can be done with the possibility of setting up some form of trust.

I'd like to join the other Councillors in thanking CBFFI and his wife for the time and effort that they've put into this community while they've been here and the kindness shown to me personally.

The last thing I shall say is that I will see rubbish bins on Surf Bay I'm sure before my term of office is over. I support the Motion.

Commander British Forces:

Your Excellency, Honourable Members. I must start with an apology which is always bad form but I will apologise for perhaps not being quite as brief as the Councillors have been today, because I do want to make one or two points.

Can I start first by thanking everybody for their very, very kind remarks and say on behalf of Jill and I that they are very, very much appreciated.

And I'm sure that you will be aware that through the generosity of the Falkland Island Government two new married quarters will be commissioned at Mount Pleasant in the near future, in fact we're looking at a march-in date of about 20 June when we'll be asking the Governor to declare them both ready for occupation. And you heard earlier from the Financial Secretary that Select Committee has approved funds to approve two more married quarters in the coming financial year. Now can I just tell you what those quarters mean to us.

Of the 2,000 or so military personnel in the Islands, some 99% of them spend six months or less here unaccompanied by their loved ones. 90% of those spend four months or less. Now I won't go into the reason for this, the tri-service machinations are just too complex even for me, but suffice to say I've been unable significantly to increase those tour lengths despite a lot of effort. What it means however is an enormous amount of turn-over and upheaval the results of which can be - and often are - inefficiencies in the way we do business. People either try to re-invent the wheel in their four months or they see little point in making a good deal of effort because they are here for such a short time. Now both those approaches can be very damaging and I worry about the effect it might have in our overall operational effectiveness. Now it's for this reason we've established some continuity posts at MPA, posts of a year or more if people wish to stay longer. We only have 31 quarters at MPA so we're very limited in the posts that we can designate as continuity. I think you can see therefore just how important and what a boon these four extra quarters will be for us. They represent a 13% increase in continuity posts and thus will be very highly prized assets. As I said before we are extremely grateful to the Falkland Island Government for the donation of those quarters and I would like to point out to you that of the £130,000 or so contributed last year for the building of the two quarters this year, some £82,000 of that went back to Stanley in the form of payments to local contractors. We would hope that this arrangement can pertain for the next two quarters that are built because it suits all of us very well indeed.

Now although I shall not be leaving my appointment until the end of August, as Councillor Edwards pointed out this in fact will be my last attendance as a honorary member of your Legislative Council and it's appropriate therefore that I should give you a short report on the business of British Forces Falkland Islands during the last year.

Now the first review undertaken by the Ministry of Defence and agreed by Ministers in 1992 has resulted in a number of significant changes to the garrison which have been achieved largely in the past year. That the rank level of the Commander has decreased by one is part of that change and I hope you will be able to agree that there has been no reduction in the commitment of the UK Government to defence of the Islands as a result of that reduction nor in our ability to deter aggression. Over the past ten months we have been planning and subsequently implementing a significant change to the command and control structure of our forces here, in civilian terms a change to the management structure which has most significantly resulted in amalgamation of our hitherto two separate operation centres to form a single integrated theatre operation centre. This has reduced duplication and improved both our operational effectiveness and our efficiency, and as a by-product we've realised substantial financial savings in manpower related costs. Down stream of that amalgamation we've also taken the opportunity to rationalise our management organisation into a more integrated, functionally orientated structure better able to absorb reinforcements if we should ever need them and capable of better articulation in terms of budgetary output. As a result of our review of our posture in South Georgia it's been found possible to reduce our numbers there, thus releasing soldiers for pressing duties elsewhere in the world, without in any way reducing our commitment to the defence of both South Georgia and the South Sandwich Islands. And of course you'll be well aware of the trial here in the use of Territorial Army soldiers in an operational role. That trial, or rather those trials because I'm sure you will remember the Irish Rangers that were here last year that formed the TA Platoon within the Reinforced Infantry Company, have been a considerable success. Crowned recently by the present RIC's performance in exercise Commando Challenge and I've no doubt that the results of this trial will confirm the suitability of Territorial Army and indeed other reserve forces from the other two services for operational duties in many other parts of the world.

Now to validate the changes we've made and to confirm efficiency we're planning a series of theatre exercises, the first of which takes place next week and subsequent exercises will include participation by external forces I hope and by the Falkland Islands Defence Force,

members of which of course play a vital part in our defence plans, significantly in the defence of Stanley itself.

Now all this activity has taken place and continues to take place within the framework of vibrant and dynamic co-operation between ourselves, the Falkland Island Government and most significantly the people of these Islands. We could not do our job here properly without the support of Islanders and it's always a source of enormous pleasure and comfort to so many of our soldiers, sailors and airmen who spend up to six months of their lives here, unaccompanied as I've said before by their loved ones, that their task and their daily life was made so much easier and more enjoyable by the warmth and understanding of local people who are genuinely pleased we are here, and who appreciate what we do. And you have seen from the newspapers the same is certainly not true in other places and other parts of the world where our troops serve. So once again my genuine and sincere thanks for your full co-operation.

And on that note I will close but perhaps you would allow me a personal thanks to the Governor, to Councillors and other members of Legislative Council for their comradeship and for their tolerance of an outsider in the affairs of state during the past year. It's been a pleasure and indeed a privilege for me to have taken part in the decision making process here and both Jill and I will take back with us in September a multitude of treasured memories of the Falkland Islands which will live with us for ever. Your Excellency, Honourable Members I support the Motion.

The Honourable the Financial Secretary:

Your Excellency, Honourable Members. I would also like to thank Honourable Members for their kind compliments to Treasury staff and myself for our work on preparing the budget and I would like to pay my own compliments to Honourable Members and the Chairman during all their hard work in the Select Committee proceedings. I would also like to express my thanks and good wishes to the Commander and Mrs Johnson.

In relation to a matter raised by Councillor Cheek I can confirm the difficulties that taxpayers are experiencing in finding a pension product that compliments the provisions of the Taxes Ordinance. The provisions are not unique but were modelled on UK Tax Legislation. A way to overcome the difficulties is under investigation.

Amendments to the Road Traffic Ordinance in the Finance Bill raised by Councillor Goss - the fees levied in the amendment are per trailer in accordance with the provisions of the legislation as written and approved today. That is what it means.

The comment was made earlier about my thrift and apparent meanness, however I would rather be regarded as a conservationist, a conservationist of money.

To continue on the subject of money, I was asked by Honourable Members why Falkland Islands currency is the only legal tender currency in the Falkland Islands. Quite simply this is the position as stated under the provisions of the Currency Ordinance 1987. Now this does not mean that people and organisations in the Falkland Islands cannot accept other currency's, or infact any commodities for the payment of any amount. There are no foreign exchange restrictions in the Falkland Islands. It does mean however that people and organisations in the Falkland Islands cannot refuse to accept Falkland Islands currency in any cash transactions. The Treasury is legally bound to accept Falkland Islands currency but is not obliged to accept other currencies. The Treasury currently accepts Bank of England currency notes and United Kingdom coins because it is convenient and practical for us to do so.

Your Excellency, I approve the Motion for Adjournment.

The Honourable the Chief Executive:

Your Excellency, Honourable Members. This particular series of meetings which are just drawing to a close started as you will be well aware on Wednesday morning of last week - that is nine days from the beginning of GPC last week - and I know we're all exhausted and I will be as brief as I possibly can.

The news story of the year as it was described by FIBS was of course Mike Summers' resignation from FIDC and it is always a sadness to us when someone who has done a job with professionalism and skill for a number of years decides to move on. And I do wish to add my tribute to the others who have worked with him longer than I have, to Mike Summers. A man of considerable technical ability which he has demonstrated in our midst and a man well able to give a new angle on many issues which has been extremely worthwhile. We all agree he will leave FIDC in a far better state than he found it and if all those of us in employment can say that about the jobs that we tackle I think the world would be a much more efficient place. I have been asked does Mike's impending departure mean some kind of question mark hanging over FIDC? Does it indicate some kind of lack of support for FIDC? And the answer to both those questions is quite emphatically: no, it doesn't. I would make two points. The role that FIDC fulfils, that of having a capability to aid and assist the private sector, to advise both Government and the private sector and to operate free of bureaucracy but not free of responsibility is an entirely valid role, and the employees in FIDC need have no fear that this Government will continue to support that role and that activity. And the second point is that the future of FIDC which I am convinced is a very positive one is a matter primarily for the Board of FIDC. The Government of course is the shareholder but Government has entrusted the running of the Company and the future of the Company to the Board. And the Board is already addressing matters relating to the future of FIDC.

If I can take up points that Councillor Edwards made. I do thank her for her comments on the Camp phone system and I can assure you Councillor I am taking up the negotiating cudgels that you have given me and I shall attempt to use them with whatever ability I can bring to bear when I'm in London in the near future, and I certainly hope sincerely that there are no delays to anything being done.

Several Councillors mentioned the Argentinean mega bribe. It seems to me that this whole business, this whole offer that they are making on and off and on and off does prove two things. It proves that they are acknowledging de facto, the ability of the people here to have self-determination. You don't try and bribe somebody to do something if you don't think they have the ability to make their minds up on it, so it is an implicit acceptance of the self-determination principle. And it also proves that their society does espouse rather different principles to those we espouse. They believe that freedom can be bought for a price and that everything has its price and I am sure there are many here that wouldn't think that.

Councillor Cheek mentioned oil and it has been mentioned very little and the reason it's been mentioned so little is that we are in a "steady as she goes" situation. We are on course, we are on time and we have been on time now for some months. The next six months as everybody must realise are going to be probably the most significant that we will see in the future of oil exploration and exploitation here, because many issues will be resolved. But we enter those six months, I believe well prepared to confront whatever awaits us with our forthcoming licensing round.

I was interested to hear what Councillor Stevens says about Falklands Landholdings. I have gone out of my way to give assurances to employees throughout this whole process and indications with regard to job security, with regard to future flexibility and more choice have been made to them many times and anyone that reads the report will see that the report is

pleading for a much better remuneration for people in Camp. I agree it's been going on a long time and August still seems a little way away but it will give us the opportunity to debate and discuss things during Farmers Week here which I think is the right way to do it. And we can then try to draw all the strands together and produce some composite report which I hope will show a very clear way forward for, not just Falkland Landholdings, but maybe give ideas to other areas of Camp. And after all we do have I'm sure an objective to increase Camp population, to put more money into the pockets of farmers and into the pockets of all workers in Camp.

Councillor Goss raised the issue of trailers and I am told by my learned friend on my left that if you have one trailer you have one licence; if you have six trailers you have six licences. Whether that explains the position I'm not sure but that's what I am informed.

I was intrigued by Councillor Luxton's image that it conjured up in my mind of a Britania like figure of Councillor Edwards camped on Bodie Creek Bridge withstanding all comers. The wind swaying and her hair ruffled in the breeze, what an image!

And Councillor Birmingham's points about democracy and about people not responding to requests for discussion and information on matters like the Constitution. It's very interesting when visitors come here they comment on how democratic we are, on the luxury we have of someone on the street being able to approach Councillors and talk and actually influence events. We have a great strength here in the quality of our democracy and we have fewer Councillors per head of the population, I must get this right - you know what I mean - there are fewer voters per Councillor than almost anywhere in the world and it does seem to me there is a quality and ability here for the democratic process which doesn't exist elsewhere and I wouldn't want us to talk ourselves into a depression on the issue. It seems to me it works reasonably well although it can of course work a lot better.

And that brings me to the end and to the tribute I would pay to CBFFI. It strikes me that a man who is such a gentleman is so mild and well mannered and so refined in his intelligence has no right to be the Commander of a state of the art fighting machine of the like that we have here in the Islands. A man whose career has been founded on skillful combat and yet he comes here and shares with us his refined thoughts. I think it shows a great flexibility and a great scope in his makeup and we do thank you very much Peter for all your efforts on our behalf. We wish you every success in your future career, we will watch it with great interest. You said you will remember us and we will remember you not just because you are another picture on the wall somewhere at Mount Pleasant but we will remember you for your contributions and for your personality and Jill of course as well. Thank you to you both. Your Excellency, Honourable Members I do commend that this House stands adjourned.

His Excellency the Governor:

Thank you. Can I just add a few words? I would like also to thank Councillors for their work. It's been a very strenuous week for you, very intensive study of the budget and there has been no doubt at all that if we don't have full time Councillors at least we've had them for the past eight days. I think that if anyone believes that being a Councillor is a soft option or a succession of jollies they only have to read Mr Walter Wallace's report on the Constitution to get some idea of the pressures on Councillors and of their burden of work and we in the Administration are very grateful to them. We are not trying to hoodwink them and generally I think Councillors will agree that the more they ask the Administration the more they are told and we are, as I say grateful to them for the work they've put in. I am also very pleased that they took such a thrifty line and I am grateful for that.

Could I also thank the Civil Servants who took part in the marathon financial session and particularly the Chief Executive and the Financial Secretary. It really is a source of great

pride to me to be the Head of the Falkland Islands Civil Service, to be able to produce a report on behalf of departments as I did last week, and I think a report which reflects an efficient and responsive Civil Service. Like the Chief Executive I'm very struck by how ready officials are to respond to pleas not just from Councillors but from members of the Public. But this makes it very important as Councillor Birmingham and the Chief Executive said that people do speak up and say what they want, because it is difficult to listen to mutters on the street. One must expect people to either ring or write and say what it is they prefer, what it is they want to see. So I would plead for a response on the Town Plan and on the Constitutional proposals.

I would also wish to second the tributes which Councillors and the Chief Executive have paid to Mike Summers, the General Manager of FIDC. I remember I first met Mike when I worked in London and when he came in with a delegation from the Falkland Islands Association. I was delighted when he decided to move on to the Islands and take up the responsibilities of General Manager. I can remember well as I'm sure Councillors can the situation FIDC was in at that stage and I think his achievement is a remarkable one. So I too am very grateful to him for everything that he has done and I am pleased and relieved that he will be staying in the Islands because I think he has a great contribution to make in future.

Finally may I second the thanks and congratulations of Honourable Members to the Commander. As he said to us this has been a year of very considerable change at Mount Pleasant. The introduction of the Territorial element which I think has been very successful. I think we've all enjoyed the presence of the Territorial Infantry Company and applauded their success, particularly in Commando Challenge. This is one element, a lot of other elements which he has spelt out but particularly the change of rank which clearly was a challenge to the new Commander who came in at a lower grade than his predecessor. I think we all agree that Peter has filled his predecessor's shoes with distinction. He has shown us that what matters is not the number of stars on the Discovery's bonnet but the calibre of the Commander within. And we have been very well served by you over the past year Peter and we are very very grateful. Can I also second the tributes to Jill Johnson and her wonderful work here. I must confess that I did not really understand what speech therapy or communication therapy meant until I spoke to Jill and read some papers that she had produced, and I think she has taught us all how important it is in education and in health. So, Commander we thank you for everything you've done and we wish you and Jill all the best for the future.

Thank you. And with that I say that the House stands adjourned accordingly.

Confirmed this 30th day of October

1995

[Signature]
GARRER

**RECORD OF THE MEETING
OF THE LEGISLATIVE COUNCIL
HELD IN STANLEY
24 NOVEMBER 1995**

RECORD OF THE MEETING OF THE LEGISLATIVE COUNCIL

HELD IN STANLEY

ON 24 NOVEMBER 1995

PRESIDENT

His Excellency the Governor
(Mr David Everard Tatham CMG)

MEMBERS

Ex-Officio

The Honourable the Chief Executive
(Mr Andrew Murray Gurr)

The Honourable the Financial Secretary
(Mr Derek Frank Howatt)

Elected

The Honourable William Robert Luxton
(Elected Member for Camp Constituency)

The Honourable Eric Miller Goss MBE
(Elected Member for Camp Constituency)

The Honourable Mrs Norma Edwards
(Elected Member for Camp Constituency)

The Honourable Richard James Stevens
(Elected Member for Camp Constituency)

The Honourable John Birmingham
(Elected Member for Stanley Constituency)

The Honourable John Edward Cheek
(Elected Member for Stanley Constituency)

The Honourable Mrs Carol Wendy Teggart
(Elected Member of Stanley Constituency)

The Honourable Mrs Sharon Halford
(Elected Member for Stanley Constituency)

PERSON ENTITLED TO ATTEND

The Attorney General
(Mr David Geoffrey Lang CBE QC)

The Commander British Forces Falkland Islands
(Commodore A K Backus OBE RN)

CLERK: Mrs Claudette de Ceballos

PRAYERS: Reverend Canon S Palmer LVO

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RECORD OF THE MEETING OF THE LEGISLATIVE COUNCIL

HELD 24 NOVEMBER 1995

His Excellency The Governor

Honourable Members, I think we can go straight into the Agenda that we have and I have agreed with the Clerk that we will stop at 10.45am for coffee until 11am.

Clerk of Councils

Papers to be laid on the table by the Honourable the Chief Executive. Copies of subsidiary legislation published in the Falkland Islands Gazette since the last sitting of the Legislative Council and laid on the table pursuant to Section 34.1 of the Interpretation and General Clauses Ordinance 1977. The Pedestrian Crossings Regulations Order 1995, the Eliza Crescent One Way Traffic Regulations Order 1995, The Pony's Pass Quarry Bypass Designation Order 1995.

The Honourable the Chief Executive

Your Excellency, I beg to lay on the table the papers named by the Clerk.

Clerk of Councils

Questions for Oral answer.

QUESTION NO.8/95 BY THE HONOURABLE R J STEVENS

Your Excellency, Honourable Members Could the Chief Executive say when the renovation of the Post Office is going to start?

The Honourable the Chief Executive:

Your Excellency, Honourable Members. Work on the Post Office renovations is due to start in early February. Knowing something of the ready wit of Elected Members and pre-empting the obvious supplementary question, I hasten to add that I am referring to February 1996.

The Honourable R J Stevens:

I would like to thank the Chief Executive for his answer and ask him if he appreciates as do the management of the Post Office that February is probably a very difficult time for these renovations to take place in the height of

what we may call the "stamp buying season".

The Honourable the Chief Executive

Your Excellency, Honourable Members. I think that I am aware of that, most seasons seem to be difficult for one reason or another. This in fact in the programme for many months has been January/February as the start date, so there has not been any excessive slippage and we are operating as per programme.

QUESTION NO.9/95 BY THE HONOURABLE R J STEVENS

Your Excellency, Honourable Members. Now that FIG has agreed with Cable and Wireless to upgrade VHF to Micro stations is the Chief Executive able to confirm roughly the start of work in the Camp and an estimated completion date, plus the existence of a priority to start such upgrading in the worst and more isolated areas?

The Honourable the Chief Executive

Your Excellency, Honourable Members. The start of work in the Camp should commence towards the end of March or beginning of April, this date is the earliest possible in the light of manufacturing, product testing and shipping. The estimated completion date is November 1996, an eight months contract period. Although Cable and Wireless is well aware of the specific problems experienced in the more isolated areas, the logistics of installation demand a building outwards from the centre. Thus, they are unable to guarantee that the worst locations will be the first to experience the improvements.

The Honourable R J Stevens

I would like to thank the Chief Executive for his answer. It's obviously a logistical and practical consideration that Cable and Wireless have but even so I'd like to think people that have VHF 'phones in Camp will be glad to see this progress. Thank you.

The Honourable Mrs N Edwards

Are Cable and Wireless aware that their starting date in March or April is the beginning of the Winter. It seems to me November is a bit premature to expect it all to be completed, bearing in mind that they have to get to some pretty boggy places to set up their equipment.

The Honourable the Chief Executive

Your Excellency, Honourable Members. Yes, I am sure that they are aware that it is the beginning of the Winter in this hemisphere, I think it was a choice of opting to do the work throughout the winter and make allowances for the winter period, which has been done, or to delay the start a further six months

which I am m sure members would not be particularly happy about.

The Honourable Mrs N Edwards

I am just concerned that at the end of the day because it is going to be a winter job, we are not going to get a very good result at the end of it.

The Honourable the Chief Executive

Well Your Excellency, Honourable Members. I am advised by Cable and Wireless that it can be done under these conditions if Members as I say again wish to delay it, I am very happy to relay that to Cable and Wireless.

The Honourable Mrs N Edwards

No I don't wish to delay it.

QUESTION NO.10/95 BY THE HONOURABLE R J STEVENS

Can the Chief Executive say what progress has been made in constructing a deep water port at Port Howard?

The Honourable the Chief Executive

Your Excellency, Honourable Members. Executive Council considered in May 1995 a recommendation from the STABEX Steering Committee that funds from the 1993 STABEX transfer should be used for the construction of deep water jetties at New Haven and Port Howard. This was not as I interpret matters a formal decision to proceed, it was a statement of intent pending more detailed information. The STABEX Steering Committee has not met since that date and no proposal has been put to the EC for use of the 1993 transfer of the £1.2M Ecus. The Transport Advisory Committee is to receive a review of the future of the road network to be undertaken by the General Manager of FIDC and it seems sensible that we should await deliberations following that report before action is taken. If Members feel otherwise, I shall be happy to ensure that this matter is expedited sooner rather than later.

The Honourable R J Stevens

I would like to thank the Chief Executive for his answer and ask him if he lived on the West, anywhere on the West mainland, would he see a deep water port, where his produce could be brought in directly and left directly whether he'd think that would be a great advantage to his life on the West Falkland?

The Honourable the Chief Executive

Your Excellency, Honourable Members. I am sure if I lived on the West Falkland - indeed living on East Falkland - I would consider that to be a great advantage to West Falkland - yes.

QUESTION NO.11/95 BY THE HONOURABLE E M GOSS MBE

Your Excellency, Honourable Members. Can the Chief Executive please advise how the Public Company Shandwick are performing in relation to cost?

The Honourable the Chief Executive

Your Excellency, Honourable Members. The performance of public relations companies will always be a focus for questioning, that is because like so many aspects of business or public life, what they actually do is hard to measure. I could cite the advertising or purchasing activities of any organisation of providing similar analytical problems, indeed the same question could be pointed in almost any direction. However, it is just this kind of question that we have been scrupulous, scrupulously aware of in the way that we have set up the Shandwick contract. Shandwick will be measured at the end of their year by results, those results are based on this: the UK public opinion poll conducted by MORI, after one year we will have another MORI poll and the comparison of the two polls will provide us with a measure of the progress that Shandwick will have made on our behalf. Now, I appreciate that that alone is great in theory but how do we know that they aren't just sitting there in their offices twiddling their thumbs. Well we know that because we operate under a contract with them, they operate under a contract with us also, that contract indicates very clearly what they will actually be doing to achieve the desired results, that process is monitored on a weekly basis by myself and by Sukey Cameron and on a monthly basis through a written report to all of us. The contract itself originally has nine elements.

1. Planning and development
2. Media packs kit
3. Media positioning and responses
4. Media relations
5. Speaker platforms
6. Display materials
7. Corporate brochure/video
8. Newsletters, ie the Falkland Focus and the Falkland Oil News
9. Contact marketing

Now I could in answering this question take you through each activity, well eight of the nine, and the achievement under each element of the contract. I don't intend to do that but there are some sixty-one activities within the contract that were reported to us up to the end of September. The mix of work has been slightly different from that intended, for example the oil launch has taken far more of Shandwick's time than was anticipated and the USA dimension has replaced the speaker platforms in the matrix of work that they are doing. Among the significant achievements over the first six months are after a shaky start a superb press-cutting service which comes through to us now very, very quickly indeed. Secondly I believe that we've had far more media exposure than would have been possible otherwise both to the press, the radio and the

TV in the UK and indeed on a broader spectrum. Thirdly we have had considerable help in organising the discussions that Councillor Cheek and myself had in Washington recently. Fourthly, there has been substantial public relations assistance with the Oil Licensing Round Launch. Fifthly, there have been many briefings given to our staff on key issues preparing them to answer questions. Sixthly, we have had many discussions on pre-emptive activity and ideas so we can foresee things that may be happening for example the Princess of Wales visit to Argentina. We've had quite lengthy discussions on that and Shandwick have made things happen that wouldn't have happened otherwise on the PR front. And seventhly, they are of course planning media events media related events for the future, for instance, there is the Clothes Show Live in December in the UK which they are assisting with the PR on that. There has been a journalist recently down here from Country Living called Henrietta Holder who is preparing articles for that magazine, we have the opportunity of a full half hour Top Gear programme to be relayed by the BBC. I am in discussions with Mr Nick Pitaluga who I understand chairs the Landrover Association as to how that might be organised. We have a man called John Wilson, a distinguished fishing journalist, who is coming down here to report to several fishing magazines, we have the possibility of a visit from a Mr Mike Kerr of the Daily Telegraph who is a travel expert. We have the possibility of the Antiques Roadshow coming down here with a full blown television programme. We have the opportunity presented by the 100th anniversary of Camp Education next year to be able to do a documentary or at least a lot of coverage on that. And we have in two weeks time the journalist from the Natural History programme coming down, a broadcast will be going out on the BBC and Radio 4 on the 15th December which will cover the natural history of the Islands and the environment here. So, to come back to the question, how does all that relate to cost? Well, I have no doubt that they have actually spent more time and thus more cost on our account than they envisaged. They say it is about three times what they envisaged, I am not at all clear about that, but that's what they say. Secondly, the reality of what they are doing can only be measured in the UK because that is what we set them up to do. If they were to be the Governmental Public Relations internally ie to the Islanders and to the Councillors, then the brief would have been very different. And thirdly, I come back to the original point that their success will be measured in five months time, after the MORI poll. Both of the managers responsible for their performance, Sukey and myself are confident that they are performing to contract and thus providing value for money and performing well in relation to cost.

The Honourable E M Goss MBE

I thank the Chief Executive for his full and very lengthy reply, just as I expected because this Shandwick was the brainchild of the Chief Executive. The thing that I noticed most of all is that when they send these paper reports back to the Falklands, the facts presented on local Councillors are often well out of kilter, they don't even get peoples names right - like "Councillor Eric Bross". I remember Bill Luxton was mixed up with somebody else on one occasion but I read from your very long reply that you are

satisfied to date. Thank you.

QUESTION NO.12/95 BY THE HONOURABLE E M GOSS MBE

Your Excellency, Honourable Members. Will the Chief Executive explain the delay in the re-surfacing of the MPA road with tarmacadam bearing in mind November is almost behind us. And as a post note to this question, on my way to Stanley I did note that there was a hurried strip of tarmacadam laid between Sappers Hill and Brownings Farm branch off road. So there has been some activity.

The Honourable the Chief Executive

Your Excellency, Honourable Members and especially Councillor what was it, Dross or Boss or...

The Honourable E M Goss MBE

Bross.

The Honourable the Chief Executive

I do not believe that there is a delay as such in the re-surfacing of the MPA road, it is certainly true that some factors have emerged which have led to a late start but the overall programme contained contingencies to allow for such unforeseen problems. The major problem has been the inclement weather which severely impaired the preparation of aggregate at the quarry during the winter months. However, as Honourable Members are obviously aware, a start has now been made at the Stanley end of the road. Up to last evening, some 0.6 miles of asphalt had been laid in three days. Now this compares well with the 300 metres per day in the programme, in fact it's an increase of 6.7% over that target. I appreciate that three days don't build a road anymore than one penguin makes a summer but it is heartening to see that black ribbon now lengthening by the day. I visited it myself yesterday afternoon and progress was being made and the quality of the surface that was being laid and indeed the uniformity of thickness was very pleasing. The asphalt team will actually be laying on four days of each week from now on until the end of the season so some 20 kilometres is within their compass, that's about 15 weeks at the present rate. I know that the men of that team have been keen to prove their expertise and we all look forward to the success of this very important project.

The Honourable E M Goss MBE

I thank the Chief Executive for his reply on the question and having viewed the road are you satisfied that the thickness, the depth of that tarmacadam is sufficient to last because the thinner you lay tarmacadam, the quicker full progress you will make with the material you have in the truck. I thought it looked rather a skimpy lay.

The Honourable the Chief Executive

Your Excellency, Honourable Members. I am not a road engineer, the expert that came down to advise us, advised us that two inches is the specification for this type of surface laid on this intermediate surface that's been put in to the sandwich and in fact replaced in the sandwich as part of the construction. So it isn't just the top surface that is new it is the work that has been done on the road over the last few months to prepare it for that and I have no doubt having looked at it that they are laying at least two inches there and looking at a roller going over it, the actual depression caused by the roller is minimal indicating that the sub-base is very solid. If the experts are correct then, yes, that is being done and that should last as programmed.

The Honourable E M Goss MBE

That is reassuring.

QUESTION NO.13/95 BY THE HONOURABLE J E CHEEK

Following the introduction of the proposed DAP enhanced flights between Stanley - Punta Arenas - Santiago de Chile, with connections to British Airways flights from Britain, are plans in place to introduce an air parcel service?

The Honourable the Chief Executive

Your Excellency, Honourable Members. The issue of parcel links with Chile or through Chile for both letters and parcels dates back to February 1933, it says here, but I'll have to check that out, it might be 1993 I suspect, and it has not been particularly productive in that several attempts have been met with little or no response. Clearly we need to persuade the Chileans of the desirability of cooperation on this front and I shall institute fresh attempts to do so at the earliest opportunity.

The Honourable J E Cheek

Thank you for that reply in addition, having learnt this morning that the 727 that will be flying has already made 60,000 take-offs and presumably 60,000 landings and is thirty years old, whether this will make any difference to the frequencies of it coming here.

The Honourable the Chief Executive

Well I really haven't heard that information and not being an aeronautical engineer either I have no idea of the validity or meaning of those figures that if you are implying Councillor that that means that the plane will be unreliable, I think we need to look into that and see whether that is the case

but I have no information on that.

QUESTION NO.14/95 BY THE HONOURABLE J E CHEEK

Would the Chief Executive say what is the current shortfall in housing requirements in Stanley taking into account all known housing needs, including that required for Contract Officers from overseas, currently deferred because of that shortfall.

The Honourable the Chief Executive

Your Excellency, Honourable Members. There are currently 45 names on the list of applications for Government Housing, however, 11 of these would release other units of accommodation, 40 names on the list for building plots of which 5 names appear on the housing list, 12 of these would release privately owned quarters and 5 would release Government quarters. In addition to this there are currently 8 posts required to be filled by overseas contracted staff for which quarters have not been identified although it is possible that quarters may become available for three of these officers, however, recruitment has not commenced for five of these posts. Now that paragraph is like an intelligence test I suppose to determine how many actually how many come out at the end of the day but taking it all into account it appears that at present there could be a shortfall of up to 60 units of accommodation in Stanley.

The Honourable J E Cheek

I thank the Chief Executive for his reply. Would Government consider financial help for private new builds to help overcome the overall housing shortage?

The Honourable the Chief Executive

Your Excellency, Honourable Members. I don't think it's up to me to decide what Government in fact will decide, I'm sure if Councillors wish to do that and I believe that they do, that will be done.

The Honourable Mrs N Edwards

Bearing in mind that there are empty Government houses at Fox Bay, do Government consider that any of these people could be housed at Fox Bay or is it essential that they all stay in Stanley?

The Honourable the Chief Executive

Your Excellency, Honourable Members. I have every sympathy with Councillor Edwards point, I believe it would be a very healthy thing if some of these people indeed could be practically housed at Fox Bay or indeed anywhere else in Camp where there are vacant houses. It does seem ridiculous that there are

empty houses rotting away and yet there is this enormous clamour for housing in Stanley and yet at the end of the day it does come back to the practicality of the function being carried out by the individual and whether they can be in Fox Bay and do that job. If it is possible to commute from Fox Bay which I don't believe it is sensibly at the moment, the issue would be rather different. I would be very happy to make sure that every single application, particularly contract officers coming out, it passes through that test of whether or not that function could be carried out from Fox Bay and a decision made on that so that in a sense there's a fail safe mechanism which analyses that potential.

QUESTION NO.15/95 BY THE HONOURABLE J E CHEEK

Your Excellency. Would the Chief Executive please indicate what plans, if any, are in hand to improve the safety and convenience of access by launches and their passengers to the Public Jetty, in particular the need for a floating landing stage or pontoon and some means of reducing the force of the prevailing westerly waves coming under the jetty.

The Honourable the Chief Executive

Your Excellency, Honourable Members. As I understand it, currently there are no plans to improve the safety and convenience of the public jetty, in fact I was unaware until receiving the question that a problem exists. As the point has been raised, I shall initiate an investigation into the health and safety situation and if a problem is deemed to exist, we will review the possible solutions.

The Honourable J E Cheek

I wonder if when looking into the problem, I believe the problem does exist, if Government would consider the possibility of a rock fill as has been done with the Government Jetty and possibly at the same cost because I've never seen any charges for that Government Jetty when looking at a solution.

The Honourable the Chief Executive

Your Excellency, Honourable Members. Whether a rock fill is desirable or not is a matter for consideration. I understand that the build up of sediment and other things will need to be considered but whether or not it costs anything also is a matter for consideration I have no idea.

QUESTION NO.16/95 BY THE HONOURABLE MRS N EDWARDS

Can the Honourable the Chief Executive please assure the general public that the new DAP Air Service which is to come into effect shortly will be departing from Santiago, Chile and not from Buenos Aires and can we be assured that this will not be changed to Buenos Aires in the future?

The Honourable the Chief Executive

Your Excellency, Honourable Members. The enhanced air service whose aircraft I now believe, is younger than virtually anybody on Council is most welcome to these Islands consists of a flight which starts in Santiago, calls in a Punta Arenas and flies onto MPA and vice versa. The licence to operate that route is unique to that route and there is no question of the flight emanating from Buenos Aires either now or in the future.

The Honourable Mr N Edwards

Thank you very much.

QUESTION NO.17/95 BY THE HONOURABLE MRS N EDWARDS

Would the Honourable the Financial Secretary tell us how much money is allocated for consultancy services during this financial year and does he envisage more money being required before the end of the financial year?

The Honourable the Financial Secretary

Your Excellency, Honourable Members. Under the operating estimates for this financial year, £247,300 was provided to meet the current costs of specialist consultancy services for 11 departments. At Standing Finance Committee yesterday, additional provision of £7,700 was approved. Under the capital estimates for this financial year, £1,135,000 was provided for major consultancies, additional provision of £54,000 has been approved and I envisage that it is likely that some more money will be required before the end of the Financial Year.

The Honourable Mrs N Edwards

I thank the Honourable the Financial Secretary for that answer. It concerns me a little bit that during the mid-eighties we seemed to have so many consultants down here that it was frightening, in fact somebody said if we'd had a tree with every consultant we had, the place would have been forested by now. It seems that we may be going down that track again and that concerns me rather. I know that we need consultancies for the oil industry and other things but we are tending I think to rely more and more on consultancies again and I don't know that the end result will be too good.

The Honourable J E Cheek

I wonder if the Financial Secretary would clarify that when we are referring to "consultancy services", we're referring to consultants in general and not a company with a similar name.

The Honourable the Financial Secretary

Your Excellency, Honourable Members. I can confirm that when I refer to consultancy services, it doesn't refer to Consultancy Services Falklands Ltd.

QUESTION NO.18/95 BY THE HONOURABLE J BIRMINGHAM

Your Excellency, Honourable Members. Could the Honourable the Chief Executive state whether dangerous chemicals are being stored on farms, and I am particularly concerned about organophosphorous compounds such as sheep-dip. What arrangements exist for the safe disposal of hazardous substances in the Falkland Islands, and would financial, or other help, be available to farmers to dispose of dangerous chemicals if so required?

The Honourable the Chief Executive

Your Excellency, Honourable Members. This is a vexed question. Yes, dangerous chemicals are being stored on farms in Camp, some of them are organophosphorous compounds as the question suggests. The current Livestock Ordinance requires that every farmer shall always have in readiness at every station all the materials and appliances necessary to dip and dress all sheep on such station etc. but this regulation is regarded by many as archaic and the mobile dip was purchased to accommodate foreseeable needs. The safe disposal of the substances is an operation that will involve considerable expense and proposals to do just that have been considered by Executive Council from time to time. The solution would undoubtedly involve a peripatetic collection of the contents of rusting drums in a specialist vehicle, the negotiation of an agreement internationally on the transport and movement of hazardous substances and the shipping of the waste to another country, presumably the UK in specialist containers for reprocessing and/or disposal. If members believe it is worthwhile to have yet another look at resolving this problem, I am very happy to institute fresh research leading to an Executive Council paper.

The Honourable J Birmingham

I thank the Honourable Chief Executive for his answer and I think that perhaps the time has come again that we should look into this problem.

The Honourable E Goss MBE

Your Excellency, I do not have a supplementary but for information we have at North Arm 119 gallons of gamatox, 113 and quite a considerable number of gallons of Youngs blue label dip which are organophosphorous. Cans are rusting from the outside in and the dip shanty has a constant trickle of vile liquid material coming out from the floorboards, so it is a problem.

His Excellency the Governor

Do I take it that this Councillor speaking feels that there should be an Executive Council paper on this subject?

The Honourable J Birmingham

It's certainly my feeling.

His Excellency the Governor

Thank you.

QUESTION NO.19/95 BY THE HONOURABLE J BIRMINGHAM

Your Excellency, Honourable Members. Can the Honourable Financial Secretary inform me of the annual cost of Civil Service pensions, and the number of people currently entitled to claim them?

The Honourable the Financial Secretary

Your Excellency, Honourable Members. The annual cost of Civil Service pensions and pension gratuities is shown under the 650 pension and gratuities head of service in the approved estimates, revenue and expenditure. For the current financial year, the estimated cost is £335,000, that is £285,000 for pensions and £50,000 for gratuities. There are currently 105 people entitled to claim and being paid a Civil Service pension.

The Honourable J Birmingham

I thank the Honourable Financial Secretary for his answer and I wonder if I can ask him as we've see the expansion of the Civil Service over the last few years, does he see a problem in the future of funding for the pensions?

The Honourable the Financial Secretary

Your Excellency, Honourable Members. At the moment I don't see a problem of future funding for pensions, at the moment the cost of pensions like the cost of other expenditure to the Government is met from general revenue. It is one of the considerations by the Hay Management Consultancy looking into the paying conditions of the Civil Service. One of the considerations is the development of the pension scheme and it is likely that any such pension scheme would be separately funded.

The Honourable J Birmingham

I thank the Honourable Financial Secretary for his answer.

QUESTION NO.20/95 BY THE HONOURABLE J BIRMINGHAM

Your Excellency, Honourable Members. Following the severe winter, it has been recognised that major damage has occurred to some of the roads in Stanley. Can the Honourable Chief Executive inform me whether short term interim

measures will be taken, such as filling in the pot-holes and making good other damage of a repairable nature, until such time as major works are undertaken?

The Honourable the Chief Executive

Your Excellency, Honourable Members. It is not currently envisaged that remedial works will be undertaken on a piecemeal basis except in the case of severe pot-holes. A report is awaited from the consultants, Scott Wilson Kirkpatrick and upon receipt of this a considered opinion can then be formed on the best way forward. Limited patching could be undertaken using asphalt in some areas but any effort put into this will obviously affect progress on other planned permanent works.

The Honourable J Birmingham

I thank the Honourable Chief Executive for his answer and I wonder if the Chief Executive knows that there is a mobile repair vehicle that's arrived in the Islands and is owned by PWD and I don't really see how that repair vehicle would if it was brought down into the town, how it would be with any major tarmaccking on the MPA road.

The Honourable the Chief Executive

Your Excellency, Honourable Members. The limitation on all of these things is indeed the production, the productivity and the tarmac plant and nothing to do with the number of vehicles that in fact are able to lay and repair a patch and so the mere presence of that vehicle doesn't necessarily mean that we have the resource or indeed the men to carry out those repairs.

The Honourable J Birmingham

I thank the Chief Executive for answer and I believe that I saw somebody actually taking photographs of some of some of the holes in the roads on Ross Road the other day and told me he was thinking of starting a collection of postcards entitled "The holes of Stanley."

The Honourable W R Luxton

Would the Chief Executive also consider the possibility of taking action against the contractor because it's quite obvious when you look at the way this has deteriorated, that the areas that are really bad were not constructed as they should have been and that some bits have fallen to pieces and some are perfectly OK.

The Honourable the Chief Executive

Your Excellency, Honourable Members. I would agree with what the Honourable Member says, there are portions of the roads in Stanley that were not constructed as they should have been constructed and in fact we have had the

advice of Scott Wilson Kirkpatrick on that. It relates in fact to the dimensions of a slab of concrete which should only be as I understand it one and a half times in one direction what the other direction is one, so it should be one and a half times along and one direction across. There are examples in Stanley of that dimension being six to one as against one and a half to one which causes an unusual amount of thermal movement and therefore they haven't been laid as they should have been. Whether we can do anything about that, we may in fact find ourselves taking action against ourselves which may not be advisable, or whether there are some contractors who are still "get attable" because of these kinds of mistakes, I have no idea, but I would be very happy to institute a search to see where that might be possible.

MOTION NO.2/95 BY THE HONOURABLE W R LUXTON

This house views with concern the increasing divergence in standard of living between the inhabitants of Stanley and those living in Camp and especially those living on islands other than East Falkland. Their ability to access services provided by the Government and the much greater cost of those services. We ask the Chief Executive to consult with the various departments of Government and bring forward to Council ideas to rectify this situation.

Proposed by the Honourable W R Luxton

Your Excellency, Honourable Members. I introduce this motion in the hope that between us, that is Members of this Council and Members of our Civil Service and taking on board any ideas which this debate may provoke from members of the community. We may be able to develop some ideas to help what is a very serious situation. Things have been made far worse even desperate in many cases by the extraordinary winter we have just had. Some of my farming constituents have even got to the stage where they think that it may be impossible to carry on, or at least they may have to abandon their farms and try to get work elsewhere for part of the year. This has already happened in some cases and I do not believe that this is a healthy trend in Camp population nor for the good maintenance of the structure of those farms. Inevitably houses and infrastructure will deteriorate. There are two aspects to a situation which is creating a whole group of second class citizens: First of all there is the far lower average income, a level that is probably less than a school leaver earns working for FIG. The second is that everything costs the Camp resident more despite his lower income: Diesel fuel costs us 10% more than in Stanley, that's the freight cost in bulk, petrol shipped in drums is even worse. Every item we need to live and materials we need to work our farms costs us more to ship from Stanley than it does to get it from the UK to Stanley. Even the agricultural help is Stanley based, for instance one of my constituents recently had to spend over £100.00 to have a sick dog treated in an emergency, that was for flights for them both to get to the vet. I've mentioned before in this house the nightmare of dental treatment and medical care, someone has to pay when it takes three days to have a 30 minute dental appointment, either 3 days lost earnings or it falls to the employer. Another constituent suffered huge financial penalties during a slightly

difficult pregnancy because of having to take business to Stanley and so it goes on. Sometimes one hears derogatory remarks about new landrovers in Camp, in one such case, I know of a constituent who has probably worked more hours each week by Tuesday night than the average Civil Servant does in all that week just to provide the same income level. And by the way, we all contribute to the maintenance of our hugely expensive fire service but if your house catches fire on West Falkland, don't bother to call them and practically anywhere else outside Stanley the same applies. When your house has burnt to the ground don't expect any help from this Council, we vote money for Dominica and other disaster areas but we won't lift a finger to help our own when their life's work has been wiped out. That particular decision made me ashamed to be a Member of this Council. The Camp resident burns electricity which can cost him or his employer anything up to 70 pence a unit to produce. Nobody subsidises the disposal of the garbage, nobody subsidises the water supply to his house. If he lives on another island, it will cost him £84 for a start to have a swim in our subsidised pool or visit our subsidised public library or use the other wonderful facilities at our Community Centre. Your Excellency, I think we need to ask ourselves as a nation whether we want to preserve the countryside and the people who want to live in it as an asset or do we want to let it deteriorate and decay because people simply can't afford to stay out there. Every other country that has moved from being an agricultural subsistence economy, which is what we were prior to 1982, has maintained the levels of income to these agricultural communities at reasonable levels when development and industrialisation threatened to create a huge difference between agricultural and industrial incomes. Just as an example, the average UK hill farmer receives a subsidy for each one of his ewes that exceeds by about five times the total return to the Falkland Islands farmer on each sheep that we shear. That's one sort of approach, there are other possibilities. One of our previous economic advisers, Graham Gleadell who some people may remember once put forward the concept of negative income tax, I wonder if we can look at that as a possibility? Can we have a colony wide fuel price? Can we devise a way to ensure that all residents in the Falkland Islands have access to medical facilities at the same cost to the individual. As a one off in this year, I believe there is a need for FIG to assist where there have been catastrophic losses due to the winter. Some people are in a very serious situation and I wonder if this could be based on a system of comparing this year's wool production to the previous one or two years. My friend the Chief Executive proposed in his Landholdings report to put all Falkland Landholding employees on FIG salary brackets, great stuff, just what the private sector wants to hear. Can he conveniently arrange along with to impose a two-fold increase on the price we get for our wool so that we're able to pay for it? Seriously though, there are two ways in my opinion which this situation can be addressed. First in some way to produce some sort of income equality for equal effort for every community and the second is to make available as far as possible the benefits of Government provided services to all inhabitants at similar cost if any. I hope that anyone in the Community with constructive ideas might contact either a Councillor or a Government official to put these forward. I shall listen to my colleagues with interest, I beg to propose the motion.

The Honourable Mrs N Edwards

Sir, in rising to second this motion, I would just reiterate what Mr Luxton has just spelt out. There is definitely a split economy without a doubt and if you happen to live on the West Island or any of the smaller islands you're certainly worse off than anybody else. Not only are the freight rates high, as Mr Luxton mentioned we pay a great deal more to ship our goods from Stanley than we do to ship them from England to Stanley but you're graded according to your jetty so if you're down at the bottom of the grade for jetties, then you pay even more for your freight. The other anomaly as far as freight goes is that all wool is freighted at a higher rate than anything else. Councillor Luxton has spelt out all the other reasons why this Motion has been put forward and I would hope this house gives it serious consideration, you might not agree with everything that he suggested in the Motion and perhaps I don't agree with it all. Broadly speaking I think it needs seriously to be looked at and the anomalies between living in the Camp and Stanley ironed out just a little bit.

The Honourable R J Stevens

Your Excellency, Honourable Members. Of course I'd have to support this Motion and I argue about parity between Camp and Stanley or East and West and islands with the mainland, that our community is fragmented and it's not just divided. That's one of the reasons that I thought about a deep water port at Port Howard or anywhere else on the West mainland. It doesn't help the smaller islands but it is a way of us helping ourselves, we're not talking about subsidies, we're talking about a way that many farms could make huge savings like a lot of farms do on the East. We have that option on the East, there isn't that option on the West. In fact, I spoke of the grants that highland farmers got at the last Legislative Council gathering and I went to a farm in Aberfeldy where the price of fuel was a third on the farm because the farmers don't have to pay tax, but it was a third of the price of fuel at pumps. This farm was getting £21-£22 per ewe at subsidy. Farms that were in different areas of the highlands more remote perhaps than Aberfeldy were getting £28 per ewe so in some ways here is an example of a developed country like Britain keeping people in the highlands of Scotland and this guy, believe it or not felt that he was struggling. The concept I think we've got to take on board and we've got to thoroughly thrash out what in fact we do want. Do we want a population just in one part of the Islands or do we want to have it spread from one side to the other? I certainly believe that if we want to keep people on the West and on the few remaining inhabited islands, we have to look at the chasm of difference between these people and others in our community. Thank you.

The Honourable E M Goss MBE

Your Excellency. In rising to speak on the Motion presented and to support it, I congratulate Councillor Luxton on his very in depth look at the

disparity between Stanley and the Camp. It's an issue that we must address, the wages are low, the work is hard. An SEP worker in Stanley is one of the lowest paid workers and they are paid £3.20 per hour, the overtime rate for anybody working in the Camp is £3.00 per hour and this is after a hard eight hour day. So there is a lot of disparity and it needs a close look and I support that this House does everything it can to rectify the situation. Thank you.

The Honourable J E Cheek

Your Excellency. I too rise to support this Motion, I rise as a Falkland Islands Councillor not as a Stanley or a Camp Councillor. I think it is a problem that affects the whole of the Islands, these Islands would not be politically viable if we had 2,500 people in Stanley, even earning a good wage and the rest of the Islands a destitute population. I don't know the answers but I think we have to seriously look at them. I have no objections to grants although I can see that we would have to look carefully and if we provided grants, we didn't then have overseas investors coming in to make money from the grants provided from the Islands. Otherwise I would have no objections at all, I think it is probably one of the most serious matters we can look at in the coming year or two. I support the Motion.

The Honourable Mrs W Teggart

Your Excellency, Honourable Members. I too rise to support this Motion like other Councillors, I don't agree entirely with everything that Councillor Luxton has said but it would be most unusual if I did. However, I do see the great need for improvement of the services to Camp. Being an ex-Wester myself when perhaps the West was far more vastly populated I can remember what it was like to be quite a long way from help if you had an injured child. In fact the quality of the medical and dental services that we're getting in Stanley at the moment concerns me and I must say that I'm truly thankful that I don't live on the West or one of the Islands now. I think that everything that we can possibly do to sort out the disparity between Stanley and Camp should be welcomed. I, like Councillor Cheek don't the answers either, I hope that somebody does or gets in touch with us so I support the Motion.

The Honourable J Birmingham

Your Excellency, Honourable Members. In rising to support the Motion and I shall keep it brief, I would just like to say that I support any improvement in the standard of living throughout the Islands. The one and only committee that I Chair, the Energy Advisory Committee, part of its remit is to improve the quality of Camp life with the provision of economic 24 hour power and once we can get that sorted out I believe that there will be an improvement. I certainly don't agree with everything that Councillor Luxton has said. I believe that Councillor Luxton has been on Council for over 20 years, and I think that he has set a very high standard over those years in the things he's done and I believe that we should all strive to achieve the standard that the

Honourable Member from Chartres has achieved.

The Honourable Councillor Halford

Your Excellency, Honourable Members. In rising to support this Motion I too agree with Councillor Luxton that there a lot of discrepancies between Camp and Stanley and certainly as far as the essential services are concerned, I do believe there's a lot to be desired. I see no reason why people who are living in Camp should have pay a great deal more than we do in Stanley and I would hope as a country when it comes to natural disasters like we had in the Winter, we will still be able to help out those farms and people in need. I support the Motion.

The Honourable the Chief Executive

Your Excellency, Honourable Members. As the one who has been handed this poison chalice to actually drink, I welcome it, I look forward very much to preparing this report but I think that I ought to make one or two things clear. I will start with the assumption which I believe is Councillors' assumption here today, that we must populate Camp and I will also continue with the assumption that we must encourage population to inhabit Camp. There must not be an evolution of double standards of living within our society, I am sure that is the foundation for what we will be looking at. I believe that such a report must include a measurement of the existing diversions and I noticed in proposing this Motion that the Honourable Member for Camp said that I was in fact proising in the Falklands Landholdings report that the employees of Falklands Landholdings should be paid the same as FIG. That was not in fact the case, what I was saying was, a report or an examination should be done by a qualified accountant to indicate in fact what the divergence was. There are those I've heard it said, will say a house is worth this but it isn't worth so much in Camp or mutton is worth this but that's not worth so much and these sort of things need to be clarified. There will be differences in judgement on what figures turn up but sooner or later somebody has to sit down and equate these things and determine a proper balance. A degree of measurement of divergence has to be taken into account before we decide what we do with it. I would like to see some sort of, and I hesitate to use the word because it's a favourite word of John Major's and not necessarily good to be associated with such people, but some sort of charter for people living in Camp where guarantees are given with regard to their standard of living that the Government will adhere to. Now I know my friend the Financial Secretary will say we cannot provide eternal subsidies for everything and you will be aware I am a firm believer that we must make Camp profitable. I could not guarantee that a price will be paid which is double the existing world wool price. What I think I could promise is that some form of managed diversification, some form of increase of activity in Camp will produce more cash from Camp and that must eventually lead to a better standard of living for all those in the Camp. So Your Excellency, I very much welcome this task which I have been given and I hope to be able to come forward to Council with recommendations at the earliest possible moment.

His Excellency the Governor

Well I assume since everyone has spoken in favour of the Motion that the Motion is carried.

The Honourable W R Luxton

Your Excellency, thank you. I would like to thank all my colleagues for their support, I wasn't absolutely sure that I would have and it's gratifying to know that I have. The wording was deliberate in that I don't pretend know the answers either, I proposed some of the problems and made one or two suggestions. I deliberately put the oneness on the Chief Executive to tap all possible sources of information and to collate any suggestions that might be forthcoming as to how we can improve the situation. Of course there are two problems as far as the income is concerned, one is for employees, employees landholdings and other people employed in the farming industry of whom there aren't very many now. The wages are low and the other is the low income of the independent farmers who have taken on their units since the period of subdivisions started in 1980. Both of those people need somehow to do the work, have their income and standard of living improved to give them a lift. Thank you again for your support and I look forward to the Chief Executive coming forward with some proposals in due course.

His Excellency the Governor

Well I think we can accept that the Motion is passed with no-one opposed. I think we might stop now for coffee otherwise we shall have to delay to discuss the Constitution. It's better to have coffee first and come back at 11 o'clock. Thank you.

His Excellency the Governor

So we come on to Motion Number 3.

Clerk of Councils

The report of the Select Committee on the Review of the Constitution.

The Honourable J E Cheek

Mr President as Chairman of the Select Committee on the Review of the Constitution may I present the report to the Committee today.

MOTION NO.3/95 BY THE HONOURABLE J E CHEEK

That this House moves that the report of the Select Committee on the Review of the Constitution be adopted.

Proposed by the Honourable J E Cheek

Your Excellency, Honourable Members. Eighteen months ago this Council resolved to establish a Select Committee to review the Constitution and Report. That Report is now on the table, it was felt by a number of Councillors that the current Constitution introduced in 1985 no longer met or meets the needs or the changes in society of the Falklands. Earlier in the Committee deliberations it was decided to appoint in the person of Mr Walter Wallace, a person experienced in matters relating to Constitutions, Constitutional changes and political progress. Following Mr Wallace's appointment, members of the public were asked on a number of occasions to submit their views in writing or in person. In addition, a number of public meetings were arranged together with radio discussion programmes and radio phone-ins. Mr Wallace's Report on receipt was made available to all who wished to read it and comment where requested. The Committee met on a number of occasions to discuss, accept, reject or modify Mr Wallace's Reports and to take into account comments received from Government and it is Mr Wallace's recommendations that largely form the framework of which this Report is based. The involvement of Councillors in making decisions, meeting in committees and representing the Islands overseas has increased dramatically during the last few years. We feel that a number of Councillors on Executive Council in particular must be increased from the current three, where often we reach a situation where one or more persons may have to declare an interest and only one or sometimes two can make the decision. Increased from three to five, this allowing a more realistic number to take those executive decisions. At the same time, to enable informatives to vote in public Legislative Council Sessions, we believe that number on our Executive Council must remain a minority of the whole Council. For example, if there was a majority of more than half of Councillors on Executive Council it is quite possible that once decisions were made there would be no real debate, no chance of modifying that with the minority remaining on Legislative Council. Therefore it follows that the total number of Councillors must be eleven, a number I believe that would suffice for the Islands for a considerable number of years to come even were the population were to increase by 2, 5 or even 10 times. One of the most difficult decisions was whether the number of elected Members should remain the same for Stanley and the Camp, 4 in each case at the moment, or whether the returned Members who turned should reflect shifts in population. It was felt certainly not by everyone, if that should prevail but that safeguards should be provided so that neither constituency should have less than 3 Members. Our recommendations are that after the next election, Camp should return the 3 plus 1 ie 4 Members and Stanley 3 plus 4 ie 7 Members. That of course could be shifted not by any change to the Constitution but by an Order. It was recommended a candidate no longer has to be registered as a voter in the constituency which he seeks election, at the moment particularly in Camp that it has as we all know been difficult to obtain people who are willing to stand. This would mean that people who Campers respect, possibly a retired Camper to Stanley would then be able to stand as a Member for Camp or even possibly someone living in Stanley might be preferred to the Camp. There is considerable concern that a rapidly increasing population may result in too

swift a political change. We know from Mr Wallace that this has happened in the Caribbean, in some Caribbean countries the original population or at least the population that has been there for a number of centuries has in recent years been overtaken by people who go there to live, quite often because it's a nice climate and retire there. Understandably the people who consider themselves whatever, maybe Caymanese from the Caymans do not want their lives controlled by those who come in for a relatively short time. Therefore we recommend that a longer time is required to qualify to apply for Falkland Islands status and thus be entitled to register as an elector. The recommendation is 7 years but after 7 years you then must apply to a Board, if our recommendations are accepted to become eligible to be a voter. A number of inconsistencies in our current Constitution will be rectified, I won't go into details there but for example at the moment, if someone resident in the Falklands, a voter in the Falklands has to go to the UK for medical reasons or on holiday or in the past as we all know were forced to send the "Mother to be" to Argentina for the child to be born because of our then inadequate medical services, that child at the moment if it's reached the age of 18 does not have the right to vote. I think we all believe that is an inconsistency that has to be corrected and there are other similar ones to that. A number of enabling recommendations are made, one of which would be the provision if desired at some time in the future, for a Speaker of the House. Mr President there have been considerable thoughts and discussions some of them heated, some of them very heated in reaching these recommendations. However, I hope and believe that although many of us may not agree with everything that is contained in this Report, this Report is acceptable as a whole and I would hope that it would be acceptable as a whole by a majority. It is vitally important I believe as probably a lot of us believe to the correct political future of the Falklands should be recognised. Sir I command a Motion to be moved.

The Honourable Mrs W Teggart

Your Excellency, Honourable Members. In rising to second the Motion of the Report on the Select Committee on the Constitution to be adopted, there are a few points I'd like to make. I believe that Councillor Cheek has covered everything very comprehensively but perhaps if I could enlarge slightly on the things that I have felt to be of major importance during this Constitutional Review. Somebody said early on that the Constitution is not a sexy subject, I can't remember who it was but it's been a phrase used quite often and I think for that reason the input that we have had to it has really been, although not from a large number of people, I believe the people who are really interested in it have taken the trouble to contact us and their views have been taken into account. Not only by us but also by Mr Wallace in his Report. We had a public meeting when 6 people attended and I was one of them, a phone-in that I took part in on FIBS when we several callers but we weren't really inundated with calls and there's been a lot of media coverage asking people to come forward to consult us on. I think that coverage has been minimal, to me that would say that people aren't unhappy with what we are doing. If people are unhappy in general they get in touch with you quite quickly. One of my major

concerns is that 2 of my 6 children are not automatically entitled to vote in the Falkland Islands and I think that is stupid. They were born overseas, that means that if at any time in the future they should go away for more than 6 months, they would not be able to appear on the Electoral Register for 5 years. I believe that that is something that has got to be sorted out, one of the Recommendations in the Constitutional change is that children of Falkland Islanders will automatically have the right to vote here, all people who have made their home here and I believe that is important. In another forum which I took part I've discovered in the last few weeks that of the current residents of the Falklands, numbering somewhere over 2,000, we have at the moment over 600 people who were not actually born here in the Falklands. Believe it or not Falkland Islanders are a dying breed whether we're going away as happened in the past to green the fields elsewhere. I am very concerned with the advent of oil on our horizons that perhaps the future is not so clear for our children. Perhaps our children are not going to have the sort of say and the running of our country that we've been privileged to have over the years. I feel that it is important that we safeguard their future for this reason I am pleased to vote the recommendations of the Report, that their should be a longer qualifying period for people and they will not automatically have the right to vote. I know in some of the Caribbean countries, the qualifying period can be up to 15 years, in some cases even longer and I think the 7 years that we are suggesting is minimal in comparison. One of the things that has caused a lot of debate is the provision for a change in the number of Councillors and I believe it is necessary for us to write into the Constitution that provision for change, to move with the change in population census. Who knows that in 10 or 12 years the Camp might be more heavily populated than Stanley but I believe that that provision for change must be written into our Constitution so that we don't always have to go back to ask for Constitutional change. The numbers will be decided after that provision is put into the Constitution by Electoral Ordinance and I believe then we can haggle about just what the split or Councillors in the future will have the right to haggle about what the split. I believe that it is something that is important we make changes for now. I also welcome the idea of having a Speaker in the House, at the moment we can't see the need for it, perhaps we are quite happy to have the Governor control us and I'm sure he does an excellent job but that might not always be the case and that's why I'm happy that the provision for a Speaker is put in. We've had an incident this week where 2 of us have made a decision which has major consequences for the Falkland Islands, I am very happy to have taken part in that decision, I believe it is the right one and I will be speaking further on that in the Motion for Adjournment, but I believe it's also fundamentally wrong that 2 people can decide the future of a large section of the Camp. There are things in this Constitutional Review that I obviously don't agree with, I was one of the people who would have liked some provision to have also been made for full-time Members to our Legislative Council. Simply because of the work load, I've seen how it's increased since I was first elected to Council 8 years ago. I think in another 8 years possibly even less I can see the need for us having full-time Members and I would have been quite happy to have supported a Move to be included in the Constitution for us to have 2

full-time Members of Council. One perhaps to look after domestic issues and one to look at overseas development, however, that was not supported by the rest of the Councillors, so that is something that no doubt I will moan about and in future perhaps I'll sit there and say I told you so. Possibly not on this Council but from outside it, anyway that is one of the things that I would have liked to have seen. I think finally the thing that I would like to say is I believe that Constitutional change in the Falklands is inevitable, I would rather that we steer it and we control it then have perhaps it forced on us by an outside agency because that could happen. I'd finally like to thank those people who have contributed to this Review, we have spent a lot of time on it, perhaps a few meetings that Councillor Cheek says does not do justice to the amount of time relatively that we have spent on this to other matters. I would urge the support of my colleagues for this Report to be adopted, I believe it is most important that we should do so and protect the rights of the Falkland Islanders for the future. Thank you.

The Honourable J Birmingham

Your Excellency, Honourable Members. I am rising to propose an Amendment to this Motion and my Amendment reads: I would like to Move that the Motion be Amended by inserting the words "consideration of the adoption of" immediately after the word "that" and by replacing the word "adopted" with the words "be deferred for 3 months" in order to enable the public to be consulted and to express its views in relation to the proposal set out in the Report. The amended Motion would therefore read as follows: "The Move that Consideration of the Adoption of the Report of the Select Committee on the Review of the Constitution be deferred for 3 months in order to enable the public to be consulted and to express its views in relation to the proposal set out in the Report." Honourable Members, I am not against this Report although I'm not quite happy with a few things in it but some time ago there was a letter in the Penguin News and the writer of this letter, his end paragraph said "you as Councillors have heard from the Electorate, it is now time for Council to put their final Report to the Electorate for further discussion." And that prompted me to think that as we've still got time, we have still got time, and I've asked the learned Attorney General, he's assured me that there is still a little bit of time left. I'm asking for a 3 month hold so that we can go back to the public and say this is what we're going to do, how do you feel about it. It seems to me that decisions become very important when they're just about to be made and I feel that this is such an important issue that let us be accused of being over cautious rather than running at a great speed to get things changed. Sir, I have nothing else to say. Thank you.

The Honourable Mrs S Halford

Your Excellency, Honourable Members. In rising to second the Amendment to the Motion I have to agree with a lot of what Councillor Birmingham has just said. I do believe that the public should have the chance to comment on our Recommendations, yes we have heard about their comments prior to the Recommendations but I think now they should have that chance. The

Constitution is much too important in my view to be rushed through, it's not just this Council's Constitution, it's the peoples' Constitution. We've heard that Falkland Islanders are a dying breed, I don't actually agree with that, I mean what is a Falkland Islander? After all we do all stem from immigrants, at some stage we become Falkland Islanders and I'm sure that's through residency. I don't agree with all the proposals in all the Recommendations in this Paper but I would be quite happy to go along with the majority of them, and I'm sure that other Councillors will probably feel the same but I would not be happy to go along with them unless I first heard how the public felt about it.

The Honourable Councillor E M Goss MBE

Your Excellency, Honourable Members. In rising to speak I must first congratulate the Honourable John Cheek on his persistence in getting this paper to the table today. The road has been littered with broken bottles and obstacles all the way and I have resisted to a great degree. I do agree that some ends need to be tidied up but what stuck in my core was the imbalance Mr Wallace proposed in having 11 Councillors, 7 for Stanley and 4 for Camp. Let's suppose that Saunders Island became the main base for the oil development, then possibly the largest community could be based in Camp, who, after 7 years would be eligible to vote. This imbalance could lead to a style of Government that dates back to 1812 in Massachusetts and some of our Members have just recently been to America, they might have learnt about how Governor Gerry Mander abused the system and put all his own friends in power and got all the decisions he wanted. Sure, we need minor modifications for some of the provisions in relation to students spending long periods overseas who on return have to run the qualifying course but we don't need outrageous changes. I ask you, do we require 11 Councillors to represent less than 1500 people eligible to vote? Eight is enough for up to 40,000 in my opinion, what I don't want to witness is a marginal majority of Councillors dragging the Constitutional Reform through these changes under a blanket and that was about to happen until it came into the discussion stage here, because a week ago Councillor Cheek assured us that when it's laid on the table and presented, there would be no further discussion. I'm glad that it's now come out in the open and we all have a chance to speak about it, I'm really pleased that Councillor Birmingham has Moved an Amendment asking for more time. Lots of what he's proposed in that Report on the Reform of the Constitution in my opinion is well over the top, therefore in the present form I must vote against it.

The Honourable R J Stevens

Your Excellency, Honourable Members. I believe that if I wanted to be destructive and get my own way I would not vote now on this Amendment but then carry on perhaps and vote in the second one and then it makes it very difficult for this work to come back to this House. I support this Amendment because I feel that at this moment it is a way of going forward and I've got to say that there's some serious issues which I support in this Report and one

of them is: If the oil industry does develop, we'll have to make sure that we as an Electorate are not swamped. However, I would naturally stand against this because of my reasoning of the fragmented community - Stanley, East Falkland, West Falkland, the Islands, we talked about them this morning and this change in representation won't help these people. I'm probably one of two people who feel this way, this is my stance and this is the stance that I've put forward each time that I've stood and I couldn't stand here and do an about turn. Like it or not, we are an administrative led Government, we make decisions on proposals made by the Civil Service and we make decisions only on the facts presented. In many instances as part-timers we don't have the specialist knowledge or the time to research. In such a community, who does the Research Assistant or us go to for more information? It's probably the person who wrote the Paper. Even in the make-ups of the Committees, there is a majority of Stanley residents, the Agricultural Management Board at FIDC and even Falklands Landholdings. Also, having come to Council, having also for the first time read things like the Commonwealth Parliamentary Association literature, this has educated me in many respects and one of the things that always hits you when you read this is that there's no democracy if there's no counter-balance, when everyone's interests are the same as the "Power". I believe in this way and perhaps it's inevitable but Stanley will get bigger and more powerful and Camp will dwindle away. As I mentioned at the beginning of this, there's a lot of work that's gone into this and so that this hard work is embossed I support this Amendment.

The Honourable W R Luxton

Your Excellency, Honourable Members. I don't support the Amendment I'm afraid, I think it's very important that we submit the Report of the Select Committee as the original Motion requests. Probably the most important things to me in our Recommendations of the Select Committee are the qualification of voters in future, the residency requirement to avoid us being swamped and the question of children who are born overseas and not being allowed the vote at the moment. I'm not happy at losing the 4/4 Camp/Stanley representation but I do accept that that is not tenable and I believe that if we don't as Councillor Teggart said, put forward a Recommendation that we worked on, I believe that it will be imposed on us and what we get then may not be entirely to our liking. I don't think we will continue with the present Constitution whether we like it or not or whether some of us like it or not. As far as the next election I think that changes will be imposed on us and I think that's inevitable so I would like to see this Report go forward because at least it's our Report and consensus of opinion so I support the original Motion but I do not support the Amendment.

The Honourable Councillor Edwards

Sir, I've spoken to a lot of my constituents, I've listened to what Councillors have to say, I agree largely with the Report as it's presented, I agree that there should be a longer qualifying period, I agree that we need changes in the numbers on Executive Council. I am loathed to have a minimum

of 3 Councillors for Camp or even have the minimum as 3. I think the minimum should be 4 so for those reasons and because there is concern shown by 4 Councillors I would support the Motion and the Amendment that is suggested and hope that the Attorney General is right and can get this through at the next session of Legislative Council even if we have to have an extra session on Legislative Council to get it through before the next Council is formed. I don't think it will do any harm to go back to the people and say, this is what we propose and let's hear your views on it, it's not our Constitution, it belongs to the people and they should be properly consulted and consulted about the draft Report. Thank you Sir.

The Honourable Mrs W Teggart

Your Excellency. Having seconded the Motion, I believe that I am entitled to speak again on the Amendment. I would therefore like to say that I cannot support this Amendment because I feel strongly that we are going to run out of time as a Council. We have had 18 months in which we have spoken and deliberated with people on this and I feel that anyone who has wanted to have an input has had it. The Report was published in the Penguin News I think last week and I've had no comeback on it, I see no point in delaying it for a further 3 months. I cannot support the Amendment.

The Honourable J E Cheek

Your Excellency, Honourable Members. In winding up this Motion, firstly may I remind Members that when the original Motion to form the Committee to look at the Constitution was agreed, it was agreed that we would report in 12 months. We felt that 12 months wasn't long enough, that in the 12 months the people wouldn't have enough time, it's now been 18 months. I, to be honest, take exception to the suggestion that we have not indicated to the public what we accepted of Mr Wallace, we did. I can remember discussing it at some length on an hour/three quarters of an hour programme on the radio. It was reported in Penguin News to a certain extent and there were 'phone-ins after that on the subject. Someone said that the Committees had been littered with broken bottles, until 3 weeks ago there was a consistent time after time 6-2 vote on this. Yes, I accept there are people out there who don't want us to go through with this present form. I'm not quite sure what you are going to do in 3 weeks, 3 months even. Give them 3 months to come back to you again and spend another 2 or 3 months discussing it with or without broken bottles or do you give them a month with 2 months discussing it - I don't know. I suspect it will be up to the Committee although I am not quite sure whether he voted against everything. If I may say or make a comment on Gerry Mander, I thought he was called Gerry Mandrin because he was not accepting the word or words from the Electorate, he was changing the Electorate so it didn't have a balanced input. If you like, we have a form of Gerry Mandrin at the moment, I'm trying to change it. I could carry on for some time, I would prefer to speak after the Motion if the Motion is lost, I suspect that it is not allowed and I'm not quite sure of the procedure. Please do not accept this a any form of a threat or something that you might like to have. If this is not

accepted, I feel that I cannot continue as Chairman, how a Chairman is selected after that is up to Members to decide and possibly the President here today. I still commend the original Motion to you.

His Excellency the Governor

Well, I will first put the Amended Motion to the vote. The Amended Motion reads Move that Consideration of the Adoption of the Report of the Select Committee on the Review of the Constitution be deferred for 3 months in order to enable the public to be consulted and to express its views in relation to the proposals set out in the Report. Those in favour of the Amended.

A vote was then taken on the Amended Motion which resulted in five in favour and three against. Therefore the Amended Motion was carried.

His Excellency the Governor

I should like if I may make a couple of comments on this question. Firstly, no-one is trying to impose anything on the Falkland Islands in terms of the Constitution. The Councillors felt that the Constitution no longer reflected the realities and this feeling was transmitted to London and the Foreign Office offered to fund a visit by Mr Wallace because they considered he was a sensible person with good experience on Colonial Constitutions. They funded that at the consultancy of two Councillors not to FIG or not to the British Government but if this does not go through nobody is going to impose anything else on you. The second point is that I must admit to slight relief that the consideration has been deferred for 3 months because I myself only saw this Report about a week ago and I'm not sure how widely it was circulated in Stanley. There is, it seems to me, a difference between what Mr Wallace and what the Councillors have suggested and I'm at all sure that a week really is sufficient to allow the public to look at it, so I would have felt uneasy forwarding it to the Secretary of State without a little more public reaction. I also personally find it almost impossible to understand the paragraphs on citizenship, paragraph 18, it is the sort of question I'm afraid which when it reaches me I turn to the Attorney General and say what does it mean. I'm sure that he may have drafted this but I find it difficult to understand and I should be surprised if the man in the street finds it any simpler.

The Attorney General

Sir, can I correct an impression which was given in the debate on the meaning of that provision? Persons will not under that provision acquire the vote automatically on seven years residence. A number of Honourable Members, and I didn't speak to interrupt them during the Motion said that. That is incorrect, they cannot even be considered for the purpose of obtaining status until they have been resident seven years. They may never be granted, that will be a matter for the Board of the Councillors at the time and the only persons who will have the franchise are the persons who have status and that is the change. There will be no acquisition of the vote under the proposals

by mere residence in the Falkland Islands. That is the important change and I believe it was incorrectly reported in the local media and therefore the public while listening to the debate will not at least have grasped that point. Now I express no view as to the point but it has been mis-represented in the debate here by accident by Councillors, it has been mis-represented in the media but I hope I've now made it clear. Status in the future will be the only route to the franchise, a person who comes here on the proposals will only get status if he is granted it and he can't be considered for the grant of status unless he has been here so many years. Those are the proposals.

His Excellency the Governor

Thank you. Well that really leads on to my final point which I think will be slightly difficult for my successor to write to the Secretary of State and say that although these Islands are British and everyone is very proud of their British character and everyone from these Islands when they go to the United Kingdom expect voting rights and every other rights instantly, British subjects coming here may have to wait 7 years before they're allowed to vote. I think this will be seen as slightly strange in London, I also find it slightly strange and I find this dichotomies, this difference between Falkland Islands bred and incomers rather depressing. It rears its head from time to time but as I look round this table I see that of the 8 Elected Members, 6 have or have had spouses from outside. When one goes to the hospital, one sees that most of the doctors, the dentist and so on have come in from outside. We're trusting these people to marry, we're trusting these people to look after our healthcare, teeth to do our plumbing but we're saying for 7 years they're not competent to vote and I think this will raise some eyebrows in London. This can all now be considered in the longer term and I merely raise these questions as subjects that perhaps are worth considering.

ORDERS OF THE DAY BILLS

The Lotteries (Amendment) Bill 1995

This Bill has been published in the Gazette therefore a first reading is not required.

The Attorney General

The Lotteries Amendment Bill before the House today proposes one thing and one thing simply. Legalisation of scratch cards competitions if they are approved by the Financial Secretary's lottery. The occasion for the introduction of the Bill is simply that a charitable organisation has asked for permission to organise a scratch card competition to raise funds for charitable purposes. That cannot be permitted under the present provisions of the lotteries Ordinance. The Amending Bill would make that possible. Your Excellency and Honourable Members I hope I have sufficiently explained the purpose of the intended Bill.

The Honourable the Chief Executive

Your Excellency, I beg to move that the Bill be read a second time.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable J Birmingham

Your Excellency, Honourable Members. I wasn't really going to speak I thought I was seconding the Amendment but I don't see a problem with these scratch cards. Some people have said it's the road to doom and damnation but I think that everybody likes a little flutter.

The Honourable Councillor E M Goss MBE

Your Excellency, Honourable Members. I would like to just ask for a clarification from the Attorney General. Will there be any age restriction on who can purchase scratch cards and be involved in the lottery?

The Attorney General

There is no proposal in the Bill. I believe it is subject to correction but there can be conditions imposed by the Financial Secretary on the age limit to who can purchase in any lottery the tickets, and to whom they can be sold. Sir, I think that if it would be possible for the Financial Secretary, if not advisable, to impose a condition that would not allow persons below a certain age. However, I would say that I do not anticipate that the prizes in the lottery in a scratch card competition in the Falkland Islands would be as great as those in national scratch card competitions in the United Kingdom. I would not think that here in the Falkland Islands we would experience the same sort of problems which I believe may have occurred in the United Kingdom with children purchasing scratch card tickets.

The Honourable E M Goss MBE

Thank you Attorney General for that assurance but what worries me is we have a lot of school children present. There are two factors, the pocket money for sweets and other goodies might end up in scratch cards and the scratch cards that are useless might end up on the playground deck so it's a litter problem as well.

The Attorney General

Your Excellency. I appreciate what the Honourable Member is saying but I don't think it really, as far as litter is concerned, is a problem only with children, I myself believe that there are problems here with some adults.

The Honourable Mrs N Edwards

Can the Attorney General clarify exactly which charity is proposing and asking.

The Attorney General

I have no objection to identifying the charity concerned although I don't think it advances the cause of the Bill which is why I didn't mention it. The charity concerned is the Trustees and Supporters of the Stephen Jaffray Memorial Fund who asked permission to operate a scratch card lottery and I believe if this Bill were to receive the approval of the House today and become enacted, they would wish to organise such a competition.

The Bill was read a second time. In the Committee stage clauses 1 and 2 and the schedule were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

ORDERS OF THE DAY

The International Organisations Bill 1995

This Bill has been Gazetted and therefore a first reading is not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

The Attorney General

Your Excellency, at the invitation of the Chief Executive I rise to explain the purposes and intent of the Bill. As the long title of the Bill records it is to make new provision in substitution for the Diplomatic Privileges Extension Ordinance as to the privileges immunities and facilities to be accorded in respect of certain international organisations and in respect of persons connected with such organisations and other persons and for purposes connected with the matters of aforesaid. Your Excellency, Honourable Members we already have legislation in the form of the Diplomatic Privileges Extension Ordinance which was enacted by the Falkland Islands in 1949 as to the Grant of International Privileges to organisations. We have Granted by Order Privileges under that Ordinance to many international organisations, I think they now number fourteen. However, in 1961 the Vienna Convention on Diplomatic Relations revised internationally the Privileges which could or could be accorded and Diplomatic Privileges Ordinance of 1949 is out of step with the Vienna Convention. It is therefore advisable and necessary to replace the Diplomatic Privileges Extension Ordinance of 1949 with legislation which reflects the provisions of the International Convention. Honourable Members will see that as a schedule to the Bill, privileges and immunities are set out which would be available to International Organisations. Those are

the Privileges provided for by the 1961 Convention, the Bill is modelled on and very closely follows the International Organisations Act of the United Kingdom which was enacted for the same purpose. I hope that Honourable Members will find it a non-controversial Bill and as I explained it is necessary for technical reasons outlined.

The Bill was read a second time. In the Committee stage clauses 1-11 and the schedule were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Prison (Amendment) Bill 1995

A first reading is not required.

The Honourable the Chief Executive

Your Excellency. I beg to move the second reading of this Bill.

Attorney General

Your Excellency, Honourable Members. This Bill makes proposals for a number of amendments to the Prison Ordinance. Some of these have been requested by the Board of Visitors and others are ones which I have taken the opportunity of introducing in the Bill to bring the Ordinance in compliance with the Human Rights Provisions of the Constitution. At the Committee stage I shall be asking Honourable Members to agree to a number of amendments to the Bill really by way of correction from the version of the Bill as published in the Gazette. Honourable Members have been circulated with a text of the Bill which sets out the amendments that I have identified as being necessary by way of correction. I am obliged to the Honourable Mrs Halford for drawing to my attention two other ones which I will be asking the House to agree to at the Committee stage.

The Bill was read a second time. Council went into the Committee stage.

The Attorney General

Your Excellency, Honourable Members. As I indicated, Honourable Members have been circulated with a copy of the Bill which shows amendments to the Bill from the version which was published in the Gazette. There are a further two amendments which I ought to draw to the attention of Honourable Members as being necessary, that is, and I am grateful to the Honourable Mrs Halford for drawing those to my attention, the amendment to sub-section two of the 1966 Ordinance should in the second line have the word "a" before "young offender", in other words part of the prison ought to be a young offender institution. The word "a" has been omitted and should be inserted, that's a clerical error on my part and the new section 43B proposed by clause 12 of the Bill in sub-clause 2 of the 43B, it should be "a" prison officer searching a prisoner instead of the word "as", therefore the word "a" should be inserted. Your

Excellency, I wonder if Honourable Members will permit me to suggest that the amendments in the version circulated to them and those two additional amendments be made part of the Bill rather my go one by one through all the corrections in the corrected version. They have all the amendments in front of them, this will save a little time.

His Excellency the Governor

Are Honourable Members content with that?

In the Committee stage clauses 1 to 13 as amended and the schedule as amended were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The High Seas Fishing Bill 1995

A first reading was not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

His Excellency the Governor

The Motion is that the Bill be read a second time. Does any Honourable Member wish to speak to the Motion. Do you wish to introduce it?

The Honourable the Chief Executive

Yes, Your Excellency. This Bill refers to an agreement promoted by the Food and Agricultural Organisation of the United Nations as well as to the recent agreements sponsored by the UN itself. The intention of this Bill is to ensure that any fishing vessel registered in the Falkland Islands will need to have a licence issued by our Director of Fisheries to be able to fish on the high seas. That is, waters beyond our existing fisheries zone. Such licences may specify conditions with regard to area, species, quantity and method. In view of our concern over the conservation of standing stocks, I heartily recommend this Bill to the House.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable J E Cheek

Your Excellency, I would just like to very strongly support this Bill particularly if it will have any degree of control outside our waters to the north where over the last number of years, Illex squid which ultimately come into our zone and into the Argentine zone, have been decimated. Decimated is probably the wrong word, but I think it means a tenth have been taken. I

suspect in many cases that there's only a tenth left, any control over that I support.

The Bill was read a second time. In the Committee stage parts 1-8 were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Access to Personal Files Bill 1995

The first reading is not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

The Attorney General

Your Excellency, Honourable Members. As the long title indicates, it is intended to provide access for individuals to certain information relating to themselves maintained by the Crown, that is the Falkland Islands Government, to Falkland Islands Development Corporation or by any other authority specified for the purposes of this Ordinance and to allow individuals to obtain copies of and require amendment of such information. The Bill originates from a request by Honourable Members that equivalent rights be given to private individuals in the Falkland Islands to access information as is enjoyed by private citizens in the United Kingdom to obtain access to the equivalent information there. It is modelled therefore on the Access to Personal Files Act of the United Kingdom. The Bill may be described loosely as being a human rights provision, I believe it is an important one because it will enable, subject to the provisions of the Bill if enacted, private individuals to find out what is recorded in relation to them on files maintained by the Government and other official bodies in the Falkland Islands. It is one as I say which results from an initiative of Councillors.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable J E Cheek

Your Excellency, Honourable Members. I will speak to this Bill alone but my remarks would also be in relation to the following two Bills. I believe that the society must become more open and this is a start. It certainly doesn't allow people the access that is allowed in other countries such as the United States of America but we're hopefully on the way to being along those lines so I support the Bill.

The Honourable J Birmingham

Your Excellency, Honourable Members. I fully agree with the Honourable Cheek

and I can only say that anything that gives the individual more freedom is to be applauded and we've still got some way to go but we're on the road.

The Bill was read a second time. In the Committee stage clauses 1-5 and the schedule were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Data Protection Bill 1995

The first reading was not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

The Attorney General

Your Excellency, Honourable Members. The Bill is modelled on the equivalent legislation in the United Kingdom - the Data Protection Act. Subject to the exceptions granted in the Bill, and subject to the provisions in the Bill, it would give individuals right of access relating to them which is maintained on computer. The Access to Personal Files Bill gives similar rights in relation to information which is recorded on paper. The Data Protection Bill would give the parallel rights to information recorded on computer. It is a complex Bill, there's no doubt of that, unfortunately anything to do with computers tends to be complex and there have to be checks and balances. There also have to be provisions for the enforcement of the rights of the individual and control of the information. There will need to be a number of regulations, sets of regulations, made before the Bill, if enacted, could be brought into force. It is part and parcel of the initiative of Councillors I mentioned in relation to the Access to Personal Files Bill, that such legislation should be introduced. It is perhaps apt that it should be introduced with the increasing use of computers and data programmes in Government and elsewhere in the Falkland Islands in which information and sensitive information in relation to individuals could be recorded. For that reason I think it is appropriate that the Bill is before you at the same time as the Access to Personal Files Bill which has just been before us.

The Bill was read a second time. In the Committee stage parts 1-5 and schedules 1-3 were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Access to Health Records Bill 1995

The first reading was not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

The Attorney General

Your Excellency. This is the third of the trio of Bills today that relate to individual rights to obtain access to information. The Data Protection Bill which has just passed the house will, when enacted, enable patients to obtain access to their computerised health records. This Bill would enable persons to obtain access to health records which are kept on paper, that's what the purpose is. The long title I think sums up to some extent the other effects of the Bill. It says "to establish a right of access to health records by the individuals to whom they relate and other persons, to provide for the correction of inaccurate health records and for the avoidance of certain contractual obligations and for connected purposes". It will give the equivalent rights in the Falkland Islands to those given by the Access to Health Records Act there which has been enforced a number of years and it's another human rights provision.

The Bill was read a second time. In the Committee stage clauses 1-8 were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Road Traffic Amendment Bill 1995

The first reading was not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

The Attorney General

Your Excellency and Honourable Members. The Road Traffic Amendment Bill 1995 proposes amendments to section 12C of the Road Traffic Ordinance 1960. The reason those amendments are required is that Executive Council has recently taken a policy decision that subject to the enactment of the appropriate legislation, obligations to have seat belts fitted to vehicles which are imported after the date fixed by the Bill. To wear seatbelts where they are fitted in a vehicle shall apply on certain roads and that the Obligations shall extend to rear seatbelts and to seatbelts for children. The present section 12C of the Road Traffic Ordinance would only enable seatbelt requirements to be imposed in relation to all public roads in the Falkland Islands, which is not what Councillors see as being sensible and would not relate to rear seatbelts and makes no provision in respect of child seatbelts and child seats. Those matters will be corrected by the proposed section 12C which would be inserted by the Bill.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable R J Stevens

Your Excellency, Honourable Members. I feel that I only support part of this Bill and that's the one where we make sure that all vehicles arriving in the Islands have been fitted with seatbelts front and back. The area that I do have a problem with is the compulsory wearing of the seatbelts and one of the reasons that I came to the Islands many years ago was because of the freedom of choice because I was fed up in the UK of being told what I could do and what I couldn't do. Things like crash helmets for motorcycle riders, seatbelts and this freedom of choice was being taken away in England. What I loved about the Falklands was you could come here and you could make these decisions yourself, I would much prefer to see a system where new vehicles arrived with these seatbelts and then we were to educate everybody to make that choice. When I got a Landrover in 1986 and we had children we got booster seats and seatbelts for the rear of the vehicle. It was a choice that we made, we knew of the dangers of children loose in the back of the Rover. As other people who have tried to fit rear seatbelts in the back of a Landrover know it's no easy task but because we knew it was essential, we had that choice, the choice was ours. Everything's a risk, one of the last Budget Sessions of Legislative Council were forcing people through financial packages not to smoke and I mentioned there that perhaps we should tell people not to eat butter or drink milk or eat red meat. I just feel that this is another area where we should be educated and then the choice would be ours.

The Honourable J Birmingham

Your Excellency, Honourable Members. I fully agree with Honourable Members from the Camp. One of the main reasons that I found the Islands attractive was the freedom of choice and I am totally opposed to any forced wearing of seatbelts. I think the way forward is through education.

The Honourable Mrs W Teggart

Your Excellency, Honourable Members. I rise to support this Bill in its entirety. I think that the provision for people to wear seatbelts on a road where there is a 40 miles per hour speed limit is essential. We're not suggesting I believe that people in Stanley wear seatbelts, unless I completely misunderstood the Bill and its changed somewhat. I can think of numerous cases where peoples' lives have been saved because they've worn seatbelts on the MPA road. I have a son who would not have been alive today if he hadn't put a seatbelt on for a joke when he got a lift in a friend's car because his friend hadn't driven before. When we visit the UK, I take on board what my colleagues have said about the need to educate people, but when we visit the United Kingdom as most of us do from time to time, we put our seatbelts on, we don't need to be educated to do that, we know they're the rules and we abide by them. It is I think something that has to come, we have to do it as I said the MPA Road is a case in point and we're being silly if we think that providing a good surface to the MPA Road that people aren't going to speed on it, ofcourse they are but history has shown us that people who

speed on it and who wear a seatbelt have far more chance of coming out of that accident alive than the people who have unfortunately been killed on that road. I don't think that it is a case of imposing really earth shattering laws on people. I really believe that anybody who is sensible who uses the MPA Road regularly wears a seatbelt. I do as soon as I set off on that road, I don't wear a seatbelt when I'm popping down town but certainly for driving on the MPA Road I do and I would certainly like to see it being made compulsory for people to do so. I believe that that's how we will save lives in the future. I support the Bill.

The Honourable J E Cheek

Your Excellency, Honourable Members. I too support the Bill as presented. I don't think education works, it's been tried in the UK, it's been tried in other countries and there are certain people who won't do it because they believe that they will never have an accident or they just don't understand. I see it in Stanley and ultimately I would like to see it extended to Stanley. I see it Stanley, children being driven around standing on the front seat, those children are probably too young to be educated but not too young to die. If that car hit something at 20 miles an hour even with the speed limits that we have, the chances are they may well die or certainly be heavily disfigured. We do have laws where we tell people what they can or cannot do, we have laws on drugs, we have laws on tobacco and alcohol for those under the age of sixteen and eighteen respectively. There are various other laws, certain gambling laws, people are not allowed to gamble under the age of sixteen or eighteen. I think that we have a responsibility to try and save lives and save disfigurement so I support the Bill.

The Honourable W R Luxton

Your Excellency. I too would like to support this Motion in its entirety, I think that anyone who has a seatbelt and doesn't wear it is particularly foolish and I think we need to protect them against themselves. My feeling about seatbelts is coloured somewhat because some years ago I had the misfortune to be the first on the scene of an accident where the passenger hadn't been wearing a seatbelt and had gone out through the window and the car had rolled over the top of him and totally severed his head from his body. It made a lasting impression on me and I've never driven on the road without a seatbelt since. I think members of our medical and emergency services will all have had similar experiences and my guess is that they will all feel very strongly that seatbelts should be worn and all vehicles should be equipped with them. I would commend this Bill in the House and support it.

The Honourable Ms S Halford

Your Excellency, Honourable Members. I too support this Bill, I actually support the wearing of seatbelts but I think that it should either be all or nothing on the roads. How do you differentiate when you say Stanley? On 40 miles an hour roads they must be worn, we have them in Stanley as well and

with all the new entrances onto the Stanley Bypass Road I would suggest that most people who get in their vehicles should in fact be wearing their seatbelts. I suspect we might have rather a nightmare for the police, but I do support the wearing of seatbelts.

The Honourable E M Goss MBE

Sir, I rise to support the Bill, I have seatbelts in the front of my farm Landrover and I wear them every time I travel on the MPA Road but I would find it a nuisance to have to wear seatbelts in Stanley from shop to shop or office to office. You're lucky if you can get 20 miles per hour waiting for traffic on Ross Road so I support the Bill in its entirety.

The Honourable Mrs N Edwards

Yes Sir, I too support the Bill, I know things have been said about it but it needs to be said and it's a very wise thing to wear seatbelts. We're going to be having a faster road to MPA once the resurfacing is done and as Councillor Teggart said, that if you give people a faster surface they'll drive faster and kill themselves quicker. I don't think seatbelts are going to stop them killing themselves but it'll help some people.

The Motion was that the Bill be read a second time. A vote was then taken which resulted in 6 in favour and two against. Therefore the Motion was carried. In the Committee stage clauses 1 to 3 were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Firearms and Ammunition (Amendment) Bill 1995

The first reading was not required.

The Honourable the Chief Executive

Your Excellency, I beg to move the second reading of this Bill.

The Attorney General

Your Excellency and Honourable Members. There are two purposes of this Bill. The first of them is in effect the more simple. At the request of Councillors it would make provision to make it unlawful without reasonable excuse to possess a firearm in any place in which it is unlawful to discharge a firearm. That of course includes the whole of Stanley Common and Cape Pembroke Peninsula. There it is unlawful to discharge a firearm but it is not unlawful to have one in one's possession and the amendment would make it unlawful to have a firearm in possession in Stanley Common or in Cape Pembroke Peninsula. The second purpose of the Bill is to make certain amendments to the Ordinance so as to take airguns out of control under the Ordinance as firearms. The changes would be these: Licences would no longer be required for a person to possess an airgun but a child under 14 could not be in possession of an airgun

without supervision by a responsible adult. Thirdly, the provisions of the Ordinance in relation to dealing in firearms would also apply to selling of airguns because one of the provisions is that airguns cannot ofcourse be sold to persons under 14, and it's still necessary to make controls over the sale of airguns. There are other more minor consequential amendments in relation to the taking out of airguns and on control and the licensing arrangements of the Ordinance but those are the purposes of the Bill.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable W R Luxton

Your Excellency, perhaps I could just ask the Attorney General on one matter. It seems to me that the Bill will actually prevent you going to the airport and carrying a firearm with you should you be flying somewhere and want to take it with you. Would he confirm that that is the case because you would have to go off the Cape Pembroke Peninsula.

The Attorney General

Your Excellency and Honourable Members. I am happy to assure the Honourable Member that that will not be the case. He will have a reasonable excuse to possess a firearm if he is going to the airport to take it somewhere else. It is only an offence to possess a firearm within the Cape Pembroke Peninsula without a reasonable excuse and the matter the Honourable Member has mentioned seems to afford to me the most reasonable of excuses.

The Honourable J Birmingham

Your Excellency, Honourable Members. I wonder if the Attorney General could clarify something for me. Is an airgun a firearm?

The Attorney General

Under the definition in the Firearms Ordinance, it is a firearm, it will remain a firearm but it will not be within the control for licensing under the Firearms Ordinance. It will not be under control for licensing to be able to own one but it will still remain licenced to deal, a dealer will need a licence to deal in arms. It is within the definition of firearms under the Ordinance.

The Honourable Mr S Halford

Could I just ask the Attorney General to clarify that this will not affect in any way those persons that already have special dispensation to discharge firearms on Stanley Common and not do so?

The Attorney General

It will not do so because they will also have a reasonable excuse in that they have a permission to discharge.

The Bill was read a second time. In the Committee stage clauses 1 and 2 and the schedule were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Pensions (Amendment) Bill 1995

The first reading was not required.

The Honourable the Chief Executive

Your Excellency, in introducing this Bill for the second reading, I would like to say that this Bill deals with the situation that may arise due to the exercising of a flexibility in employment for Civil Servants. Namely, one may be seconded to another organisation with consent to gain experience or for any other reason. At present, this would be damaging to the pension entitlement, this legislation will enable their pension position to be maintained.

The Bill was read a second time. In the Committee stage clauses 1-4 were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Merchant Shipping Registry (Amendment) Bill 1995

The first reading was not required.

The Honourable the Chief Executive

Your Excellency, in introducing this Bill for the second reading, I would say that its effect is that every question of the registration of a ship will be considered by Executive Council. This is because registration is now increasingly important internationally and also because it is very important to us here in the Falkland Islands.

The Bill was read a second time. The Council were then in Committee stage.

The Attorney General

Your Excellency, may I with blushes draw attention to the fact that there is a manifest and gross error which occurs in the Bill two times - four times - and it is the word "Port". It should not read in any place "Port Stanley". The official Port of Registry for vessels registered in the Falkland Islands has and has been since the Register was introduced in the nineteenth century, Stanley and not "Port Stanley". May I also make it clear that no law in force or relating to the Falkland Islands uses the expression "Port Stanley" but

always "Stanley" and the error (and I ought to have known better), and the error is mine and I apologise for it.

The Honourable Mrs N Edwards

Can we perhaps just change it to say "near Port Stanley"? After all that's where the ships are.

The Attorney General

The answer to that is "no".

The Honourable J E Cheek

I rise to support the Motion and also to give thanks to the Attorney General. Current boat owners who are registered in Stanley would have been put to considerable expense to change the name on the side of the vessel by adding the word "Port". Thank you.

The Bill was read a second time. In the Committee stage clauses 1-3 were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Supplementary Appropriation Bill 1995/96 Number 2 Bill 1995

This Bill is being submitted under a Certificate of urgency. Therefore a first reading is required.

The Honourable the Financial Secretary

Your Excellency, Honourable Members. The Purpose of this Bill is to appropriate and authorise the withdrawal from the Consolidated Funds of additional sums totalling £371,100 for the current financial year. Clause 2a and the first schedule to the Bill provides for estimated supplementary expenditure amounting in total to £36,100 approved by the Standing Finance Committee and authorised in the first instance to be advanced out of the Contingencies Fund. A report of the Advances has been made to Executive Council, the effect of the appropriation will restore the balance of the Contingencies Fund to £500,000. Clause 2b and the second schedule to the Bill provides for less urgent estimated supplementary expenditure amounting in total to £335,00 approved by the Standing Finance Committee on the 1st November 1995. It is worth a mention that this supplementary expenditure includes provision of £300,000 in respect of the contribution from the Falkland Islands Government to Cable and Wireless Plc towards the cost of upgrading the Camp telephone network. The total cost of the upgrade is estimated at £1.53M and the Falkland Islands Government agreed to pay half the cost. Provision of around £460,000 will need to be made in next year's budget to complete the project. Also included is £5,000 to enable a donation to be made to the Caribbean Republic of Dominica following a hurricane that

devastated that part of the world. The funding for the donation was approved in response to a proposal made by Councillor Teggart on her return from attending a recent CPA conference. I beg to move the first reading of the Bill.

The Bill was read a first time. On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable R J Stevens

Your Excellency, Honourable Members. I would just like to support this Bill and highlight the amount of money that's been set aside as our share of what will be the cost of improving VHF.

The Bill was read a second time. In the Committee stage clauses 1 and 2 and schedules 1 and 2 were adopted as part of the Bill. Council resumed. The Bill was read a third time and passed.

The Public Health (Amendment) Bill 1995

This Bill was presented under a Certificate of Urgency and a first reading is required.

The Honourable the Chief Executive

Your Excellency, I beg to move the first reading of the Bill.

The Bill was read a first time.

The Honourable the Chief Executive

Your Excellency, I beg to move that the Bill is read a second time.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable J E Cheek

Your Excellency, I suggested some time ago to the Chief Executive that the multiplicity and age of the Ordinances, the multiplicity of Committees in the Medical Department is such that we would need to look at the current legislation attached to the Board of Health. I welcome this and the other things that will follow from this, just in passing I hope that the Public Health, well, the Board that will follow Government will look into the conditions that we are suffering from here and the maximum temperature under which the Members will have to work.

The Honourable Mrs N Edwards

Sir, I just would like to rise to support the Bill aswell and to reiterate what Councillor Cheek has said, they're outdated and needs updating and hopefully we'll get a more streamlined service from the Board of Health and Duty.

The Bill was read a second time. In the Committee stage clauses 1-3 and the schedule were adopted as part of the Bill. Council resumed. The Bill was then read a third time and passed.

The Wild Animals and Bird Protection (Amendment) Bill 1995

This Bill was presented under a Certificate of Urgency therefore a first reading was required.

The Honourable the Chief Executive

Your Excellency, I beg to move the first reading of this Bill.

The Bill was read a first time.

The Honourable the Chief Executive

Your Excellency, I beg to move that the Bill be read a second time and in so doing would like to explain something of the rationale behind it. We have a problem with Johnny Rooks and the problem is that they are a very rare bird indeed. Tourists come from all over the world to see these striated cara cara within our Islands but on the other hand they are undoubtedly a confounded nuisance to sheep farmers and indeed to others, so there is this dichotomy. Here is a species which some say may be dying out and need the most careful protection and which others maintain there are far too many of them and they're ruining the way of life of some people in Camp. Now, having said that, I certainly was under the impression and I know other Honourable Members were, that it was infact an offence to shoot these birds whatever they were doing, ie they had a very special protection and it would only be Your Excellency, yourself who could actually give permission for anybody to shoot these birds irrespective of what they were up to. However, we have by analysing the existing legislation discovered that this is not the case, under the existing legislation, they can be shot if they are attacking sheep because sheep are classified as domestic animals and if the Johnny Rook is attacking a domestic animal, the owner of that animal can shoot the Johnny Rook. The purpose of this legislation is to ensure that what we thought the law actually was in protecting these birds, it now becomes. I would now like to amend this Bill to the House.

On the Motion that the Bill be read a second time Honourable Members spoke as follows:

The Honourable W R Luxton

Your Excellency, Honourable Members. I thought it was good news that the Bill actually did allow or more actually allowed control of the birds when it was necessary. They are on a World-Wide basis very rare, they are extremely common in the Falkland Islands and in some cases as the Chief Executive said, they can be a confounded nuisance. I can quote from the National Stud Flock monthly report, "a significant increase in Johnny Rook activity during the weekend of the 4th-5th November, there were 12 Johnny Rooks in a pack around the lambing area on Sea Lion Island and the birds in the settlement have also killed at least eight of the ewes reported dead above and also killed a 3 year old pet sheep hand-reared by the McBains." In a situation like that I think they need to be controlled and I think this is a rushed bit of legislation which is unnecessary. The idea of having to apply to the Government for a licence to control a pest is really laughable. The damage will all have been done by the time the necessary formalities have gone through so I think that we should throw this amendment out and leave the law as it stands. I think that is the sensible thing.

The Honourable Councillor E M Goss MBE

Your Excellency, Honourable Members. I too would like to condemn the introduction of this amendment to the Wild Animals and Birds Protection Ordinance. For people who live in Stanley working in offices and don't visit the Camp very much, I'm sure they do think the birds are very rare but on Saturday last I was doing a check on Danson Harbour in Camp. There were groups of 3 Johnny Rooks having conferences as to which lamb they would take next or which ewe to molest. I disturbed a swan off its nest that had 4 eggs and a Johnny Rook came along here, and thought that's interesting, and I had to shoot the bird to protect those swan eggs which I then covered up with grass because the swans had gone into the sea. These birds are quite plentiful, they breed like mad on all the offshore Islands. There's another point I would like to bring up here in the last paragraph, "it would be still lawful at any time to kill crested caracara", that's crested parrot, turkey vultures as well as rats, mice and rabbits. What about hares? They give us a problem at North Arm, why haven't you got hares in there.

The Attorney General

I didn't, I'm sorry to say, occupy the post of Attorney General in 1964, presumably Councillors of the day decided that they wished to protect hares. Hares are not regarded as a pest and unless they start molesting the sheep or do something like that!!!!

The Honourable E M Goss MBE

The certainly molest gardens.

The Honourable J Birmingham

Your Excellency, Honourable Members. Yes I have reservations about the Bill but surely, and I assume that Councillor Goss, when he said that he shot the bird, I would imagine he maybe shot the swan and I'm sure he said that. He did say the bird so presumably it was the swan.

The Attorney General

Well it doesn't matter what bird it was actually.

The Honourable J Birmingham

Excuse me, may I rephrase that, when he said he shot, he was probably taking a picture.

The Attorney General

I think he may have shot himself in the foot.

The Honourable J Birmingham

May I say that a person wishing to kill them would then need a licence from the Governor. How long would the licence last for and could you just apply for a licence in the knowledge that at some point in the future you may need to use it.

The Attorney General

I think that the answer to that is that under section 8 of the Ordinance, anybody can apply for a licence to shoot any bird which is regarded as a pest. That would include for example a petrel which is another bird which is not listed as one you can shoot and which I believe can be very unpleasant in relation to sheep or at least I am told so by some farmers. It would be a matter for Executive Council because the Governor is then advised by Executive Council to consider whether a licence should be granted and whether it should be limited to a certain number of crested caracara so the things weren't wiped out. I believe that a number of people misinterpret the law and see "domestic animals" as being dogs and cats and things like that and section 8 was in fact intended to enable people to come along for a permit to shoot birds which were pests which would otherwise be protected. As the Honourable the Chief Executive has explained, "domestic animals" in law has a much wider meaning than the man in the street may regard, wrongly regard, "domestic animals" as meaning. It doesn't mean dogs and cats and things one keeps as pets.

The Honourable J Birmingham

Well I'm not going to split hairs but I was just going to say that it seems

rather complicated to me that you have to go all the way to Executive Council for a licence. I'm afraid I shan't be supporting the Amendment.

The Honourable Councillor Edwards

I feel the same as Councillor Luxton, I don't think I can support this Bill having seen what Johnny Rooks do to not just one sheep but a whole number of sheep at any one time. I do think we should leave the law as it is so we have the right to kill them if they are a nuisance. By that I don't mean that we should go around popping them off willy nilly but if you have reasonable grounds for protecting your animals from them, I think we should be still able to do so. I could show you some horrific photographs of lambs who have been decimated by Johnny Rooks, they're not the nice friendly looking things that they look to be and there certainly seems to be an abundance of them. They may well be one of the rarest birds in the world but I reckon most of them live around Fox Bay. I can't support this Amendment Sir.

Councillor J E Cheek

Your Excellency, Honourable Members. Someone commented a moment ago that Mr Goss had shot himself in the foot, I suspect we'll end up by shooting ourselves in a collective Falklands feet. I was going to stand up and support the Bill until I heard the Chairman of the Conservation Committee recommend that we didn't, I think I still will support the Bill, sorry I'm searching for words that will be rather more diplomatic. In certain cases I believe we have to be guardians for something that we may not all like, I believe we're guardians here for this bird, for these birds, I don't think we have any choice about it. Well that's not true, we seem to have a certain degree of choice of shooting ourselves in the collective foot. I honestly do not believe we have the choice, this will not be reported just in the Islands and I personally am not saying it because it will be adversely reported elsewhere. I believe that communities have the responsibility to maintain that, which is rare. Councillor Edwards said that we can now shoot the odd one if it is causing difficulty, that isn't what we can now do, we can shoot every bird on our farms or wherever we visit as long as we believe and we all do, that that bird will cause damage to our domestic animals. If we go ahead and vote no to this Bill, we are condemning I believe the wiping out of this bird, not just the shooting of one or two on your farm, they all cause damage to domestic animals, we know that. I think I better restrain myself Sir, and just say that I support the Bill and commend everyone else to support it and if we have a vote at the end, this is one of the few occasions where I would commend people to change their minds.

The Honourable Mrs W Teggart

Sir, I would just like to line myself up on the side of Councillor Cheek. I personally being one of these people who live in Stanley who hasn't got a clue what goes on in Camp, perhaps feel that we should protect something that is rare. When we discussed this on Executive Council, I was quite concerned to

hear that these birds had been known to attack people. I feel slightly different about a person being attacked by a bird when I think that they aren't entitled to shoot it. I was going to say what would I do to somebody attacking a sheep. Am I leaving myself open to all sorts of criticism by saying that? I do think that if the ability is in the Bill for somebody to apply for a licence to the Governor, do away with a certain number of these birds who are seen to be causing a problem on the farms than that is one to declare open season on striated cara-cara in the Falklands, and is something completely different because that is what is going to happen. There will always be the person who turns round and says that it was looking at my pet sheep so I shot it. You will never get a case to stand up in court. I remember hearing about dodos, I don't know if I've ever seen a picture of one, I hate to think that one day people might talk about the striated cara-cara in the same way.

The Honourable Mrs S Halford

Your Excellency, Honourable Members. I am afraid too I have to put myself on the side of not approving this Bill. I might live in Stanley but I have lived in Camp as well and I've seen what these birds can do and others and as I see it by not agreeing with this Bill you're not changing the law in any way. I do not see that people will go out and wantonly kill for the sake of killing but you must remember that these birds when they choose a meal, they don't do so and be kind about it. They've just said that it's a good idea to wear seatbelts so we don't make such a mess on the road, the sheep don't have this kind of protection and when you see them being pulled to pieces and they're still alive and kicking, it's not really a very nice sight. I am afraid Sir, that I cannot support this Bill.

The Honourable R J Stevens

Your Excellency, Honourable Members. I do support this Bill because I believe we're talking about a species which is more important than an act of villainy which they do. Now I am a well travelled Member of this Council and I've lived on Sea Lion, I've lived at Roy Cove and I think statistics would back me up when I say that Terry Clifton had some of the best lambings over a good period of the times on that Island compared to anywhere else. All of a sudden we're having problems with Striated Cara-Caras. There doesn't seem to be very much support at the moment for this but surely there are other ways of control apart from shooting like relocation of some kind, catching these animals. Again, I remember at Sea Lion and Roy Cove large numbers of these birds, and in some cases they were disruptive but let's put it in perspective if we are talking just about issues. How many farms lose 10-15% of their sheep into a ditch. I mean a sheep that goes into a ditch probably dies a slow death but we can't take it out on an inanimate object like a ditch. A lot of sheep perhaps starve to death but the main issue is that we are talking about a species and it is a very green issue. It is an issue that the World is very interested in and this won't do us very many favours if and it is an if, this bird is wiped off the face of the World. They're probably very rare and

adjust in these Islands because they're so tame, they are very tame birds, they are easily scared but they're easily caught as well. I've got to support it.

The Honourable the Chief Executive

There are certain issues arising out of this which I think are very important. As far as our oil situation is concerned we have been behaving I believe very responsibly with regard to the protection of our environment. It seems to me that if this Bill is defeated today, that will be giving all the wrong signals to people who are watching us very, very closely and I mean organisations like Greenpeace, and organisations that exist here that exist solely for the protection of the environment. I just can't believe that Councillors are prepared in the middle of an oil licensing round to put all that careful work at risk on an issue which is bound to become a headline issue on a species which I say people come 8,000 miles to see. I also find it incredible that we can actually argue as my good friend Councillor Halford did, that the cruelty exhibited in nature is something that we have in some way got to control. Are we going to stop elephant seals killing penguins? Are we going to stop the activities of killer whales in our waters? I mean there is no end to the responsibility that this Council might have if we're actually going to attempt to interfere in this way. What does seem to me, nobody has actually suggested that we look at this in a much cooler way and get hold of some statistics. If these birds are really causing this kind of damage and if they're really so many of them, then there's nothing wrong at all in culling them in a sensible and controlled manner. I would suggest that the most proper solution to this is to have a survey done involving Falklands Conservation and FENTAG and local experts and anybody else. At the end of that survey we can come back here with the report and recommend culling or not as the case may be, dependent entirely on the facts of the situation and the scientific figures, so having said that Your Excellency, I propose that we pass this Bill.

The Motion was that the Bill be read a second time.

The Honourable Financial Secretary

Your Excellency, Honourable Members. I would just like to add my support to the Bill and if there is a problem which there appears to be with obtaining approval to kill the birds on certain occasions, perhaps we need to look at the mechanism and make that mechanism a little bit easier than the Governor and Council if that would help Honourable Members. That might be a way forward.

The Attorney General

May I make a point Sir, as a point of order, strictly, the Financial Secretary should not have spoken, you cannot speak after the proposer of the Motion has spoken a second time.

HE The Governor

Yes, I think that everyone has had their say and we'll vote now on the Motion.

The Honourable W R Luxton

Your Excellency, can I make a proposal, it may be out of order but it might help. The proposal of the Motion of the Bill might care to withdraw it, I said in my speech that I think it was a rush job and it obviously was. If it was permissible for the person who introduced this Bill to withdraw it and to think of another solution and come back.

The Honourable the Chief Executive

I had thought of that Sir, but ofcourse if I withdraw we're left with a situation which everybody knows that they can be killed.

HE The Governor

Well, I think we should, if the Administration doesn't wish to withdraw the Bill, I think we should vote on it and the question can then be considered again. Attorney General, are we not allowed to bring up a second Bill?

The Attorney General

Your Excellency, the situation is this. There will be coming to the House at some stage I imagine, a Bill relating to a much larger field which is the replacement of the whole of the 1964 Ordinance which will not be dealing with the same subject. As such, but in which this subject may arise as part of it because it will deal with protection of birds and animals generally. I believe that Bill is probably going to be controversial and I've no doubt we shall hear more of this issue simply because in the context of any Bill which proposes nature protection or nature conservation, there will be provisions which are aimed to protect species and indeed if the bio-diversity convention which means preserving rare species, is applied to the Falkland Islands, there have to be obligations (I'm not saying that this prevents Johnny Rooks' being killed, certainly not) which would have to be honoured by the Falkland Islands. I think this subject will be re-visited.

HE The Governor

Yes, I'm just concerned that we don't rule out re-visiting this subject in the present session if we wish to by defeating the Bill.

The Attorney General

This Bill cannot be resuscitated in any form however worded in this session, the subject cannot be dealt again with this House in any form before a prorogation or dissolution of the House.

HE The Governor

In which case it might be more sensible for the Administration to withdraw it at this stage.

The Attorney General

What the Chief Executive has said, withdrawing the Bill is no solution.

The Honourable the Chief Executive

Can I take a view Sir that after we have voted on the second reading which this is, then we get to the third reading.

The Attorney General

You won't get to the third reading with respect Sir.

The Commander British Forces

Your Excellency, may I contribute once more please to this meeting for I must depart in 2 minutes and it won't take long. It seems to me that there is a balance here between environmental issues and also in the sense of farmers and I value both tremendously. I do believe that if you issue licences which you're still entitled to do even under the new Act, the licences should be issued to those people who are responsible enough to understand the importance of both issues. I think if you look at the representatives of this Council who are not only running their own country, they are also farming, I believe they'd have the sense of responsibility to be able to consider whether this bird should be shot or not and I think that selling individual licences would get round the problem.

HE The Governor

I am trying to decide whether it is easier to withdraw the Bill now or have a go at it or to defeat it, in which case it cannot be raised again in the session if Councillors want to do that.

The Honourable the Chief Executive

Well what I would be happy to do Sir, I think as I say this is the optimum solution, to offer the withdrawal of the Bill, aware of the responsibility that people will take on this matter having now raised it in effect, we've opened a gate and that is the problem or opened the hutch or whatever it is. If we can work with the environmentalists in the short term to produce some facts in this situation, I believe it will be helpful if we can do it as early as the next Executive Council that would be fine to come back with the facts to Executive Council to see what the position might be. Indeed if defeat does

stare the Bill in the face then I think that is the only sensible course of action but I regret that there is this loophole now created which people may want to dive through.

HE The Governor

I think it is revealed rather than created, but you're content to withdraw the Bill.

The Honourable the Chief Executive

I think it's the most sensible course of action.

The Bill was then withdrawn

HE The Governor

That concludes the session on Bills.

Presentation by His Excellency the Governor to Legislative Council.

This is the portrait, you've probably seen it in the Council Chamber in Government House but it replaces a previous picture of Moody which was taken when he was in his fifties and had a long grey beard and little was revealed of the man or his face. Its interest is that it is a portrait of Moody at the time he was Governor of the Falklands, I suspect it was sketched before he came out here so for this reason I think it's better to replace the old picture with this one, the history of this picture is that it belongs to the Lyons who are descendants of Moody and we managed to remind one of them that they actually had a portrait in the attic and so they very kindly, Mr Peter Lyons of Lancashire, very kindly photographed it for us and I've great pleasure in presenting this to I think the Clerk of Councils to arrange for it to be put back on the wall where the old portrait stood.

Clerk of Councils

His Excellency the Governor's farewell speech to Legislative Council.

Introducing his speech the Governor remarked that it had been prepared before the session of Legislative Council and should not be read as commenting on the present morning's discussions.

FAREWELL SPEECH TO LEGISLATIVE COUNCIL

by David Tatham, Governor of the Falkland Islands

24 November 1995

Honourable Members. It has been a privilege to chair the sessions of Legislative Council over the last three years.

This was a totally new experience for me, and one which I cannot expect to have again. I am grateful to two Legislative Councils for their advice and support. I believe relations between Government House and Gilbert Cottage are close and warm.

Three years ago I came with the intention of encouraging Councillors to exercise the responsibilities which the Constitution accords to them and I think between us we have ensured that the two Councils have acted as Government and accepted the praise and the blame for the conduct of government.

I should like to share some thoughts with Councillors on the events and lessons of the past three years, and also some ideas for the future government of these Islands.

I believe the events of my term of office have reminded us forcefully that exploiting our major assets - real and potential - fisheries and oil - to some extent involves our neighbour. We have to live with a neighbour who still talks of annexing us in despite of our clearly expressed wishes and which has even spoken of doing so by the year 2000 - around the conclusion of my successor's term of office.

But the past three years have also shown us that it is possible to reach practical agreement with that neighbour without in any way compromising our sovereignty or lending support to her more absurd claims.

The South Atlantic Fisheries Commission has been in existence for five years now - the eleventh session has just concluded in Buenos Aires. As Councillors know we were ably represented at it by our Director of Fisheries, Mr John Barton. I believe that the work of the Commission has minimised the danger caused by Argentina's entry into the squid fishery.

It is true that our Illex income has declined quite sharply - income from Illex licences last year was down £12 million on the peak of Illex revenue in 1989. It is also true that the catch has fallen in successive years - by 20 per cent last year and by another 20 per cent in the previous year.

But the damage has been far less than we feared in late 1992 when we suddenly

found that our previous Far Eastern customers had deserted us for easier pickings across the water and we have the Fisheries Commission at least partly to thank for this.

I believe that our Fisheries Department, our scientific advisers in London, and our fishery protection effort have earned the respect of their Argentine counterparts. I would even say that we have to some extent educated Argentine fishery scientists and perhaps officials. On two occasions we have persuaded the Argentine government to close the Illex fishery early to protect stocks - not as early as we would have wished, but it was a difficult decision for the Argentine government because they have a large domestic fishery.

We are now starting to negotiate a long-term fisheries agreement which we originally proposed some years ago and which was taken up by President Menem and endorsed by the Prime Minister, Mr John Major, when they met in New York.

I believe a sensible agreement will do a lot to protect the future income of the Islands. There are important interests which we share with Argentina in the fisheries - conservation chief among them, but also the need to control fishing on the high seas, the need to build your own fishing industry and the need to ensure better access to the highly protected Far Eastern market. So both sides can benefit from a long-term agreement.

The Fisheries Commission was in many ways our model for the Hydrocarbons Commission which was established by the Joint Declaration signed by the Secretary of State, Mr Rifkind, on 27 September.

I think most people here - and I recognise that two Honourable Members hold opposing and very sincere views - believe that the Joint Declaration has had a very positive impact on the oil companies we have been in contact with, without in any way damaging our sovereignty. Members of the Hydrocarbons Commission had a preliminary meeting in Buenos Aires two days ago and have still to grapple with the serious work ahead of them.

The Foreign Office are very keen that we have our say in the Commission and we here are determined that we should do so. But we have in effect to establish a second and new regime for the special area. I am confident that we can play our part in this process, but it is going to be an additional burden on the Falkland Islands Government and in particular on the Oil Management Team.

Looking back over my three years here as Governor what has impressed me has been the feeling of rising confidence and growing self-reliance. I believe the fear of a sell-out, of some backstairs deal between London and Buenos Aires, no longer dominates public opinion. I have teased Councillors from time to time about the mental attitudes of the 1970s.

I think that attitudes are now catching up with the realities of the 1990s - the reality that we are effectively protected by the garrison at Mount Pleasant, the reality that we have a very healthy income and excellent

financial reserves and the hope that the discovery of hydrocarbons may yet add immeasurably to the resources and authority of the Falkland Islands Government.

I find further evidence for this self-confidence in the private sector. During the past three years we have seen the fishing industry develop into a real partnership between local companies and their foreign - usually Spanish - partners, with the consequent growth of commercial and technical knowledge of the industry and increasing local investment in fixed assets such as boats and shore facilities.

We now have seven deep sea fishing vessels registered under the Red Ensign in the Falkland Islands - the largest deep sea fishing fleet under the Red Ensign anywhere in the world.

We have seen the establishment of a local company - Consolidated Fisheries - which has made a successful start in catching and marketing the toothfish resources of our outer zone.

In the rest of the economy, we have seen a reduction in the number of outside contractors, but a growth in local talent. Perhaps I can single out particularly the success of White Rock Ltd in building the West Falklands rural roads.

There are other budding entrepreneurs and contractors in Stanley and I hope that FIG and FIDC can give them the support they need to develop from one-man bands into regular companies - with all the necessary administrative know-how and continuity - while not losing their individual character and enthusiasm.

The other important sector of our economy, tourism, should stand on the brink of a breakthrough once the jet link with Chile opens. Tourism both brings in money and wins us friends - not a bad contribution.

I have just been on a voyage round West Falklands with my wife, and I was very struck when talking to farmers by their degree of commitment, by their intelligent appreciation of the wool market and of the possibilities for improving their own land.

But I was also struck by the strain which the responsibility of farming particularly during a difficult winter and a hectic summer, places on them. I know that Councillors are determined to maintain our support to the farming industry, and to encourage it to diversify. The abattoir will help in this.

But I also wonder whether we should not encourage selected immigration of farm workers, mechanics and engineers.

Looking ahead, I have always had in mind some remarks by a fellow colonial governor. Governor John Winthrop of the Massachusetts Bay Colony told his fellow colonists - in 1630 at a stage when the city of Boston was far smaller

than Stanley is today:

"We must consider that we shall be as a City upon a hill. The eyes of all people are upon us. So that if we shall deal falsely with our God in this work we have undertaken, and so cause him to withdraw his present help from us, we shall be made a story and a byword throughout the world."

I think we too always need to consider how the world sees us. We were thrust from our quiet life into the centre of the world stage in 1982.

In particular we were placed in the forefront of British domestic politics.

I know Councillors and the public are very aware of the need to preserve good relations with all the British political parties and to ensure that they appreciate our problems and our point of view. The change in the attitude of the Labour Party in the past year has been welcome and reassuring and a tribute to the skill of our representative in London, Miss Sukey Cameron, and her office.

But we need to be constantly on the alert. There are all sorts of aspects of our life which are far removed from the sovereignty dispute, but which can have an instant impact on how we are seen in Britain.

The environment, animal welfare, how we approach oil, and the general perception of whether we are using our now considerable resources wisely will all affect the support we can expect from the British public.

I think we all realise this and I have no special recommendations to make - merely to urge that we watch the situation with continuing care. We are "as a City upon a hill" and while many people want us to succeed, there are those who will be watching for a slip.

As far as our neighbour Argentina is concerned, I believe we should set ourselves an ambitious objective which may take years to fulfil.

We should aim to persuade the Argentine people and their political leaders that their claim to our Islands has been a delusion and a snare for many years and would be better dropped. There is an increasing realisation in Argentina that the dogma of the primary school textbook is no longer an adequate guide to the real world. A small but influential number of Argentine academics are urging that the claim should be dropped.

A former adviser to the Foreign Minister, Dr Escude, has commented in print that "The Argentine claim in 1833 derived from the supposed "inheritance" of Spain is thus much more relative than the typical Argentine with a university education believes it is."

We have to work to enlarge this area of understanding. There is enormous interest among Argentines in the Falkland Islands - we need to capitalise on

it.

Visitors from the Argentine media have been impressed by our achievements and by the Britishness of our society. I think every journalist visiting us has had his or her perceptions radically changed - and from our point of view - for the better.

I welcomed the lecture tour earlier this year undertaken by Miss Janet Robertson and Mr Graham Bound. The level of ignorance which they uncovered was truly startling. A well produced illustrated pamphlet on the Islands in Spanish, funded by the Foreign Office is about to be issued and this will do something to correct Argentine views.

We are looking at a Spanish translation of Mr Tony Chater's book on the Islands, which I think could do nothing but good. I believe we should also be looking at establishing a Spanish language news agency here in Stanley - to produce material for the press in Latin America which reflects positively on the Islands and gives an accurate picture of what we have achieved and what we think.

And eventually I hope Councillors will be prepared to speak up on our behalf in Argentina. Nothing is more convincing than a Falkland Islander speaking on behalf of the Islands and their people.

No British Minister or diplomat can match the commitment, knowledge and experience of an Islander speaking about his or her own country. It becomes very difficult for Argentine propagandists to tell us - face to face - that they know better than we where the true interests of Falkland Islanders lie.

So I hope Councillors will think very carefully about whether to attend the next session of the Argentine-British Conference in Ushuaia. It may be the right moment.

There is one more issue which can affect how the world sees us very directly. I have been very struck during my time here by Islanders' generosity and willingness to support good causes. Whether it be local disasters like the fire at Harps Farm, or foreign catastrophes like the events in Yugoslavia, people have reacted quickly and generously to appeals for help.

At the governmental level Councillors recently donated £5,000 to the Caribbean state of Dominica which had been damaged by successive hurricanes. And I personally - as Chairman of the Falklands Committee for the Shackleton Appeal - am very grateful to Councillors for their generous matching of funds raised privately to the value of £100,000. This has enabled us to meet the target for the Shackleton Appeal in a much shorter period of time than I thought possible.

I know at the CPA seminar held here in January, Councillors were touched by the appeal of the delegate from St Helena, and indeed it was thanks to

contributions from FIG that Councillor Bill Drabble of St Helena was able to join us here.

What I wonder now is whether we should formalise this spirit and make an effort every financial year to devote part of our income to the relief of suffering and poverty in the world. This could be partly devoted to appeals for help in natural or man-made disasters.

But we could also look to help our neighbours in St Helena and Tristan de Cunha, and to foster contacts with the southern province of Chile, where the British school - with which we are establishing good links - will celebrate its 100th anniversary next year. I do not think we need an elaborate apparatus for this. We have no wish to create a mini-ODA in Stanley. But a committee of Councillors and citizens interested could make recommendations, and the Financial Secretary could make payments with only a negligible addition to the administrative burden.

I had in mind a figure of £100,000 which would amount to only one-third of one per cent of our current income. I have been very struck that, when talking about the possibility of oil revenues in the medium-term, people have stressed that they want a large proportion of our funds to go to help develop less fortunate countries.

I believe a small programme now on the lines that I am suggesting would give us useful contacts and expertise if we are ever blessed with significant oil income.

In conclusion I should like to record my very sincere thanks to all my colleagues in the Falkland Islands Government service. It has been a source of pleasure and of pride to be head of an administration which, in my view, is efficient and responsive.

I am grateful for the unfailing support which I have received from everyone in the Service, and I should like particularly to mention my staff at Government House, both from the Falkland Islands Government and from the Foreign Office.

The next couple of years may see fundamental changes in the nature of the Civil Service work in the Falklands. I hope the result of our consultants' enquiries will lead in many ways to better and fairer working conditions and an even more efficient and effective Service. But I think it is essential we preserve these standards of honesty and civility which characterise the Service today.

There is one further group of people in the Islands I should like to thank - I shall call them the contributors, the carers, the givers. I mean those who devote their spare time to community activities whether they be defence, sporting, educational or musical; to do with the young or to do with the old.

We are lucky that we can count on a reserve of enthusiastic volunteers for a

great many tasks. May they always be ready to serve.

Among this group may I publicly pay tribute to my wife for the help and support she has given me - she shares my sorrow at leaving and my pride in what all of us in these Islands have achieved.

And finally may I thank everyone on the Islands for their help, kindness and hospitality during what has been - for us - three very happy years. I hope we shall see you all again. We have plans to come back in the year 2000 just to check that the right flag is still flying at Government House.

The other day looking through some of the papers in the Archives I came across Governor Moody's farewell speech to the first Legislative Council, nearly 150 years ago. We can be justly proud that we have 150 years - less 74 days - of representative government in these Islands which is a record that not many countries in the south part of America can match.

Despite the passage of time and the very changed circumstances I think Moody's words still make a good note on which to close:

"My successor having arrived I have now to take leave of you. In doing so I wish to express my thanks for the advice and assistance you have afforded me. It is particularly gratifying to me to bear away with me the remembrance that our discussions and debates have been conducted with so much good temper and good feeling: freedom of debate is the glory of Englishmen. I now resign the office entrusted to me by my Sovereign and heartily wish you and the colony for which you legislate every success."

MOTION FOR ADJOURNMENT

The Honourable the Chief Executive

Your Excellency, I was so taken with that speech I haven't even got the words but I do propose that the House stands adjourned sine die.

His Excellency The Governor

Does any Honourable Member wish to speak to the Motion?

The Honourable J E Cheek

Your Excellency, normally we speak in rotation, may I suggest as I am aware a number of Members wish to be verbal, possibly than carry on for rather long that they speak now.

HE The Governor

Good suggestion.

The Honourable E M Goss MBE

Your Excellency - Honourable Members. It was my intention to speak to the Motion for Adjournment at the last meeting of the Legislative Council on the 30th October but I missed the boat because some of us were playing the waiting game to get the position of last speaker and I failed to catch your eye Sir, through the forest of microphone legs - that I am delighted to see have been replaced by something smaller - and I consequently lost my chance to contribute. However the lesson has taught me to be sharper off the mark.

Some of the current issues stir me to get up early and speak. Thanks to my colleagues on the Executive Bench for allowing me to speak first.

The Extraordinary Executive Council meeting on Tuesday about the Aerovias DAP proposed flight route to MPA, Punta arenas and Santiago Chile using a Boeing 727 leaves a lot for the imagination - this old airframe does not conform with acceptable noise levels in the more advanced parts of the world, hence the availability at a lesser cost than the BAE 146. I have strong reservations about giving financial support to a foreign company for sometime now.

In July this year Councillor Edwards and I attended the United Nations Committee of 24 in New York. We were both more than a bit surprised to learn that Chile was a co-sponsor along with Venezuela and Cuba in supporting the Argentine claim to our Sovereignty when during the previous year we had been working hard to court members of the Chilean Government and setting up student and scout exchanges. The Chilean Ambassador in New York was unaware of our contacts with Chile nor did she know that we have a large portion of Chileans integrated in our Community. Facts like this puts the sharing of our money in a different frame.

I would like to put on record that I was recently mis-quoted in the Daily Mail and the article was repeated in the Penguin News. What I said in relation to the forthcoming visit of Princess Diana to the Argentine Capital was 'it is out of step' but I have no control or influence over what international arrangements the Royal Family or the British Government might make. What worries me more is the planned visit by HMS Endurance to Buenos Aires in December, as this is the Falklands and an Ice Patrol vessel. Had it been a grey hull the significance would be less because the exercise might open the way for a reciprocal courteous visit, which could lead to say the notorious ANS 'Granville' coming into Stanley Harbour. Perish the thought.

In His Excellency's farewell speech the absence of one very topical subject was noticeable in that no reference was made to the unpopular decision taken by Executive Council on Wednesday 22nd. On the Future of Falklands Landholdings Limited. A matter his Excellency had charged the Chief Executive to resolve shortly after taking up office. A number of reports have been produced and just when the Employees think, now at long last we are about to gain stability, a new Executive Council is elected and the direction takes another turn. Once again leaving the future in limbo until 1st March 1996 for

further alteration or confirmation by Legislative Council on 29th March. I knew at the very beginning when the idea to purchase the FIC farms was first floated, that uncertainty would become a feature in our lives. This has been very true from the outset. I know assurance has been made that the obligations to existing employees will be honoured. This of course extends only to those employees on the books when the farms were purchased from Anglo United Limited. What protection will be offered to the many part-time employees who work full hours but do not have the benefit of holiday or sick pay cover. Where will this policy bring comfort to those who went to work on the farms since May 1991?

The timing of change would not have come at a worse time of the year when everyone is working their guts out because we are all short handed as a result of not knowing if taking up work in camp will offer a secure or stable opportunity.

All these reviews add to a stagnation in our workforce. The general expression from the farms on the latest communique is one of depression. Almost like evil forces are at work to bring about the demise of the big farms. Yesterday's press release shattered morale in the North Arm shearing shed and I suspect had a marked effect on the commitment of work quality. Since my election in October 1993 I have been striving to bring some security and permanence of employment to an ever reducing number of workers - people who want the wide open spaces of the big farms. The big challenge in any working day that returns them to their homes in the evening, tired but satisfied that they have done their best for the company. If I have failed in my mission I can only call on my fellow Councillors to think of the anxiety your decision will have on some fellow Falkland Islanders.

I have said before that the Shackleton recommendation had some good ideas but when Shackleton mania took hold everything got out of hand and sub-division went too far, too fast.

Another question coming from the farms last evening was - who voted for this break-up policy? (I think Councillor Teggart answered this earlier this morning) and why is it taking place when most of Falklands Landholdings farms out performed the sub-division farms. The people on the streets of Stanley are horrified and disgusted with the Executive Council policy statement and I am ashamed to be associated with you for being so thoughtless and coldhearted towards your fellow countrymen. We have enough enemies abroad without making them at home.

I know we are past the question and answer time of Legislative Council but in connection with the statement made on Falkland Landholdings I wonder if the Attorney General will be permitted to explain the difference between a statutory corporation and a limited company. As we can't embark in a ping pong discussion I pose that this is a legal loophole to release Government from some commitment?

In speaking to Motions for Adjournment I have noticed in the past that the Administration members will pick up points delivered from Elected Members and give an explanation. Therefore I would like to ask if a brief statement could be made on the conclusion to the enquiry on the missing Royal Marine Addis case conducted by the Devon & Cornwall Police who left the Islands in early October. I would further like to learn if apologies might be forthcoming to those wrongly arrested?

On a happier note I would like to take this opportunity to extend a belated warm welcome to Commodore Backus and his wife Margaret to life in the Falklands. My best wishes to you Sir, and your charming wife Valerie for a safe journey home and I join my fellow Councillors in wishing you well in the future. Thanks to you in your part to recent Falklands History you are the 12th Governor in my lifetime and I guess it won't be long before you're on that wall.

And in conclusion my thanks to Cannon Palmer for his blessing this morning with particular note on his prayers for our wisdom. I would also like to pay tribute to all the church leaders in our Community that bring so much comfort to those in distress. Sir I support the motion.

The Honourable J E Cheek

In this case Sir, I suppose it is reverted to the normal round the tables. In rising to support the Motion may I first start off by wishing you well on your posting, wherever that may be. I have enjoyed working with you the last two years that I have been on Council as I enjoyed working with you when I was on Council previously and you were on the Falkland Islands desk in the Foreign Office in London. At a dinner we gave to you the other evening I gave rather a lengthy speech and I don't want to repeat what I said then. But I do believe that we have trusted you, rightly for reporting what we think, even where it may have been different from what you would have liked us to have thought, back to the foreign office. It hasn't been particularly easy, particularly in recent months with some of the decisions we have made, particularly when Councillors have not been all the same or thinking the same thing. Anyhow my thanks to both yourself and your wife Val for all you've done for us in your official capacity and other things that you may have taken up. I certainly will miss seeing both of you walking on Surf Bay although I must admit in the last year the frequency of those walks have diminished as your work load I presume has increased.

Regarding the Endurance's visit (past tense) to Buenos Aires I heard on the radio two nights ago on BBC World Service an interview taking place on that vessel when she was visited by various Argentine officials. I didn't particularly like it but hopefully the friendliness that is now promoted between Britain and Argentina will in some ways reflect on our own security. I would hope that that friendliness could expand and take place between ourselves and Argentina. Unfortunately I do not see that happening until Argentina drops her current continuing claim on the Islands.

On December 8th last year Councillors wrote a letter to the then Foreign Secretary. I am not sure that it is possible that this letter in fact has now been published and passed to the press. Basically what it said was that in the event of revenues for oil, Falkland Island Councillors or at least those in office at the moment, would be following the satisfaction of our own requirements and would be more than willing to pay for the current defence of the Islands. If some of the stories we hear about the possibilities of oil, consequent to revenue, are correct and there are vast revenues then we would be willing to pay for past defence and the monies involved in infrastructure since the end of the war. What we specifically excluded and I would continue to exclude is any agreement or any offer to the British Government of a percentage cut from the revenues that we may receive. There's another country that has an interest in us that has already said that they are going to take such a cut. But to me I don't believe that they have any legal right to demand any such percentage and I believe it would undermine the political stances of Britain and ourselves took during the war and since. We are an independent (as much as we can be) country while we continue to be a colony but the degree of colonialism that used to exist which meant that the mother country took from that colony, I believe is long gone.

A number of other things I'd like to mention, I would like to see us introduce a guaranteed minimum wage within the Islands. I would also like to see us introduce a transfer of undertakings, I believe that's the correct wording. Where people are working for one firm, one company, one contractor and that contract is changed to someone else and the payment that is made to such people remains the same or at least is not diminished. I believe we may have had cases of that in the recent past and I believe it is our duty to protect people from that sort of thing. I'm trying to choose my words carefully because I don't want to refer to anything that we've already concluded. I think it's been mentioned that within the next few months we will have conservation legislation coming before us. I welcome that we have to have it because of the oil industry that is approaching, maybe approaching. But we cannot be selective in forcing that conservation, it must apply to all, in fact I'd go further than that and say I believe that we Islanders have to be the leaders of it. Associated with that I believe we have to introduce more modern animal welfare. I don't want to introduce animal welfare that penalises farms to a possible degree but I don't think we can continue with animal welfare that I believe is probably more related to the beginning of this century rather than the end. I think Sir, that is all I wish to say at the moment, I support the motion.

The Honourable Mrs W Teggart

Your Excellency, Honourable Members, I rise to support the Motion for Adjournment. One of the problems you tend to find when you get up with a rather scribbled on piece of paper like I tend to, sometimes something you say although it might be perfectly clear in text doesn't always convey itself that way to other members to whom you are speaking. So with your indulgence I

would just like to clarify that I in no way meant anything derogatory to anybody who has entered the Islands to live here. I was just trying to point out the trend in population the way it has changed over the last few years and warn of the dangers of oil coming that Falkland Islanders including those who have moved here might one day be significantly outnumbered. I am sure that Councillor Edwards when she listens to the recording will sympathise with me for having been misinterpreted. I am sure that she didn't mean it when she told people to kill themselves on the MPA road either. One of the things that is concerning me at the moment and it was touched on briefly in question time was the housing needs. It worries me greatly that we are not in a position to offer any housing to local people who are in need of accommodation at the moment. I hope that the decision that was made by Executive Council this week to go ahead with the East Stanley development, and it was supported in Standing Finance Committee aswell, to go ahead quickly with that and bring 100 housing plots on line over the next two years will do something to alleviate that housing shortage. I think it is something that I wanted to happen right from the start rather than just doing a percentage of the development I thought we should go ahead and do the whole thing because I could see the need that was going to arise. I am very happy that this is going to go ahead in its entirety and I hope that the current housing prices will be alleviated.

We have also requested in Executive Council this week for a paper to be prepared on the Falklands Islands Government contributing towards the cost of new houses built in the Falklands. Perhaps up to 50 per cent of the freight. This is a paper that I hope we will get next month for discussion. I know we're being considered as particularly callous by some of the Camp Members because we didn't feel we were in a position to help the people at Harps Farm in particular. I would hope that their new house falls within this category and perhaps could be the first that we could look at under this new scheme providing it gets support from Councillors.

I heard this morning that DAP airlink will be starting on the 7th December. I personally welcome this link. I think that if we are going to have oil if we are going to develop in any way that it is important that there is another route in and out of the Falklands which businessmen in particular can take. I am not in any way being derogatory to the Tristar and I would hate it if anyone thought I was but it does concern me when we have a long waiting list of Falkland Islanders particularly those who are overseas training, who are not able to get a flight home for Christmas. I think if we want people to stay away and particularly if its in their first year of training overseas that it is important they come home, particularly at a time like Christmas.

The Landholdings development has been mentioned. I particularly welcome this. I think that people have to consider that there is a huge tract of land in Landholdings, 800,000 acres I believe something like that. I believe that it is unrealistic to continue going along the lines we have over the last four years. I believe that there is room for compromise which is why I was happy to support a sell off of 33 to 50 percent of this land in the foreseeable future. I believe that gives plenty of scope for the statutory corporation

which hopefully will be introduced and take over from the board which in some ways had to find itself working against the wishes of the Government simply because its a board. But I welcome that, I believe we have some good people on the Landholdings board and I will hope that they will see this as a new and dare I say it, an exciting challenge for the future. The decision has basically been taken out of their hands as to what to do but I hope that they will meet this challenge and carry on as they have done in the past.

I think that one of the good things to come out of the Chief Executive's report on Landholdings was the fact that we have decided on Executive Council to adopt it as a national rural development policy rather than something that applies just to Landholdings. I feel that if we are going to develop I would hate to see Landholdings itself develop and leave every other small farmer as a poor relation. I believe we have to have a national rural development policy and I hope that this will be enacted. Somewhere else that came in for mention today was the state of the public jetty, not being able to stand up and make any sort of statement and I couldn't think of any way that I could get it in to the supplementary for the Chief Executive. The fact that it is actually shortly to go over to tender the materials for repairing the Public Jetty are ordered they are expected to arrive on the boat which is due I believe on the 3rd of December. A design has been drawn up by the design office and I think that what we could describe perhaps as a series of landing stages will be built along the side of the jetty. It will depend on the height of the tide, where the launches go alongside the jetty I think will add greatly to the safety of that facility as I said the design has been drawn up by the design engineer, who has seen this in operation in other parts of the world.

One of the things I'm always reluctant though it might not seem that way to criticise something at this particular stage but I do worry about some of the media coverage that Councillors have been given over the last few months. I think we've all been away doing quite interesting things but I don't know whether it just applies to me or it applies to everyone else but we haven't been asked to comment on our particular trips abroad. And there just might have been something of interest that happened at those particular conferences or wherever we were that people would be interested in. It was misreported I think in Penguin News or it was implied that we were a 'have' country who were singled out, I think the implication was for relief from Dominica. In fact that was far from the case. The Dominica circulated an appeal to all countries who were present at the Commonwealth Parliamentary Association Conference in Sri-Lanka. Something else that came out of that conference which I have told other Councillors about but I haven't had the opportunity to say about it to the public, is that Claudette and I couldn't do it on behalf of the Falkland Islands, but as individual representatives if you like at the CPA conference. We did sign a petition condemning the nuclear testing in the Pacific. The petition was introduced by two countries the Cook Islands and the Western Australia territories who are particularly close to the area of testing. Some of the stories that they had to tell about the changes in the atolls and things caused considerable concern among the delegates of this

conference. We joined with a large proportion of the delegates in signing a petition. If by any chance any of the Media are interested in seeing the Press Release then I do have a copy of it which I will be happy to pass on. I would also like to add that I wasn't, as reported in the Penguin News at Party Conferences with Councillor Stevens, that was a privilege which my colleague Councillor Halford undertook.

Sir, can I join with others in wishing you all the best with your new posting and also to Mrs Tatham. I was particularly pleased to see in your farewell speech that you mentioned the work which the Governor's wife always undertakes. Somehow it gets rather hidden in your more political duties but I think that a lot of people are very aware of the very positive contributions that she has made over the last few years. And I wish you well, Sir, I support the Motion.

The Honourable R J Stevens

Your Excellency, Honourable members.

In rising to support the Motion, I would like to say a few words. Firstly, last month, we were saying hello to the Commander of British Forces and his wife and sadly today we're saying goodbye to you and your wife. I must say I much prefer hellos. I wish you well in your new posting and I hope you'll keep us informed of your progress and your life. I must say that I thought in the past I'd be standing here defending, or discussing really, with an open mind, the Dog Legislation but it hasn't come up. Animal welfare was mentioned by Councillor Cheek. The two things, in a way, are connected because I think a lot of farmers, I'd say most farmers, not all farmers, are very interested in animal welfare. They wouldn't be in farms if they weren't. However, the problems we're always going to have is one of logistics and cost in an industry where we don't seem to get very good financial returns. When these things are deliberated I think we should consider those problems, not as an excuse, but a reality. A lot of my constituents that I speak to are very worried that some measures will be brought in which they cannot physically, financially stretch to. I believe, again I'll emphasise it, that the majority of farmers, if not all, are very positive towards better animal welfare.

I'm going to mention Falklands Landholdings - I've probably said more about Landholdings in this forum than other members and it's a very emotional issue - there's no doubt about it. It doesn't alter the fact that there are some very hard working, loyal people on the farm that something isn't quite right and I back this up by asking people to look at the electoral register and see how many people are still on the farms and the problems with the next generation. It's got to be wrong if there's two children at Port Sussex and three children going to school at Goose Green. This is an area that certainly sub-division would help. I'm not going to stand here and be aggressive when we should be looking at this change sensitively. No-one has to be pushed out and the assurances of work have been constant from purchase. That's a thing that has never changed from the onset and I don't believe it's a case of 'in with the new and out with the old'. I think we can do this, where we can

bring new people to the area in a different manner.

Sir, I would just like to answer part of your speech - I believe also that we should deal with the ardent times with more confidence - and this council certainly has. But it's a fine line now with other countries looking at us in a highly focused manner at the beginning of this oil venture, with the Argentines very actively pursuing their case. I don't believe, at this time, that we should be seen in Argentina, because the perception to the outside world will be of us warming to the Argentines. We do take our message everywhere we go but I would want to see Argentines high profile political stance diminish substantially before Councillors consider taking the Falklands' message there. We have an ever increasing number of intelligent and well educated members of our community who are very able to spread the Falklands' message. Personally, I would rather leave it to them, at this time, until there is a change of attitude. I don't believe they'll ever drop their claim publicly but I look to the time when they might be less high profile in their political stance. One more small issue - well, perhaps it's not small to some people - along the same lines is letting a limited amount of Argentines into the islands. I believe if Councillors went to Argentina we'd have to reciprocate with their people coming to us and again, I don't think it's helpful. But it is helpful letting a limited number of Argentines, on this dual passport rule into the islands. It has been very successful. I think a lot of people have gone away with a different idea and we've made a few friends and this is probably the best way forward in our way of winning over people. To just respect the wishes of the people. Sir, I support this motion of adjournment.

The Honourable J Birmingham

Your Excellency, Honourable Members. In rising to support this motion Councillor Goss touched on the subject of Landholdings and I feel I must follow through. In the past, Honourable Members have given the benefit of their experience to this house and I feel that if you would bear with me for a couple of minutes I would like to give the benefit of the experience I had. In 1980 we were at Roy Cove and there were 10 full time workers at Roy Cove. Three weeks after the last employee was taken on we were told the farm was going to be sold - this was just at the start of the season. That's the way people were treated in those days. So we moved to Fox Bay West and we were there during the occupation. In '85 rumour started that Fox Bay West was going to be sold so we went through most of the season not knowing what was going to happen there. I thought I had to move to Fox Bay East to try something there - to be self-employed - a month before that was sold I actually met a man, who is now a farmer over there on a track, and he'd actually heard that the farm was sold from the BBC. He hadn't heard it from anybody in the Falklands. That was the way people were treated in 1985. In 1995 we don't seem to have learnt a great deal. The decision the other day to sell off up to a half of Landholdings - as soon as I found out my mind went back to how I felt coming back from the shed sweaty and dirty and being told that well I'm very sorry but there's a piece of your organisation that is going to be sold off - up to

half of it - but we don't know which, we don't know where and apparently these people aren't going to be told anything till early next year - if then. So I would say that we have just not learnt anything about dealing with people. This morning the welfare officer stopped me on the street and she asked me if it was true that people at North Arm were going to be thrown out of their houses. Apparently she'd been having telephone calls from employees at North Arm. They'd got information, certainly not from Councillor Goss, I'm sure, but they'd got the impression that that was it and they'd have to come into Stanley. I myself phoned around the camps last night and I spoke to Goose Green and they've been told most of it and the notice was going to be put up in the shed today. Fitzroy have been told and the notice has been put up in the shed. The person I spoke to at Walker Creek didn't know anything about it. So I really made his night when I told him what was apparently going to happen. When I came onto Council, I came on with the firm conviction the Falkland Islands Government should never have bought Landholdings, shouldn't really have anything to do with farming. I was appointed to the board and I actually went round to the farms and spoke with people and the feeling, to me, that the majority - and that's the word I didn't use on the radio interview the other week that seems to have got me into a bit of trouble - the majority view is that people wanted to live in the camp and that they wanted to be able to live their lives and not have the responsibility of owning property. The report that the Chief Executive spent so much time on doing gave many options for people that wanted to work in Camp. The Honourable Member from Chartres the other day, in Standing Finance, he mentioned the possibility of leasing land but it's too late, the decision has been made, apparently. What are we going to tell these people? What are we actually going to say will happen to them? There are people wanting housing now. Do we tell them you can come into Stanley? Some are of pensionable age - we haven't got enough sheltered accommodation. I think it's been very badly done and I too am ashamed that this decision has been made just like this. One of the problems with Landholdings as I see it is that since it was bought the people on the farms have never, ever had any kind of confidence in the future. Every eighteen months, every two years there was going to be a review. This was just going to be another review. But I shan't dwell on it now, although there are people in Lafonia who are going to carry on dwelling on their futures. The way ahead now perhaps is to come to some decision making quickly as to what's going to be done. I would like to see that the rest aren't going to be sold, being set up in the form of a trust so there are at least two large farms and that the people that are going to be working on these farms do so in the knowledge that in five years time they won't be up for grabs again because this is what they've been told here. Your jobs are guaranteed, but in five years time, who knows? The farms were bought apparently for the people of the Falkland Islands and presumably that does mean everybody in the Islands. I'm afraid that what has happened this week, is to satisfy a few, the majority have to suffer.

It's very warm in here today, I wonder if the administration could consider, until the building gets renovated, purchasing some form of air conditioner or at least trying to get the windows so they do open properly.

I support a minimum wage throughout the Islands and as the Honourable Member from Chartres also said earlier on, the employees in the Camp are getting fewer and fewer and we know from this week they are going to get fewer still and I certainly do support a minimum wage.

I don't see how we can have a National Agricultural Policy. I can't believe that any camp farmers are going to accept being told what to do - people are just too independent for that. They want to do what they want to do.

Sir, I don't have a great deal more, but I'd like to be part of the thank you brigade. I've only been on Council a year, but in that year you've shown a great deal of kindness to me. I've had dealings with you before, after all I'm the Falkland Island Government chimney sweep and I've cleaned your flue on many occasions. So I wish yourself and your wife all the best in the future and please don't forget us I beg to support the Motion.

The Honourable Mrs N Edwards

Your Excellency Honourable Members. In rising to support the Motion for Adjournment, may I add my good wishes to you sir and to Mrs Tatham for the future, I hope you enjoy the family Christmas you are going to be allowed to have in your new home in England before being sent to fresh fields. We don't know where you are going yet, but wherever it is I hope it is not too unsettled or too dangerous and I hope both you and Valerie enjoy it. I'm sure you won't have the added problem of Dr Di Tella every now and then getting in touch.

You say Sir, that you have been able to reach practical agreement with Argentina without compromising our sovereignty, I will reserve my judgment on that. On the surface, this agreement which has been signed with the blessing of the majority of our Council looks like a pretty good deal. In reality what we are going to do is to set up an Oil Commission jointly managed by Britain and Argentina to discuss and agree or disagree as the case may be, hydrocarbons, and related matters, for example conservation, safety in the South West Atlantic. Representatives of our Government will be allowed to attend and presumably make comment at those meetings. But we have no veto as far as I can see, so effectively it will be Argentina and Britain who will decide our future in oil related matters, and not ourselves who will have the final say. I hope that the Attorney General can assure me that this is not so, I'm sure he will, he will say we have got legislation well sewn up to protect ourselves from all eventualities and I hope he is right. But I hope we are not going to agree to further extension of the shared FOCZ, out to the South West of our waters or a new Box to the north of the area. I hope we are going to be strong now and say no, Argentina if you want any more concessions from us you must drop your claim to sovereignty. It was refreshing to see Sir, that you advise us to pursue that aim to persuade the Argentinean people and their leaders that their claim to our Islands is an illusion. It seems to me of late our sovereignty which British Forces fought and died for in 1982 and was carefully put under an umbrella after the war, has now been folded up

in that umbrella and put in the corner of a dark cupboard. We hear quite frequent utterances that sovereignty will not be compromised but we never say to Argentina stop this nonsense if you really want better relations with us and give up your claim to sovereignty over us. Then it would be an entirely different ball game. My opinion is that the Joint Declaration on oil signed by Britain and Argentina was put in place because the Oil Licensing round had to be seen to be successful. And that to me seems a bit premature. We are party to an agreement with a country who still lays claim to us who is led by a President who was jumping for joy even before the ink was dry saying "hooray this is the first real step to the recovery of the Malvinas". We did it before we even knew or before we even know indeed whether we have oil in sufficient quantities to make it all worth while, or indeed before we even know whether we've got any oil at all. I remember saying in this house when oil legislation was first discussed that I worried when it came to principles in one hand and money in the other, the principles were usually going into the wind. In my opinion we are doing that even before we have the money in our hand. I hope at the end of the day it will all have been worth it. I know the majority of my colleagues disagree with my views and no doubt they will spell out their own feelings on this subject but I want it clearly understood by my constituents where I stand on this Falkland Islands/Argentina issue on oil. I do not agree to any agreements with Argentina other than in the conservation or health and safety fields. And I cannot envisage any kind of situation where I would be likely to agree with them until such times they drop their claim to sovereignty over us.

There's one or two other small things, well not too small really that I'd like to bring up Sir, which aren't in your address but I would be grateful if you would mention to the Foreign Office when you get back. And that is the South Georgia situation, the waters around South Georgia. While this agreement was being signed or just prior to being signed, there were five Argentinean long liners seen in South Georgian waters. Five long liners means an awful lot of fish. As I've said before toothfish as we all know take a long time to mature - up to ten years I think. If the South Georgian waters are fished in the way they are being fished, I believe they will be fished out before too much longer. It is high time the British Government, now they have been collecting licenses for a number of years down there, put that money to provide a patrol ship. Let us up here under the auspices of our fishing look after the whole situation. I think it really needs seriously considering sorting out a bit more than just having a licensing officer down there and no protection. Mr Birmingham spoke for a while on Falklands Landholdings. My one concern on Falkland Landholdings is he is quite right when he said that it was brought for the people of the Falkland Islands who paid a political price for the land and it was to be handed on eventually to the people of the Falkland Islands. Now it was also said at that time that a large farm would be kept, there would be large farms kept or one at least kept for such people that didn't want to own their own land. And it was also said the farms would not be sold on until they were viable. I doubt very much unless they're split up into 8,000 sheep units or more that they will be viable and we will only be providing a rod for somebodies back in these present farm circumstances to try and make ends meet

and more support from Government is required to keep them all going. And I think it would have been better to have kept the Falklands Landholdings as a whole, for the interim period until we can see the financial future of farms.

Somebody, I'm not sure who mentioned the airlink with Chile, I would be much happier if it had been an airlink with Uruguay. We are still bound by the whim of Argentina whether we can fly through their air space or not. And we are still worried that if this is as successful as everybody hopes it will be that it will damage our Tristar connections. Then the Military will start providing transport for their own troops and saying OK Falkland Islanders you've got a link to the Mainland South America away you go. I hope that doesn't happen in the future. We've been assured of a grant but we'll have to watch it very carefully I think.

You talk of the relief of poverty and suffering in the world and that we would be well advised and I agree with you entirely to set aside some money to help other people who are not in such good circumstances as ourselves. I wholeheartedly support that, I would have been very pleased if the Councillors the other day could have supported Councillor Stevens suggestion to help the people of Harps Farm just a little bit. Sometimes I think charity should start at home.

I am concerned too, as Councillor Goss is about the Endurance's visit to Argentina. We seem to be almost persuaded that now is the time to take a fresh look at Argentina and how wonderful they are and Princess Di's going to visit, the Endurance is going to visit, Menem is going to get the red carpet treatment in Britain sometime in the future and it doesn't really give me any assurance for my future. If Britain and Argentina are being this friendly so quickly in such a hurry, I know you hate us harking back to the seventies but it looks pretty much like that to me. On the run up to an election you've got to make the balance of payments look good and you do everything you can do to court Argentina and I really don't like it at all. Then I'm old fashioned and probably too long in the tooth to see too far into the future. I hope that all my far sighted Councillors or the ones that think they are, are right.

Sir, I don't think I have anything else to say so I support the Motion for Adjournment.

The Honourable Mrs S Halford

Your Excellency Honourable Members. In rising to support the Motion for Adjournment, I would like to mention that recently I was away from the Islands for nearly two months, during which time together with Councillor Stevens I attended the ABC conference in Oxford and the Labour and Conservative conferences in Brighton and Blackpool. As Councillor Teggart has already said if you've been reading Penguin News recently you'd see that it was reported as being herself and not myself that attended the party conferences. This compounds the theory that you should not always believe everything you read in the Newspapers.

Sir, you mentioned the interest we share with Argentina in the fisheries, particularly with Conservation and also the Joint Declaration on oil. Both quite significant steps forward since 1982; but steps forward without touching on sovereignty and this must continue to be the case in any future talks, negotiations or agreements that are to our mutual benefit. The first thing that struck me at the ABC conference was how ill informed the Argentine people are of the Falklands, it's inhabitants and their way of life. And as you rightly pointed out Sir, nothing is more convincing than a Falkland Islander speaking on behalf of the Islands and their people. It was during this conference that the Argentineans asked if they could get some of the Falklands books published in their country in Spanish. As people in Argentina were only know being aware of the Islands and were keen to learn about them. Quite surprising seeing as they invaded us. This interest seems to stem from their new democratic state of Government which has allowed them far greater freedom of speech. However, as a relatively new found democracy must be a commendable step forward from where they were in 1982, I believe that they have a long way to go before they will be truly democratic. A democracy is after all a Government by the people for the people and I do not believe that they will actually achieve this until they can accept the right of the Falkland Islanders to determine their own future. During both party conferences many people visited our stand and all were very supportive of the Islands. Many were as adamant as ourselves that we are British and will remain so. The Joint Declaration on oil caused some concern initially, but once this was explained to visitors they seemed very pleased at what we had achieved.

Because of media coverage in the United Kingdom, the Alan Addis case was brought to our attention, frequently. The perception in the United Kingdom being that a small group of people in the Islands, ie the whole population, were guilty of covering up a murder. This of course we had to explain was not the case, without a body there was no evidence of what had happened to Marine Addis and investigations had been carried as far as was humanly possible at this time.

On returning from the United Kingdom I was shocked on driving down Ross Road to discover that I had actually driven over a pedestrian crossing without realising that it was there. This crossing is extremely badly marked with the paint having more or less totally disappeared. People are still parking up to the edge of the crossing, even now that I know that the crossing is in place, as I drive down the road and approach it, there is no indication of it being there. The other crossing that I frequently mention is the one at the community school. I have on occasions witnessed military vehicles crossing it and not stopping for children who are about to cross the road. With all due respect to those drivers, who are visitors, how are they supposed to know where these crossings are if they are not properly marked? It would seem to me to be extremely dangerous to put crossings up if they are not to be properly marked. It also seems to me that all too often many of our rules and regulations are fine for those of us who live here and know what is what. However it must be a total nightmare for visitors. I suspect that the wearing

of seat-belts will fall into this category.

One of the committees I chair is the Government Vehicles Working Group, probably as desirable a committee as the housing one where everyone is wanting what you do not have. We currently have 102 vehicles issued to various departments and this figure does not include heavy plants. I think we need to address the life-span of vehicles and also the manner in which they are used and looked after.

The proposals for the extension of Stanley Common were recently shown in Penguin News and the Lands Committee would most certainly welcome comments from the public (we have already received comments but would like to receive more). There is no doubt with the growing population, we need an area where the public have a right of access for recreational purposes. By this I do not mean for motorcycle circuits to suddenly leap up everywhere or for landrovers to be driven wantonly over the terrain making as much mess as possible. Where people enjoy these activities they should be encouraged to select a specific area for that purpose and not destroy anywhere else. A Common is meant to be enjoyed by all.

An area of land was set aside East of Stanley for the use of the Motorcycle Association some time ago. It was my understanding that this area would be used for youngsters to ride their motorcycles on; if this is not the case then I suggest they should be getting together and asking for an area, because at the moment these youngsters are still driving, and I must stress, illegally in other areas. If our youngsters are not encouraged to respect our laws, what can we expect in the future?

I believe we have an association of landrover owners in the Falklands, perhaps these people would like a specific area in which to bury themselves in mud in order to enjoy themselves. We know how popular the motorcycling events are and I feel sure that landrover events could become equally as well attended.

I am pleased that the East Stanley housing development is to proceed in its entirety, as we heard earlier today, there is already a possible housing shortfall of some 60 houses. This figure is before the extra demand that the selling off of parts of Landholdings is likely to create. Contrary to what some of my fellow Councillors may believe, subdivision does not re-populate Camp as our recent history shows it has the reverse effect and causes depopulation; although in the case of Port Sussex, as Councillor Stevens has already told us it would seem they actually have a better breeding policy than other places.

I am pleased to say that I had no hand in the recent decision made by Executive Council which has been received by most Landholdings employees as a blow below the belt which they most certainly do not need at this busy time of the year. They may have been given certain guarantees but I do not believe that these promises will give much comfort when they still do not know what is to happen in the near future.

I remember some time ago when we were passing Oil Legislation and Councillor Teggart opposed it because she said if she agreed to it she would be unable to sleep easy. Hopefully she will be able to sleep easy having made this decision, knowing that most of the people on those farms will not.

I find it particularly appalling to find criticism of the employment of GAP students during the summer months when we are quite happy to send our youngsters overseas for training. These youngsters are not depriving others of work, on the contrary, they are bringing something to our community and more importantly take away good words for the Falklands.

Finally Sir, I would like to wish you and Mrs Tatham all the best for the future, I would also like to thank you for your advice during the time I have been on Council. We have not always agreed on issues, but that is democracy. I do not see your departure from our Islands as our loss, but as our gain, in that we are gaining another two excellent ambassadors for the Islands. Sir, I support the Motion.

The Honourable W R Luxton

Your Excellency Honourable Members. I really haven't got an awful lot to say. I was very grateful to all my colleagues for all the support they gave to the Motion earlier on. And I've no doubt the Chief Executive will be diving in to that with his customary energy. And I hope included in that we can have a sensitive look at the problems facing the people on Landholdings. That decision was something of a surprise to me, I must admit I hadn't quite expected a decision to come out of Executive Council, I know I missed the GPC meeting the day before, however, it's been made now and I think we have to make the best of it. But certainly the Camp is something of a problem. One bright spot is as you mentioned in your speech Sir, the tremendous progress that the roads are making with White Rock on West Falkland going very well towards Fox Bay and equally we shouldn't forget the excellent progress that the Public Works Department are making on East Falkland and I think they have Port San Carlos firmly in their sights. Last time I was there they were building at an enormous rate.

We've had mention of the Royal visit to Buenos Aires. I don't much care we've got our own Royal visit coming up and for better or worse I think we've probably got the better deal of the two. I look forward very much indeed to the visit of Her Royal Highness Princess Anne and I'm sure she'll have a whale of a time down here, I think she will enjoy it. I hope she does anyway.

Finally Sir, I would like to say goodbye to yourself and Val. Its been a pleasure having you here, knowing you and we haven't always agreed but I think you've been on our side and to me you've always been of great help when I've asked you. We shall miss you and we look forward to seeing you back sometime or meeting up with you wherever you may be, if we happen to be passing Timbuctu or wherever it is. Thank you for all you've done for us, both of

you. Sir, I support the Motion for Adjournment.

The Honourable the Financial Secretary

Your Excellency, Honourable Members. In rising to support the Motion for Adjournment, I too would like to join Honourable Members in wishing both your wife and yourself Sir, all the best in the future. Thank you for all your work and contribution to the Islands. With the help of my staff at the Treasury I ofcourse give support to the Chief Executive in bringing forward ideas to rectify the situation of the divergence in Stanley, of living between Stanley and the Camp and in implementing the recent policy of Executive Council in regard to the future of Falklands Landholdings farms.

The Honourable the Chief Executive

Your Excellency Honourable Members. It's been a very long and a very interesting Legislative Council. It's been a Legislative Council and I think it's been very serious and in many ways very responsible. It reminds me of life as it once was for me and that we worked straight through lunch. It has I suspect generated for me a great deal of work so whether that's a good thing or not I trust I should be able to show my enthusiasm and dive in as Councillor Luxton so kindly said.

Just one or two very brief comments on things that were said that I need I believe to pick up. I won't comment on anything that was said about Landholdings I think that would be rather inappropriate at this stage other than to say, that the creation of the statutory corporation is not a legal loophole to enable Government to get away with anything. It is infact to allow the existing directors of Landholdings off the hook which exists that they must perpetuate the promotion profitability as a goal within Landholdings and it will enable the directors should they form the body of the statutory corporation as we hope they will to be able to look after the interests of the employees within the parameters that will be laid down by Executive Council. Now the effect of it is to actually undo that arm's length situation that did exist that is simply for the reason that it would create I believe considerable conflict. We've seen something in this house today of the conflict that exists between Councillors on this issue. And were we to have the Board of Landholdings in conflict with Executive Council I believe that would be an unmanageable situation and that is the reason for the creation of the statutory corporation, it's no more sinister than that.

I believe it's also appropriate for me to say, in reply to Councillor Goss that it would be inappropriate also to say anything about the Marine Addis case as the investigations have not yet been completed. When they have been officially completed whenever that is whether we can then say something or not will be a matter for the Attorney General to decide but in any event I am not prepared to say anything today.

Councillor Teggart mentioned the lack of media coverage of Councillors who

have been doing interesting things and I deprecate that I think that Councillors should have access to the media to be able to say. I suspect that one of the reasons is the Arbitrary 33 and a third per cent reduction in News Magazine which seems to have gone on quite a long time but it does give us that one less programme a week. Now in saying that I am in no way criticising the absent Broadcasting Officer but I think it is something that needs to be looked at. That the broadcasting people here need to have the resources to be able to provide adequate spread and coverage of local news and that I think needs to be done through the work of the Media Trust.

I would also comment on what Councillor Halford said about this sort of phantom pedestrian crossing, in fact it is not yet a pedestrian crossing. It's some kind of aboration I think created by PWD in an enthusiasm to get going on it which doesn't have official status so I will admit it's confusing and it does mislead people and I think it's unfortunate that it is in the state it is, but once it becomes a proper pedestrian crossing I'm sure it will be easy to recognise it as such.

That leaves me to do just what everybody else has done and to move to the thank you part for Your Excellency and for Val. I would thank you Sir, for your most thoughtful speech which I found most interesting and I would thank you also for your help and comradeship to me personally over the last 15 months. You have been a shoulder to lean on, a sounding board, a data base, a generous host, prodigious corrector of historical error, a wise Counsellor and a friend and I would thank you for all that. There are many people who have said to me he'll be a hard act to follow and I think that's a measure of the respect and affection of which you're held in the Islands. There still of course will be another opportunity for the population to say goodbye to you and to Mrs Tatham on Monday the 11th of December at 6pm in the Town Hall and I look forward to that occasion as a great celebration of the three years here and a chance to say a very warm goodbye and I hope many people will come. And on that occasion I can extol the many virtues of Mrs Tatham I shall be researching very carefully between now and then so that I have plenty to say. I already have plenty to say anyway but I can assure you I will extol her on that occasion but here in this forum I would recall Sir, your kindly Chairmanship, your maintenance of good order and your calm authority. We heartily wish you well wherever it is you are going but if I could hazzard a guess I would predict that it would be somewhat less windy and possibly a bit warmer but not without its problems which I am sure you are well endowed to cope with. Sir, you depart towards the culmination of your distinguished career with our heartfelt thanks and our sincere good wishes for a productive and enjoyable future.

Your Excellency, I beg to move that this house stands adjourned sine die.

His Excellency the Governor

Thank you very much Chief Executive. May I thank everyone for your kind words - I say the House stands adjourned accordingly.

Confirmed ⁷⁵ 26th day of April
1996
P. M. M.
Governor