

# SECRETARIAT

1099/11

(Formerly)

11/6601

## WILD ANIMAL & BIRD PROTECTION.

*Volume I kept in Secretariat from 01/9/59.*

### CONNECTED FILES.

NUMBER

- |        |                                     |
|--------|-------------------------------------|
| 0887   | Lease of Bull + Elephant Tason Ls   |
| 087/27 | Rent of Hat Tason                   |
| 0797/w | Ag. Dept Payment for Benks          |
| 2306   | Destruction of Perquis.             |
| 2331   | Nature Reserves.                    |
| 0667f  | Travels of Birds from South Georgia |
| 2443   | Taxidermy                           |

*1099/11  
FIS*

## SOME QUESTIONS OF CONSERVATION

### General principles

Nowadays, it is generally accepted that wild life conservation is a good thing. Some of the reasons for supporting it are of a kind often labelled 'sentimental' - the aesthetic appeal and educational interest of birds and mammals fall into this category. But these are backed by sound scientific reasoning. Not only do populations of certain wild animals and birds represent a real potential economic asset, but even species not directly usable by man for food, skins, or other by-products may help indirectly to maintain the natural balance of a region. Devastating 'explosions' of insect pests will not generally happen in places where there are abundant insectivorous birds; plagues of rodents where there are abundant owls or small hawks; overgrowth by plants such as the prickly pear where there are appropriate insects for its control. A balanced natural system is an amenable one to live and work with, and to maintain this balance it is often essential to tolerate wild animals and birds which themselves, directly, interfere to some degree with man's activities. Hawks and owls are major agents in rat and mouse control, and their occasional forays into domestic chicken runs or game bird rearing pens must be treated as a kind of 'rent' paid to them for their generally beneficial services.

This recognition that wild life as a whole is, on the whole, useful to man, has inspired the 'new look' which conservation legislation has adopted in the last few decades. In the beginning, conservation laws grew out of the game laws. Just as game species were protected individually, for specified periods, for sport, so birds of especial aesthetic appeal or rarity were protected by name. Such early laws defined the species to be protected by listing them in schedules and then stating whether they were to be protected at all seasons or just in the breeding season. Now, however, it has become the usual practice to give an overall protection to all species of bird and mammal, at all times, apart from certain clearly defined exceptions. These last generally include species known to be serious pests of agriculture or vectors of disease, species of economic value (whose killing is subject to licences and conditions), and game species (again taken under strictly controlled conditions), ~~and species~~. There are also provisions for the licensing of collections for scientific, educational, or cultural purposes and for the declaring of any species temporarily unprotected if its numbers have become excessive. It is also usual not to protect the unprotectable too stringently: in the United Kingdom the eggs of certain common protected birds are not protected because the prospect of haling innumerable birds-nesting children before the bench was too daunting.

Another important aid to conservation is the establishment of sanctuaries. In these, rare species can be given special protection and - more important - whole samples of scientifically or aesthetically interesting animals and plants can be protected as a unit from human encroachment. Such sanctuaries are an outstanding feature of Africa, in the game parks, and the United States. On a lesser scale the National Nature Reserves in the United Kingdom are proving valuable for the protection of the native flora and fauna and for its scientific study.

### Thoughts about the Falkland Islands

The Falkland Islands have an interesting native bird fauna and some remarkable types of native vegetation. Of these last, the coastal tussock grass is the most famous and also the most vulnerable to human interference and to damage by grazing animals. When the islands were discovered the coastal zone was almost everywhere covered with tussock so tall that the grassland was mistaken for forest. Now, after a long period of grazing and burning, it is restricted to outlying, ungrazed, islands like Kidney, Cochon, Beauchene, the Jasons and so forth.

Living among this coastal tussock are many interesting native birds, and associated with it are many plants with a wide distribution in the southern circumpolar belt. The whole assemblage certainly deserves conservation and clearly this can only be done by the 'sanctuary' method. Nobody can promulgate a law threatening persons who cause or permit cows to eat Poa flabellata anywhere ~~in~~ in the islands with dire penalties; the logical thing in this case is to select say half a dozen tussock islands with a good

native fauna and declare them sanctuaries. It will be necessary to exclude grazing animals completely from these islands ~~possibly~~ and to do everything possible to prevent deliberate or negligent burning of the grass. While human visitors can do little harm, and indeed are to be encouraged on educational grounds, they should not be allowed to take cats, dogs, or allied predators with them and the deliberate importation of small animals like rabbits must be prevented. Every care should be taken to prevent the introduction of rats since these will cause havoc among the smaller sea birds.

Kidney Island is a good example of an ideal 'sanctuary' island in the coastal zone. Beauchene is especially interesting because of its isolation, and I imagine that some of the Jasons are among the most interesting islands anywhere in the group. If these islands are to be kept from grazing the loss of revenue will presumably be small and (in my view, perhaps understandably for a scientist) entirely justifiable as an 'expenditure' for scientific and educational reasons. Sound sanctuary regulations of this kind will gain the approbation of the scientific world, and this, though intangible, can hardly fail to benefit the Colony.

Besides this particular declaration of sanctuaries, there are grounds for a general revision of conservation laws for the Colony. Some species like the furseal deserve protection because they are an economic asset; others because they are scientifically interesting and aesthetically appealing and at the same time do no damage. I would suggest that it is time to scrap the old laws protecting species by schedule and replace them by a modern-type law giving 'blanket' protection and then making exceptions for pests and game species. In this context, I would urge most strongly as a point of detail, that where species are mentioned for any reason in the law they should be defined by both local colloquial and international scientific names. For example, to protect 'dotterel' in the Falklands is ambiguous; as generally understood this English name refers to a northern European mountain plover and the bird known by it here is a south American species of an entirely different genus.

The International Union for the Conservation of Nature would certainly welcome any such proposals and could readily give professional advice. Its United Kingdom member is E.B. Worthington of the Nature Conservancy. The best approach would however probably be for the Colonial office in the first instance to ask the British Nature Conservancy for advice (this would, I think, go to Worthington, who is probably the general adviser on matters of the kind). The I.U.C.N. has a certain amount of money available and this could be tapped if necessary, if Worthington considered it desirable. Obviously, a critical study of the group by an expert would help in assessing which islands are most suitable as sanctuaries, and expert advice would also be useful in deciding which species do not warrant or need protection, but this is to some extent a luxury. Action now, to declare a list of sanctuary islands, would be a useful and effective measure even without any change in the general protective legislation of the colony. On these islands all wild life should be protected, including vultures, buzzards, and so forth (but not including introduced aliens like rats, cats, sheep, or rabbits, which should be destroyed at sight).

# FALKLAND ISLANDS.

## Wild Animals and Birds Protection Ordinance (Cap. 77)

### Order

O. R. ARTHUR,  
*Governor.*

No. 3 of 1955.

His Excellency the Governor, in exercise of the powers vested in him by section 7 of the Wild Animals and Birds Protection Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Wild Animals and Birds Protection Order, 1955. Short title.

2. The names of the wild animals and birds listed in Schedule I to the Wild Animals and Birds Protection Ordinance shall be deleted and the following list substituted therefor :— Amendment of Schedule I to the Ordinance.

Otter  
Reindeer (South Georgia)  
Duck - Canvas Back  
          Cinnamon (Red) Teal  
          Logger  
          Mallard  
  
Flamingo  
Goose - Ashy-headed (White-breasted-Brent)  
          Kelp  
          Upland (South Georgia)  
Grebe - (all species)  
Gull - Pink-breasted  
Hawk - Cassin's Falcon (Sparrow Hawk or Black Hawk)  
          Cinnamon Kestrel (Small Red Hawk)  
          Red-backed Buzzard (Blue Hawk)  
Heron - Night (Qwark)  
          Cocoi  
          White  
Ibis - (Bandouria)  
Owl - (all species)  
Partridge  
Penguin - (all species)  
Plover - Falkland Islands or Ring-Spur-Wing (Teru-teru)  
Swan - Black-necked  
          Coscoroba  
  
Tussac Bird.

3. The names of the wild birds listed in Schedule II to the Wild Animals and Birds Protection Ordinance shall be deleted and the following list substituted therefor :— Amendment of Schedule II to the Ordinance.

Dotterel  
Duck - Grey  
          Pampa  
          Pintail (Grey Teal)  
          South Georgia Teal  
          Widgeon  
          Yellow-billed (Common) Teal  
  
Military Starling  
Snipe.

Made by the Governor in Executive Council at a meeting held on the 15th day of November, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

H. C. S.

3

D-T left the enclosed letter from Harold Bennett with me. When Adrian Monk was in here I talked to him about the Caracara on the Jasons, and he said they were still there in great numbers. Dean Brothers have given up the practice of offering 2d a beak for these birds, and he thinks there is little risk of their being exterminated. In these circumstances there appears to be no need to amend the Ordinance at present, but you might note it as a thing we could mention informally at some future meeting of Ex. Co. There would be no need to send out any memorandum on the subject.

7th October 1960

RA

2

Pl. send meeting

2.

Noted for Ex. Co.

*[Signature]*

21.10.60

29<sup>th</sup> June, 1960.

Dear Mr. D.J.

Attached is the O.I.C. we discussed yesterday, which would, if passed by Ex. Co, probably save the indigenous "Johnny Rook" from extinction. I think this over inquisitive bird would have been extinguished many years ago, save for the uninhabited garons (Elephant, Flat and South), Beauchene Is. and possibly the outer Sea Lion Islands. I saw several when on the Elephant garon during December, 1957, and I am sure I could have killed them with a 5 ft. stick.

Dear Bros, I understand, offer 2<sup>d</sup> for each beak of these unfortunate birds, lashed with an uncanny trust in man. If it is true that Dear Bros have made this offer, it could result in the complete extermination of the "Johnny Rook" in the garons area, thus leaving the Beauchene as their only refuge.

At times, I have felt concerned for the future of our Brent Goose, but George Stewart told me that there is a flock of roughly 1,000 on Beaver Island, which suggests that they do survive in numbers in some of the more remote areas where they are not destroyed for the crime of eating too much grass. He also told me that there are a number of Ashy-headed Geese on Beaver and I understand there is a flock at Roy Cove which indicates that they have established themselves here.

I wish you every success, should you decide to take the order to Ex. Co.

Yours sincerely  
H. Bennett

THE WILD ANIMALS AND BIRDS PROTECTION ORDINANCE (Cap. 77).

ORDER  
(under section 7 of the Ordinance).

No. 1960.

Governor.

His Excellency the Governor in exercise of the powers vested in him by section 7 of the Wild Animals and Birds Protection Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows:-

Short title.

1. This Order may be cited as the Wild Animals and Birds Protection (Amendment) Order, 1960.

Amendment of Schedule I of the Ordinance.

2. Schedule I to the Wild Animals and Birds Protection Ordinance is hereby amended by the insertion of the words and brackets "Forster's Caracara (Johnny Rook)" immediately after the words and brackets "Cinnamon Kestrel (Small Red Hawk)".

Made by the Governor in Council this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

Clerk of the Executive Council.

7.12.60  
BU. 28.11.60  
for the co

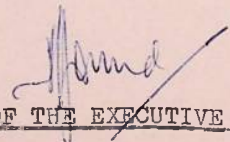
5

EXTRACT FROM MINUTES OF MEETING OF EXECUTIVE COUNCIL  
HELD ON THE 11TH 12TH & 13TH JANUARY, 1961

1099/II

7. WILD BIRDS PROTECTION - Johnny Rook

It was resolved that no action was necessary.



CLERK OF THE EXECUTIVE COUNCIL

*Pa.*

Breeding Species not mentioned in Bird Protection Ordinance

- Black-browed Albatross
- Grey-headed Albatross
- Giant Petrel
- Thin-billed Prion
- White-chinned Petrel
- Sooty Shearwater
- Wilson's Storm-petrel
- Grey-backed Storm-petrel
- Diving Petrel
- Rock Shag
- King Shag
- Turkey-Vulture
- Johnny Rook
- Carancho
- Fuegian Oystercatcher
- Black Oystercatcher
- Common Seed-snip
- Falkland Skua
- Dolphin Gull
- Dominican Gull
- South American Tern
- Ground-Tyrant
- Grass-Wren
- Cobb's Wren
- Falkland Thrush
- Falkland Pipit
- House-Sparrow
- Siskin
- Black-throated Finch



Persons found guilty of taking the eggs of a protected bird without a permit should be fined. The fine should be fixed at one figure for Penguins, Loggers and Mollymauks, but should be more for taking the eggs of rare birds.

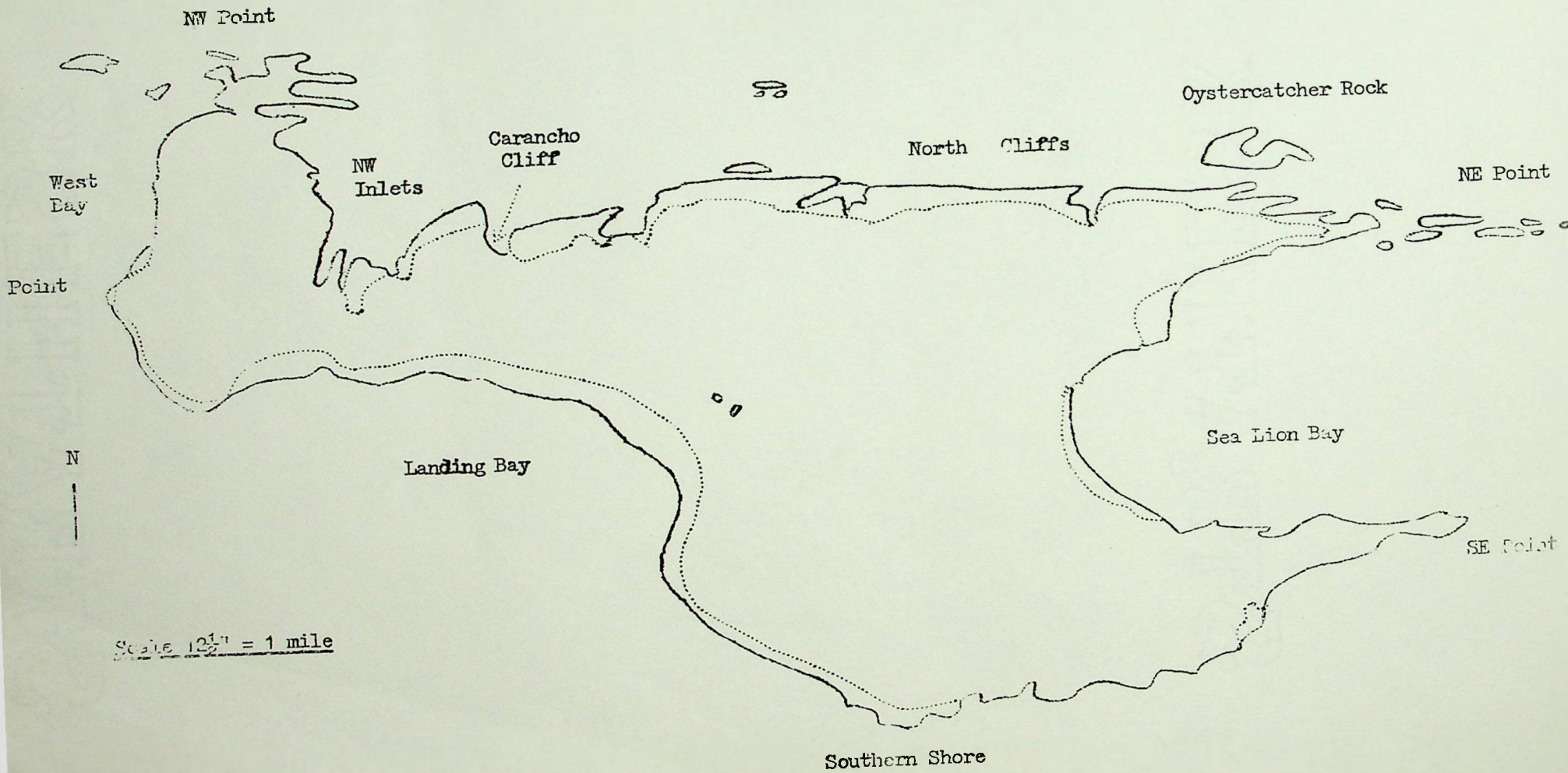
We suggest that when a person is issued with a gun licence, he is also given written information enabling him to identify those birds which are not protected.

Kidney Island

This island is of special interest because it supports a large population of Penguins and Petrels, as well as a number of other species. It is also particularly interesting because it is the only tussac island easily accessible to people in Stanley. We think that it should be a Nature Reserve, insofar as no eggs or birds should be taken; ~~they~~ no cattle or sheep should be allowed on it as they would rapidly <sup>spoil the habitat, by breaking the ground containing</sup> ~~destroy the ground~~ with burrows which are the breeding sites of Sooty Shearwaters, Shoemakers and Jackass Penguins.

CONFIDENTIAL  
LONDON

KIDNEY ISLAND



Messrs. Robin Woods and Roddy Napier asked if they could come to see me to make certain representations on the subject of wild life protection. I also asked Mr. H. Bennett, Registrar, to come, and later, when the question of protection of eggs arose, I asked Mr. G. Stewart to come, and Mr. Ian Strange joined the meeting at a later stage.

2. The points made in the main were as follows:

- a) The present list of protected birds was inadequate
- b) There was no point in protecting a bird if you did not protect its eggs
- c) They objected to the wholesale destruction of Upland Geese, and to a lesser degree, Brent Geese, when they were shedding, and could not escape, and also the clubbing to death by the hundred of Goslings, and the taking of beaks from birds still in eggs.
- d) They thought that Kidney Island should be made a reserve.

3. I believe, as regards most of the representations they made, the general principles would be acceptable, though there may be difference of opinion as to what action should be taken. The subject over which there might be controversy is that of the Upland Geese and Brent Geese. Mr. Robin Woods says that nobody really knows whether the Upland Goose is harmful to sheep or otherwise, and that it cannot be ascertained without careful study. Old sheep which have lost their teeth and cannot crop the grass, eat and thrive on goose droppings. The destruction of geese was originally embarked on when it was thought that the number of sheep was decreasing, but the number of sheep has continued decreasing in spite of the destruction of geese. The suggestions I make below are made on the assumption that Government does not approve of the wholesale slaughter of geese as described above, but of course, the Executive Council may not agree.

Sheep this age  
are seldom kept.  
?

4. It was agreed that there need be no protection for the Turkey Vulture or the Carancho. It is, however, I think, a question of whether Government is so interested in keeping down the numbers that it needs to give a reward for their destruction, or whether this cannot be left entirely to the individual farms.

Yes, This needs  
consideration -

5. As regards the Johnny Rook, at present it is found in very few places, but in some of those places it is found in great numbers. It is undesirable that it should be exterminated. We could provide that it could be shot on permit. This would mean that responsible people, such as farm managers, who found that in places the Johnny Rook occurred to excess, could get a permit for destruction of a certain number, but that indiscriminate killing, perhaps in places where it was dying out, would be prevented.

6. As regards the Dominican Gull, it is protected in Stanley Harbour in the Regulations of the Harbour Ordinance, in common with any other bird in Stanley Harbour. Otherwise it is not protected at present. It is certainly undesirable that it should be wiped out, as it is very useful as a scavenger, but it is a great enemy of sheep. On the whole, it is considered that it does not require protection, other than the protection it now enjoys in Stanley Harbour.

✓  
✓

7. It is not considered that the House Sparrow needs to be protected.

8. As pointed out, even in the case of protected birds, there is at present no restriction on taking their eggs. The only eggs, that are controlled are Penguins eggs. It is considered that we might provide that no eggs should be taken or destroyed, (to cover the case of the Goslings taken out of the eggs for their beaks) without a licence. This gives some power to control the taking of eggs. It is pointed out that people eat

which is

the only eggs that are controlled are the taking of

collectors?

the eggs of all kinds of birds. Apart from Penguins, there are Albatross, Ducks, Geese and Shags. It is possible that there might also be egg gatherers, though apparently this pastime is not particularly popular in the Falklands. It is not easy to anticipate exactly how the licence system would work, but at any rate it would give some control.

✓

9. Reserves. It has been suggested that Kidney Island should be made a reserve. Government has in a way accepted this possibility by refusing to lease it, but I suppose there is nothing at present to prevent some future Executive Council allowing a future application for a lease. I think it is sound that it should be made a reserve. Another place which I think should be made a reserve is Bird Island. This is the place where the Albatross breed most freely, and I think that if it was declared a reserve, and the licence system was introduced, we could make sure that Albatross eggs were not taken from Bird Islands. Incidentally, there are also fur seals there, but their destruction is unlawful already.

10. They also referred to the question of propaganda, and penalties, and in the course of the discussion it was mentioned that there was a suspicion that poaching of fur seals by a vessel from South America had taken place only a few years ago.

11. I would therefore suggest for consideration the following:

- a) Following birds to be altogether unprotected, Turkey Vulture, Carancho, Dominican Gull, House Sparrow, ? Shags
- b) Following birds not to be killed in the close season, with the proviso that anyone can kill them for food for himself or his family: Upland Geese, Brent Geese.
- c) Following birds to be protected absolutely during the close season: Grey Duck, Pampa Teal, Chiloe Widgeon, Yellow-billed Teal, Pintail Teal, Paraguay Snipe.
- d) All other birds to be protected absolutely.

I doubt whether farmers wd. agree

not shags!

ho

How "Wholesale" is it?

N.B. As regards the Geese, the first suggestion was that it should be made illegal for farm managers to pay for the beaks. This is hardly practicable. It is considered unduly harsh to give them entire protection during the close season, especially as it is presumably necessary to control their numbers. Food in the Falklands is not very varied, and it seems wrong to prevent people from varying their fare occasionally with a Gosling. The provision that one could kill for food for oneself did occur in one law in Ceylon, and it would serve to prevent the wholesale slaughter to get beak money.) Eggs could not be taken or destroyed without a licence, which I think could be given at the same rates as Penguin egg licences. They should not, I think, be given for Logger Duck eggs on the boarders of Stanley Harbour, nor should they be given in any declared reserve.

12. I think it would be well to make Kidney Island and Bird Island reserves.

13. Penalties. They have suggested a fine of £50 for killing a protected bird, or for failing to report the killing of a protected bird. At present the penalty for killing a protected bird is £10, but even for throwing stones at a bird in Stanley Harbour the penalty is £20. I think that the penalty might be £20 all round. I do not think failing to report should be penalised

14. Propaganda. I agree that when the policy is decided, we should do a little bit of propaganda in the Monthly Review and in the weekly Newsletter. It is also suggested that a little propaganda might be done amongst the officers and crew of the Protector.

15. General. The suggestions made here are probably not, in any case, sufficient for all time, and it might be well to have a board of interested people to advise on any points regarding wild life that might arise. Possibly Mr. Woods, Mr. Strange, Mr. Bennett and the A.O. might be appointed as such a board.

16. There is one other point not closely connected. The alledged poaching of fur seals. The time when it is said best to take fur seals is between June and July, and possibly when there were two planes and two pilots at that time of year, a few flights might be made over Bird Island, the Jasons, Volunteer Rocks and Beauchene Islands to see whether, in fact, any strange craft were there.

gr

O.A.G.

6th September 1961

12

Although above was typed in red. I shall like to await H.E.'s return and seek his general approval before drafting a memo to SACO

gr  
7/9/61

Bu 19.9.61

Further suggestions made by R. Napier, I. Strange and R. Woods, on 22nd September 1961.

1. Thin-billed (Belcher's) Prion

*impracticable*  
This species should be protected completely, but on New Is., its main stronghold, where it undermines pasture making it dangerous for animals, permission could be given for the destruction of a certain number. Nevertheless we do not approve of this action. (Killing by cats cannot be controlled by Law)

2. Giant Petrel

This species should be fully protected. We do not think the numbers are great enough to do any appreciable harm to the sheep.

3. Brown Pintail (Grey Teal)

Should be fully protected, as it is comparatively rare.

4. Winter Plover (Dotterel)

Should be fully protected, not listed as a "game" bird. Geese are available in plenty for young men to shoot.

5. Dominican Gull (Big Gull)

Should be fully protected, as it is an essential scavenger, its large numbers making it particularly effective. (General opinion is ~~not~~ to their advantage at present, because they are believed to be protected).

6. Skua (Sea-hen)

Should be fully protected. If it was less persecuted now the number~~s~~ of geese would be smaller, as the Skua takes many goslings.

7. House-Sparrow

We do not think it should be protected because it is an alien, but do not think it could be exterminated here now. We are not certain as to the best course to take as it probably does some good by eating insects, but on the other hand, damages seedlings.

*how serious?*  
8. ~~ANY~~ If a protected bird is found shot in the camp, and the person responsible cannot be found, the Manager or Owner of the farm should be held responsible and fined. This would be impossible to do near a track used by others, e.g. Stanley to Fitzroy.

9. Kidney Island

The fire risk is very great; a tussac fire in the breeding season would be disastrous to thousands of birds. Parties of people should be warned of this either before they go, or by a large notice displayed in the hut. Careless disposal of cigarette ends would be particularly dangerous. Parties with fire-arms should be prohibited.

10. Personnel of Naval boats are most ~~likely~~ to shoot protected birds. They should ~~not~~ have to take out a gun licence here before using a gun. This would give the Police opportunity to inform them which birds are unprotected.

1. Schedule II. Game birds protected during the season (present schedule appears at fl of file).

Suggested that Pintail (grey teal)<sup>be</sup> removed and given absolute protection as it is said to be very rare. The Military Starling should also be removed from this list as it is not a game bird.

A matter for consideration - should the Dotterel be protected or kept ~~for~~<sup>as</sup> a game bird?

2. Schedule I. Birds to be absolutely protected.

It is suggested that all birds should be protected except those for which there is some reason to the contrary. It is suggested that the following should be given no protection -

Carancho  
Turkey-vulture  
House-sparrow.

<sup>Points</sup>  
These for consideration -

1. Should Government continue to pay for the destruction of caranchos and turkey-vultures or can it be left for the farms concerned?
2. Should the Dominican Gull be protected? It is harmful to sheep but is invaluable as a scavenger. It now is protected in Stanley Harbour but there seems to be a belief that it is absolutely protected and it is feared that if it is known that it is unprotected it may be slaughtered wholesale.

Schedule I - Upland Geese and Brent Geese.

It is not suggested that these should be protected but it is for consideration whether wholesale slaughter should be allowed. For consideration - whether the destruction of geese when they are shedding should be prohibited and also whether it should be unlawful to kill goslings except for food.

Thin-billed (Belcher's) Prion (also called Fire-bird).

The main strong hold in the world of this species is New Island and it really should be protected but it undermines pastures making them dangerous for animals. It seems clear that we cannot ask Mr. Davis to refrain from killing it altogether but it would be a tragedy if it were wiped out. Possibly it is a matter that could be gone into with Mr. Davis.

Johnny Rook - the question of whether any protection should be given to the Johnny Rook was considered previously. It is obviously a bird which would have to be controlled but it would be very sad if it were wiped out. Possibly we could give permits to farm managers to shoot a certain number so that at any rate mass destruction by irresponsible people could be avoided.

Nests and Eggs

It is suggested that the destruction of nests and the taking of eggs without a licence should be prohibited. At present there is no control over the taking of any eggs except penguin eggs.

Reserves

It is suggested that Kidney Island and Bird Island might be made reserves. I think we might also consider with regard to Kidney Island whether the maintenance of the present hut might not be definitely undertaken by Government and handed over to the PWD.

I don't think it is.

ho

From what I have seen, I doubt whether at present there is any risk of their being wiped out.

17  
Paralties should penalties be increased from £10 to £20<sup>n</sup>

Propaganda

When the policy with regard to the wild life is fixed perhaps some propaganda might be done in the Monthly Review and in the news-letter. It is also suggested that the law and the object might be explained to the personnel ~~element~~ of the Protector or any other ship whose personnel is likely to indulge in sport in the Islands.

Also propaganda about the damage of fire on the island.

For consideration - whether there should be a board to advise on wild life matters.

7th October, 1961.  
RHM/FH

18

S.E.

Perhaps S.E. might like to think of the points in 16 & 17 and perhaps discuss Date of Pen when in the way?

Further details at 9, 10 & 11

8  
21/10/61

H. C. S.

There is no more pleasant sight than to see a goose and gander with their brood of goslings run from the Camp to take "refuge" in a river, where they seem to think they are free from any attack, but it is not a sight that appeals to sheep farmers who, rightly or wrongly, reckon that every four geese eat the same as one sheep. In the suggestions that have been made, although some of them are certainly not without merit, the enthusiasm of bird lovers has rather taken charge.

2. I fear there will be no support for any form of protection for the Upland Goose, and the idea that old sheep eat and thrive on their droppings would be greeted with derision by most farmers, who seldom would keep sheep of that age. I agree that wholesale slaughter is distasteful, but I am not sure just how "wholesale" this slaughter is, and in spite of it, the Upland Goose seems to be in no danger of extinction.

3. I agree that consideration should be given to the protection of the eggs of protected species, as well as protecting the birds themselves, and we should also consider whether Government should continue to pay for the destruction of Caranchos and Turkey-Vultures. I do not know what our annual payments amount to.

4. It would be going pretty far to suggest that all birds should be protected with the exception of the Carancho, Turkey-Vulture and House-Sparrow. The Shag, for instance, is a menace to young trout.

5. In the United Kingdom I believe that some species receive no protection, and these include Cormorant, Crow, Gull (Black-Backed or Herring), Jackdaw, Jay, Magpie, Rook, Shag, Sparrow, etc., but under the Protection of Wild Birds Act 1954, a close season is laid down for wild birds other than those which are unprotected, as well as for game birds. In considering this matter it would be helpful to get hold of a copy of this British Act. I think we should do this in the first instance, and then we can have a talk about the matter in Executive Council.

9th November 1961

BA

RSC has been asked to find up British Act  
B v Wednesday - 10/11/61

Re: The money involved is under £60  
S 10/14/61

Bv Wednesday 15.11.61

A brief summary of the provisions of the Protection of Birds, Act, 1954 insofar as it is relevant to the present question.

1. With regard to birds not specially specified in any of the schedules you are allowed to kill them for the purpose of preventing serious damage to crops, vegetables, fruit, growing timber or any other form of property or to fisheries.
2. Certain birds, which I imagine are mostly rare, are specially protected and may only be killed out of mercy if they are injured. There are about fifty, they include:-

Bitterns  
 Bustards  
 Buzzards  
 Cormorants  
 Divers  
 Dotterel  
 Eagles  
~~Tit~~ites  
 Osprey  
 Kentish Plover  
 Little Ring Plover  
 Stilt, Stint  
 Certain Terns  
 Two kinds of Tits  
 Two Warblers

3. There is also a list of birds which can be taken at any time by 'authorised persons' an authorised person means an owner or occupier or any person shown to have been authorised by the owner or occupier of any land on which the action authorised is taken or any person authorised in writing by the local authority for the area or any person authorised in writing by certain bodies e.g. Nature Conservancy, River Boards, Local Fisheries Committee. These birds include Cormorant, Shag, Rooks, Crows, Pigeons, the three commoner Gulls, (but not the black headed gull) Jackdaws, Jays, Magpies, Sparrows, Starling and Sparrow Hawk.
4. There is also a list of birds which can be killed outside the close season mostly birds which would be shot for sport or the pot.
5. Section 1 of the Act lays down that it is an offence except in circumstances permitted by the Act to -
  - (a) Kill, injure or take or attempt to kill, injure or take any wild bird; or
  - (b) Take, damage or destroy the nest of any wild bird while the nest is in use or take or destroy an egg of any wild bird. As regards the taking of eggs one can take lapwings egg before the 15th April in any year but apart from that no eggs can be taken except on a licence for scientific purposes, etc.

G.E. vide 19

para 1 & 2. Gene. I gather that it would be useless  
wasting time trying to secure any protection for same  
I have abandoned this point.

para 3 Our annual payments on books  
is less than £50.

4 & 5. Prices of the provisions of the English act  
are at 21. P.S.C has a copy of the act.

I have submit a draft memo to Ex Co.  
for consideration

8  
22/11/61

BU after Ex Co. 24.11.61

3  
7/11

29.11.61

P.

~~BU after 12.61~~

23

G.E. I have <sup>23</sup> since amended the memo a bit  
amended memo is submitted for approval (also  
cancelled memo in case G.E. wishes to see it).

8 24/11/61

9/11  
7/11

12.62

KW subject  
not entered in EX Co  
book

Issue memo to  
Ex. Co. members pl

25

CONFIDENTIAL

For consideration at the  
next meeting of Council.

SMP 1099/II  
22nd November, 1962.

MEMORANDUM NO. 44/62 FOR EXECUTIVE COUNCIL

Wild Life Protection

The question of improving the protection given to wild birds and their nests and eggs has been raised. In the English Law there are no birds to which no kind of protection is given. The ordinary rule about birds not specifically referred to is that they may only be killed to protect property from damage. There are also of course such birds as the game birds which can only be killed in the open season. There are also the rarer birds which one cannot kill at all except to put them out of pain when they are injured. There is another list of birds which may be killed by an authorised person, which means the owner of the land or somebody authorised by him or else some local body or fisheries board. The list of these birds includes cormorants, shags, crows, rooks, pigeons, sparrows, starlings, jays, magpies and sparrow hawks.

2. It is suggested that in this country it would be sufficient if birds whose numbers require controlling should have no protection given to them. Alternatively we could provide that they could be killed by "authorised persons" which would in fact give the control to a camp manager in his own camp. Such birds should perhaps include caranchos, turkey vultures, gulls, except the pink breasted gull, house sparrow, upland geese, shags and thin-billed prions (also called fire birds). The last named breed on New Island and, though it would be a tragedy if they were exterminated control is necessary and it would appear unnecessary to interfere with the discretion of the owner.

3. It is also suggested that birds which should be protected during the close season are grey duck, pampa teal, chiloe wigeon, yellow-billed teal and paraguay snipe (the grey teal or brown pintail is said to be rare and it has been suggested that it should be protected altogether).

4. It is suggested that other birds not included in this list might be given the same protection as is given under the English Law to unspecified types of birds i.e. they could be killed to protect property.

5. It is also suggested that we might make our law conform with the English Law in making it an offence to take, damage or destroy the nests of any wild bird while the nest is in use, or take or destroy an egg of any wild bird. We could however provide for the taking of eggs of penguins on licence as now and we could exclude the eggs and nests of such birds as the caranchos and turkey vultures which it is not unlawful to kill. The taking of albatrosses' eggs which is now not controlled might be licensed like the taking of penguins eggs and perhaps also the taking of logger duck's eggs.

6. A suggestion has also been made that Government should cease the payment for the beaks of birds of prey. The amount involved is less than £50 a year and it is a question whether the administrative machinery for making such payments is worth while maintaining and whether it would not be casier to leave it to the farms as in the case of geese.

7. The scientists consider however that desirable as it may be to afford protection to certain species of wild life, what is more important still is to set apart places where all wild life is protected and nature is not interfered with at all. Such a place is Kidney Island. Council has in principle accepted the suggestion that Kidney Island should not be leased out and it is suggested that it should be definitely set aside as a reserve.

8. It is also suggested that the Flat Jason, South Jason and Elephant Jason be set aside as nature reserves. These islands are at present reserved for the protection of the fur seal but certain rather half hearted applications have been received for leases and Government policy with regard to them has not yet been declared.

9. Another place suggested as a reserve is Bird Island where albatrosses breed.

10. In general it is suggested the possible scientific value of places not occupied or seldom occupied by man should be realised. Such places are probably of little economic value or they would be occupied already. It is possible however that some adventurous type might apply for a lease of such a place and it is suggested that such application should not be allowed on principle unless Government is satisfied that the economic advantage would outweigh any loss that might be caused to science.

COLONIAL SECRETARY

memorandum issued today.

7/12/62.

JH.

BW Ex Co 30.1.63

NHDM/FH

CONFIDENTIAL

EXTRACT FROM MINUTES OF MEETING NO. 1/63 OF EXECUTIVE COUNCIL

HELD ON THE 6TH 7TH & 8TH MARCH, 1963

1099/II 25

3. WILD LIFE PROTECTION (Memo. No. 44/62)

Memorandum 44/62 was considered and the following decisions were taken:

No protection should be given to the following birds:-

- Carancho
- Turkey Vulture
- Dominican Gull
- Skua
- House Sparrow
- Upland Goose
- Shag
- and Thin Billed Prion

The following birds should be protected during the close season:-

- Grey Duck
- Pampa Teal
- Chiloe Widgeon
- Yellow Billed Teal
- Paraguayan Snipe

All other birds could be killed to protect property only.


It was resolved that the taking of Albatrosses eggs should be by licence as now in the case of Penguins eggs but that a general licence should be given to the present owner of New Island to take eggs on his own Island. With regard to the proposal that Government should cease payment for the beaks of birds of prey it was resolved that this proposal should be put to the Sheep Owners' Association.

It was resolved that the following places should be declared nature reserves where the killing of wild life and the introduction of tame animals should be prohibited:-

- Kidney Island
- Flat Jason, South Jason, Elephant Jason
- and Bird Island

The order should be made in such a way as not to prevent the cutting of Tussac, which was regarded as beneficial upon Kidney Island.

Council also agreed in general with the ideas in paragraph 10 of the memorandum, namely that the possible scientific value of places not occupied or seldom occupied by man should be realised and that such places should not be leased out without careful consideration of this point.

  
Clerk of Executive Council

Ag.R.S.C.

Would you please prepare draft legislation required to introduce measures approved at 27.

25.3.63

Hon. Col. Sec.,

Draft Bill and Regulations submitted, pl.

If section 4 is passed as drafted, an Order in Council would be required afterwards to give full effect to the tax. decision at f. 27.  
Section 16(2) - the old section 12 is, perhaps, unnecessary?

The lists of birds in the Schedules ~~were~~ were compiled from those on f. 27. I wonder if "Skua" shouldn't be further defined and whether the "Finchbird" in Schedule I is correctly described?

Ag.R.S.C.  
22. 6. 63.

Draft.

A Bill  
for  
An Ordinance

Title. To amend the law with regard to the preservation of wild animals and birds.

No. 1963.

Date of commencement. ( , 1963)

Enacting clause. BE IT ENACTED by the Legislature of the Colony of the Falkland Islands, as follows -

Short title. 1. This Ordinance may be cited as the Wild Animals and Birds Protection Ordinance, 1963.

Part I.  
General

protection of wild animals and birds. 2. If, save as hereinafter permitted, any person wilfully kills, injures or takes, or attempts to kill, injure or take, any wild animal or bird, or if any person has in his possession or control any wild animal or bird recently killed or taken which is not shown to have been killed or taken otherwise than in contravention of this Ordinance or any licence, order or regulation made thereunder, he shall be guilty of an offence and shall be liable to a fine not exceeding twenty pounds.

Exceptions to section 2 with respect to certain wild animals and birds. 3. A person shall not be guilty of an offence under section 2 of this Ordinance by reason of:  
(a) the killing or taking of, or an attempt to kill or take, a wild bird included in the first schedule to this Ordinance, or by reason of the injuring of such a bird in the course of an attempt to kill it; or  
(b) the killing or taking of, or an attempt to kill or take, a wild bird included in the second schedule to this Ordinance outside the period between the first day of August in any year and the last day of February in the following year, both days included, or by reason of the injuring of such a bird outside that period in the course of an attempt to kill it.

Establishment of bird sanctuaries. 4. The Governor in Council may by order declare any Crown land or colonial waters, or with the consent of the owner or lessee, any private land, to be a bird sanctuary, and may with respect to any area specified in such order provide for all or any of the following matters, that is to say -

- (a) that any person who, within that area, at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against this Ordinance;
- (b) that any person who, save as may be authorised by a licence granted under this Ordinance or any regulation made thereunder, enters into that area during any period specified in the order shall be guilty of an offence against this Ordinance;

- (c) that any person who introduces into that area any domestic animal shall be guilty of an offence against this ordinance;
- (d) that where any offence against this ordinance, or any such offence against this ordinance as may be specified in the order, is committed within that area, the offender shall be liable to a fine not exceeding forty pounds;

provided that a person shall not by virtue of any such order be guilty of an offence by reason of the killing or taking of, or an attempt to kill or take, <sup>any</sup> wild bird ~~and~~ included in the first schedule to this ordinance, or the injuring of such <sup>a</sup> bird in the course of an attempt to kill it.

General exceptions.

5. (1) Nothing in section ~~two~~ <sup>2</sup> or in any order made under section ~~four~~ of this ordinance shall make unlawful -

- (a) the taking of, or an attempt to take, any wild <sup>a</sup> bird if the <sup>a</sup> bird is taken or to be taken solely for the purpose of ringing or marking, or examining any ring or mark on, that or some other <sup>a</sup> bird and then releasing it;
- (b) the killing, injuring or taking of, or an attempt to kill or take, any wild animal or bird for the purposes of an experiment authorised under the Cruelty to Animals Act, 1876.

<sup>2</sup> (2) Notwithstanding any of the provisions of section ~~two~~ or of any order made under section ~~four~~ of this ordinance, a person shall not be found guilty of an offence against this ordinance -

- (a) by reason of the killing or injuring of, or an attempt to kill, a wild animal or bird if he satisfies the court before whom he is charged that his action was necessary for the purpose of preventing serious damage to <sup>domestic animals,</sup> crops, vegetables, ~~fruit, growing timber~~ or any other form of property or to fisheries;
- (b) by reason of the taking of, or an attempt to take, any wild animal or bird if he satisfies the court before whom he is charged that the animal or bird was taken or to be taken solely for the purpose of tending it and releasing it when no longer disabled;
- (c) by reason of the killing of any wild animal or bird if he satisfies the court before whom he is charged that the animal or bird had been so seriously disabled otherwise than by his own act that there was no reasonable chance of its recovering;
- (d) by reason of any act made unlawful by any of the provisions aforesaid if he satisfies the court before whom he is charged that the act was the incidental result of a lawful operation and could not reasonably have been avoided.

prohibition of 6. (1) If, save as may be authorised by a licence granted under this ordinance, any person -

of killing or taking wild animals and birds.

- (a) sets in position any of the following articles, being an article which is of such a nature and is so placed as to be calculated to cause bodily injury to any wild animal or bird coming in contact therewith, that is to say, any springe,

trap, /

trap, gin snare, hook and line, poisoned or stupefying bait, or container holding explosives; or

- (b) uses for the purpose of killing or taking any wild animal or bird any such article as aforesaid, whether or not of such a nature and so placed as aforesaid, or any net, baited board, bird-lime or substance of a like nature to bird-lime; or
- (c) for the purpose of killing or taking any wild animal or bird uses as a decoy any live animal or bird whatsoever which is tethered, or which is secured by means of braces or other similar appliances, or which is blind, maimed or injured; or
- (d) uses for the purpose of killing any wild animal or bird a shot-gun of which the barrel has an internal diameter at the muzzle of more than one and three-quarter inches; or
- (e) except in order to find an animal or bird already killed or injured, uses any form of artificial light for the purpose of killing or taking any wild animal or bird other than ~~a bird~~ included in the first schedule to this ordinance or "a bird" included in the second schedule to this ordinance outside the period between the first day of August in any year and the last day of February in the following year, both days included,

he shall be guilty of an offence against this ordinance and shall be liable to a fine not exceeding twenty pounds:

provided that in any proceedings under paragraph (a) of this subsection it shall be a defence that the article was set in position by the accused for the purpose of killing or taking animals in the interests of public health, agriculture or the preservation of other creatures and that he took all reasonable precautions to prevent injury thereby to wild animals or birds.

(2) Nothing in subsection (1) of this section shall make unlawful the use of a cage-trap or net for the purpose of taking a wild bird if it is shown that the taking of the bird is solely for the purpose of ringing or marking, or examining any ring or mark on, that or some other bird and then releasing it or for the purpose of an experiment duly authorised under the Cruelty to Animals Act, 1876:

provided that nothing in this subsection shall make lawful the use of a rocket-propelled net.

power of the Governor to vary the Ordinance by proclamation.

7. (1) The Governor in Council may by proclamation generally or with respect to any specified part of the Colony ~~amend or vary~~ add any wild animal or remove any wild animal or bird from, either of the first or second schedules to this ordinance, or vary the season for any wild bird included in the second schedule to this ordinance.

(2) while any such proclamation remains in force this ordinance shall be read subject to the variations made by such proclamation.

power of the Governor to grant licences.

8. Notwithstanding anything contained in this ordinance the Governor may, for such time and subject to such conditions as he thinks fit, authorise any person to take any wild animal or bird by licence and to export such

Export of wild animals or birds.

Enforcement,  
fines, etc.

9. (1) A constable may without warrant stop and search any person found committing an offence against this Ordinance and any vehicle, boat or animal which that person may then be using, and may -

- (a) arrest that person if he fails to give his name and address to the constable's satisfaction; and
- (b) seize and detain for the purposes of proceedings under this Ordinance, any wild animal or bird, other than a ~~bird~~ included in the First schedule to this Ordinance, or any weapon or other article capable of being used to kill or take wild animals or birds, which may be in that person's possession.

(2) Where an offence is committed in respect of more than one animal, bird, or article, the maximum fine which may be imposed under this Ordinance shall be determined as if the person convicted had been convicted of a separate offence in respect of each animal, bird, or article.

(3) The court before whom any person is convicted of an offence against this Ordinance shall order the forfeiture of any wild animal or bird in respect of which the offence was committed and may, if they think fit, order the forfeiture of any weapon or other article in respect of or by means of which the offence was committed.

(4) Whenever in any legal proceedings under this Ordinance it is alleged that the wild animal or bird in respect of which the charge is laid was killed or taken without the limits of the colony ~~or its dependencies~~ or at a time when such bird might lawfully be killed or taken, the proof of such circumstance shall lie on the person alleging the same.

#### Part II.

#### Penguins and Albatrosses

Restriction on taking penguins' or albatrosses' eggs without a licence.

10. Any person who shall take or destroy any penguins' or albatrosses' eggs without a licence under this Ordinance or contrary to the terms and conditions thereof or shall aid and abet any person not so licensed to take and destroy any such eggs shall commit an offence and be liable to ~~imprisonment~~ ~~and~~ pay for every egg so taken or destroyed a fine not exceeding ten shillings, and in addition shall forfeit any such eggs found in his possession.

Granting of licences.

11. The Agricultural officer, <sup>the</sup> Deputy Collector of Customs, or such other officer or officers as the Governor may appoint for the purpose, may grant licences to take penguins' or albatrosses' eggs to such persons as may apply for them for such periods, and on such terms and conditions in respect of the number and description of eggs to be taken, the territorial limits within which they may be taken under such licences, and the payment to be made in respect thereof, as may be approved by the Governor.

Liability of an owner or master of a vessel.

12. Any owner or master or other person in charge of any vessel who shall permit such vessel, or any boat or canoe belonging to such vessel, to be employed in taking or destroying penguins' or albatrosses' eggs, or who shall permit or negligently suffer any person belonging to such vessel to be employed in taking or destroying penguins' or albatrosses' eggs, contrary to the provisions of this part of this Ordinance, shall forfeit any eggs so taken and any eggs found in his possession, and in addition thereto shall be liable to a fine not exceeding fifty pounds for each offence.

913

Venue.

13. For all purposes of and incidental to the trial of any person accused of any offence under this Ordinance, except an offence against section four or any order made thereunder, and the proceedings and the jurisdiction of any court, the offence shall be deemed to have been committed either in the place in which it was actually committed or in any place in which the offender may for the time being be found.

Recovery of fines.

14. Any fine adjudged under this ordinance to be paid by the owner or master, or other person in charge of a vessel, may be recovered in the ordinary way, or, if the court think ~~as~~ fit so to order, by distress or arrest and sale of the vessel to which the offender belongs, and her tackle, apparel, and furniture, and any property on board thereof or belonging thereto, or any part thereof.

Special exemption.

15. The governor, and any person duly authorised by him in writing, may take or destroy for a scientific or any other special purpose, any penguins' or albatrosses' eggs, and in so doing shall be exempt from any fines and forfeitures under this part of this ordinance.

Governor in Council may make regulations, which shall be published in the Gazette.

16. ~~17~~ The governor in Council may, from time to time, make regulations for carrying out the provisions of this ordinance and the intent and object thereof.

~~(2) All regulations made in pursuance of this ordinance shall be published in the Gazette and shall come into force on such day as the governor may direct by notice published in the Gazette.~~

Repeal of Cap. 77.

17. The wild animals and birds protection ordinance, Cap. 77, is hereby repealed.

SCHEDULE I.

wild birds which may be killed at any time.

- ~~Carancho~~ <sup>Flare</sup> Carancho
- Turkey vulture
- Dominican gull
- Skua
- European House-Sparrow
- Rock-Shag
- King Shag
- Upland Goose (only in the Colony)
- Thin-billed (Belcher's) prion (Firebird)

SCHEDULE II.

wild birds which may be killed outside the close season.

- Grey Duck
- Pampa Teal
- Chiloe Widgeon
- Yellow Billed Teal
- Paraguayan Snipe

Objects and Reasons.

To give better protection to wild animals and birds by

providing that, except to protect property or in other special circumstances, only certain specified species of birds may be killed, and by providing for the establishment of bird sanctuaries.

The Bill also makes provision for the protection of albatrosses' and penguins' eggs.

Draft.

The Wild Animals and Birds protection ordinance, 1963.

Penguin and Albatross Regulations  
(under section 16 of the ordinance)

No. of 1963.

Governor.

No. of  
1963.

His Excellency the Governor in exercise of the powers vested in him by section 16 of the Wild Animals and Birds protection ordinance, 1963, is pleased by and with the advice of the Executive Council to make the following Regulations:

short title.

1. These Regulations may be cited as the penguin and Albatross Regulations, 1963.

Applications for licences to be made before certain dates.

2. All applications for licences to take penguins' or albatrosses' eggs shall be made either personally or in writing and shall reach the Agricultural Officer, or other officer authorised under the ordinance to issue such licences, not later than -

- (a) in the case of albatrosses, the 1st day of September;
- (b) in the case of penguins, the 1st day of October.

fees payable.

3. The fee payable in respect of licences shall be as follows -

- (a) for a licence to take not more than 1,000 eggs, 5/-;
- (b) for a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

periods for which licences may be issued.

4. The period for which licences to take penguins' or albatrosses' eggs may be issued shall be -

- (a) in the case of albatrosses from the 1st day of September to the 30th day of September in every year;
- (b) in the case of gentoo penguins from the 1st day of October to the 31st day of October in every year;
- (c) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

return of eggs taken etc. to be made.

5. Every licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Agricultural Officer, or other person authorised under the ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

superintendent of police to be notified of importation of eggs into Stanley.

6. All licensees bringing eggs into Stanley shall notify the Superintendent of police, and it shall be lawful for the Superintendent of police to inspect any eggs so imported.

lines, etc.

7. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a ~~minimum~~ fine not exceeding ₹5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

Revised Edition  
Vol II p. 328.

8. The penguin Regulations are hereby revoked.

Made by the Governor in Council the \_\_\_\_\_ day of \_\_\_\_\_, 1963.

Clerk of the Executive Council.

Hes

When I was at  
South Georgia, the  
A.O. suggested we  
should give the  
S.G. real complete  
protection.

I agree.

Acting RSC  
is the plan  
arrangement is

We want to make  
his plan

PA

4.6.63

Birds Protection file pl

Mr. Browning has done an excellent job in drafting this Ordinance. I think that it could now await Mr. Bennett's return if only for his advice on the nomenclature of the birds in Schedule 1.

I would make the following observations -

Section 4. 'bird sanctuary' seems inappropriate. Perhaps 'wild life sanctuary' or just 'sanctuary'.

6.(1)(a). N.B. the word springe is right!

16.(2). Mr. Bennett will advise. This appears in our present Wild Life Ordinance but seems unnecessary.

Schedule. Although admittedly the minutes only refer to the Dominican Gulls I do not think it was intended to protect the Dolphin Gull. Dolphin Gull with its scientific name could be included for consideration. Apparently there is more than one kind of skua. ~~Perhaps not~~ but only one is found here. *Normally, we need not only* include that one. If possible we should give the scientific names of all birds mentioned.

If Mr. Bennett is in doubt about any names Mr. Roddy Napier, West Point, says he has a full list.

We should make a proviso to regulation 3. " Provided that the Governor may waive part or all such sum if he considers that in the circumstances of any case it is reasonable to do so "

Note. I think we should include Mr. Napier of West Point as well as the Davis' to whom general licence should be issued free to take albatrosses eggs in their own land.

Although Executive Council went carefully through my memorandum I think they should go again through the various provisions of the Ordinance. Memorandum could read -

"It will be recollected that when memorandum number 44/62 was considered at the meeting of Executive Council instructions were given as regards the drafting of a bill. The draft bill has now been prepared for the consideration of Council. The pattern of the English Act has been followed in the Law". *main"*

*gn.*

8th July, 1963.

RHDM/FH

*BU 10.11.63  
for Mr Bennett*

R.S.C.

Will you please go through the  
proposed Bill and let me have your  
comments.

L.G.

13.11.63

Hon. Col. Sec.,

Mr. Browning and I have been through the draft Bill and agree on the following points:

1. Arabic numerals should be used when reference is made to another section. This is the practice in Colonial legislation although not so in U.K. legislation.

2. Section 3.

Reference to "section one" should read "section 2". The words "a wild bird" replaced by the words "any wild animal or bird" and the words "a wild bird" replaced by the words "any wild animal or bird" in (a).

The words "a wild bird" replaced by the words "any wild animal or bird" in (b).

Marginal Note. Reference to "section one" replaced by reference to "section 2" and the words "animals or" inserted between the words "wild" and "bird".

3. Section 4.

The words "a bird sanctuary" replaced by the words "an animal or bird sanctuary".

*Such could be included in 15.*

The words "domestic animals" replaced by the words "carniverous animals" in (c), to include animals such as foxes and cats.

The words "a wild bird" replaced by the words "any wild animal or bird" and the words "a bird" replaced by the words "wild animal or bird" in the proviso.

The marginal note amended to read "Establishment of animal or bird sancturies".

4. Section 5.

The words "wild bird" replaced by the words "wild animal or bird" and the words "the bird" replaced by the words "the wild animal or bird" and the words "other bird" replaced by the words "other wild animal or bird" in (1) (a).

The words "damage to" replaced by the words "damage or injury to domestic animals" and the deletion of the words "fruit, growing timber" in (2)(a). Amended to include injury to stock. The words fruit etc deleted as unnecessary

The words "the animal or bird" replaced by the words "the wild animal or bird in (2)(b) and (c).

5. Section 6.

The words "a bird" replaced by the words "any wild animal or bird" wherever those words appear in (1)(e).

The words "wild bird" replaced by the words "wild animal or bird" and the words "other bird" replaced by the words "other wild animal or bird" in (2).

6. Section 7.

The words "wild bird" replaced by the words "wild animal or bird" in (1).

7. Section 8.

The words "such animal" replaced by the words "such wild animal".

8. Section 9.

The words "a bird" replaced by the words "any wild animal or bird" in (1)(b).

The word "animal" replaced by the words "wild animal" wherever those words occur in (2).

The deletion of the words "or its Dependencies" in (4).

These words are superfluous as we cannot legislate for the Dependencies. The words "such bird" replaced by the words "such wild animal or bird" in (4).

9. Section 11.

The words "a Deputy Collector of Customs" replaced by the words "the Deputy Collector of Customs at Fox Bay".

I understand the A.O. and D.C.C. Fox Bay issue penguin egg licences.

10. Section 15.  
Renumbered as section 13.
11. Sections 13 and 14 to be renumbered 14 and 15 respectively.
12. Sections 14-17 to form a new part III under the heading of Miscellaneous.
13. Section 16 (2) deleted as superfluous.  
Section 16 (1) renumbered as section 16 and the words "which shall be published in the Gazette" deleted from the marginal note.
14. I think powers of the governor in Council under section 4 should be mandatory over all land and territorial waters.
15. You may wish to consider the inclusion of the hare and rabbit in Schedule I.
16. Schedule I.  
The words "(only in the colony)" should be deleted.  
H.E. may wish to consider new schedules if and when the law is applied to the Dependencies.
17. Regulations.  
I believe a fee is charged for each wild bird exported under licence and would suggest that this fee be included in the new regulations.

g.P.B.  
21.xi.63.

HB/DD

35

A.C.S.,

This cannot be taken at  
fathering meeting of legs therefore  
b.u. for consideration by Mr.  
Thompson.

h.l.  
29.11.63

30  
BU 201263

DECODE.

No. 63.

TELEGRAM.

36

From.....Administrative Officer, South Georgia.

To.....Colonial Secretary, Stanley.

---

Despatched :                      11th December,      19 63.      Time : 2130

Received :                         12th December,      19 63.      Time : 0900

No. 281. Wild animals and birds protection Ordinance. Would be grateful you approach H.E. with suggestion that South Georgia teal included in second Schedule of above Ordinance now be included in first Schedule. Appears to be a decrease in numbers suggesting protection advisable.

P/L : IH  
(Intld.) HLB

~~B.U.  
30  
200~~ 12.63  
30. 1.64  
S.D.

R.S.C.

Folios 32, 33 and 36.

Please discuss 2 p.m Wednesday January 8th in my office if suitable to you; otherwise fix better time.

S.  
C. S.

Recalled 8.1.64.  
P. H.

4th January, 1964  
WHT/FH

38

NCJ

RSC will call at 2 pm today (8th)

P. H.  
8.1.64

BU 30.1.64

CONFIDENTIAL

SMP 1099/II

27th January, 1964.

MEMORANDUM NO. 3/64 FOR EXECUTIVE COUNCIL

Wild Animals and Birds Protection Ordinance

39A ~~40~~

The attached draft of a Bill is intended to bring our legislation up to date.

2. In particular, it extends control, lists only those birds and animals which are presently considered to be a menace, and makes provision for the establishment of animal and bird sanctuaries.

3. It has been constructed with the advice of the Legal Adviser.

*H. W. P. S.*

COLONIAL SECRETARY

WHT/FH

CONFIDENTIAL

Draft

The Wild Animals and Birds Protection Ordinance, 1964.

Penguin and Albatross Regulations  
(under section 16 of the Ordinance)

No. of 1964.

Governor

His Excellency the Governor in exercise of the powers vested in him by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, is pleased by and with the advice of the Executive Council to make the following Regulations:

No. of 1964

Short title.

1. These Regulations may be cited as the Penguin and Albatross Regulations, 1964.

Applications for licences to be made before certain dates.

2. All applications for licences to take penguins' or albatrosses' eggs shall be made either personally or in writing and shall reach the Agricultural Officer, or other officer authorised under the Ordinance to issue such licences, not later than -

- (a) in the case of albatrosses, the 1st day of September;
- (b) in the case of penguins, the 1st day of October.

Fees payable.

3. The fee payable in respect of licences shall be as follows -

- (a) for a licence to take not more than 1,000 eggs, 5/-;
- (b) for a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

Periods for which licences may be issued.

4. The period for which licences to take penguins' or albatrosses' eggs may be issued shall be -

- (a) in the case of albatrosses from the 1st day of September to the 30th day of September in every year;
- (b) in the case of Gentoo penguins from the 1st day of October to the 31st day of October in every year;
- (c) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

Return of eggs taken etc. to be made.

5. Every licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Agricultural Officer, or other officer authorised under the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

Fines, etc.

6. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a fine not exceeding £5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

Revised Edition Vol. II. p.328.

7. The Penguin Regulations are hereby revoked.

Made by the Governor in Council the \_\_\_\_\_ day of \_\_\_\_\_, 1964.



C & K Bertrand

Carcass Island

17 Feb 1964

Colonial Secretary

Stanley.

Dear Sir,

We have heard various rumours from different sources to the effect that a certain farm on the West Falklands intends to ~~poison~~ destroy wild geese by laying some type of poison on the pastures.

Perhaps you can verify this and if possible stop it - We venture to point out that not only Upland and Brent geese would die but Kelp geese also and if the poison was laid near a stream or pond it is quite likely that ducks also would suffer.

Geese travel from one farm to another, this we have had proof of as John Bromley banded a number of geese while here and some of these banded birds have been shot at Roy Cove and ~~think~~ possibly Teal River but for confirmation of this we would suggest that you contact Don Davidson of Stanley to whom Bromley sent his banding reports. From that it is evident that wholesale poisoning concerns others besides the farm where the poison is to be laid.

Carcass Island probably has more wild geese than any other island farm. Nevertheless we do not go in for wholesale slaughter and we find that all that is necessary is to shoot off a few where they are loading to heavily in small areas. We are of the opinion that the damage done by geese is grossly exaggerated and while we do not think they should be protected we do feel that it would be better if the Government made it illegal to pay a bounty for their destruction.

We should add that our employees feel as strongly as we do about the poisoning of geese, or any other bird.

We hope you can prevent this poisoning, (if it is true that it is to be laid) We can assure you of our ~~heartfelt~~ heartfelt support for any scheme for the preservation of wild life in the Falkland Islands.

Yours faithfully

Kitty Bertrand & C. Bertrand.

Ack'd JH

18.2.64

Reply paras



41

Colonial Secretary  
Stanley.

R.B. Napier  
West Point Island  
13 February 1964

Dear Sir,

As you are perhaps aware, I have been a strong advocate for the preservation of wild life in the Falkland Islands. I have therefore been most disturbed to hear a rumour that the Manager of Pebble Island proposes to poison Upland geese by laying poison on pastures. Perhaps you can confirm if this is true and if it is take action to stop this cruel slaughter?

It is my opinion that unless Government takes action to give protection to the Johnny Rook (Forster's Caracara) and other birds, they will soon become extinct, or virtually so.

Regarding Upland Geese I would suggest that you get in touch with the owners of Carcass Island and Rincon Grande, both farms of which have huge numbers of geese. Yet in the case of Rincon Grande have obtained the highest wool price in the Falklands a year ago. Carcass Island usually obtains the highest price of any of the small island farms and has a wool weight of 10 or 11 lbs per sheep. All of which seems to show that the damage caused by geese is greatly exaggerated.

Yours faithfully,

*R.B. Napier*

Acld JH  
18.2.64

Reply at 43

~~48~~  
42

25th February, 1964.

40

Dear Mr. & Mrs. Bertrand

Thank you very much for your letter of the 17th February concerning poisoning of bird life.

I am looking into the matter straight away.

We are just about to introduce a new, and stronger, legislation to protect wild animals and birds, and also to establish Nature Reserves wherein all hunting, egg collecting, and killing will be totally prohibited. I hope the new legislative Council will pass both Bills at the next session.

I share your sentiments and assure you that the preservation of wild life is one of my own interests.

The new Bill specifically forbids poisoning.

Yours sincerely,

Willoughby Thompson

Mr. & Mrs. C. Bertrand,  
CARCASS ISLAND.

WHT/IM.

Reply at 44

Kiv 42

26 February, 1964.

Dear Mr. Napier.

41

Thank you for your letter of the 13th February, 1964, concerning the poisoning of geese. I am having the matter looked into at once. As you are aware Upland Geese are not protected, but the thought of poisoning, and the way it can be taken by other wild life too, is particularly obnoxious.

I agree with you that on the evidence available the damage done by Upland Geese does seem to be exaggerated.

You will be pleased to know that two new Bills are ready for the next session of the Legislative Council. One is designed to give further protection to wild animals and birds and the other to establish Nature Reserves wherein all hunting and killing will be prohibited. These can be set up wherever the owner agrees, or on any Crown land.

The new legislation will completely prohibit the poisoning of birds and animals.

Yours sincerely,

Willoughby Thompson

Mr. R.B. Napier,  
WEST POINT ISLAND.

BU Xco 31,364

WHT/IM.

Reply at 45

C & K Bertrand  
Carcass Island  
8th March 1964

Colonial Secretary  
Stanley

6/10 m  
hee  
D1  
f

Dear Mr Thompson,

43 We both thank you very much for your letter  
dated 25th Feb and we look forward to the time when Nature Reserves  
can be established in the Falkland Islands.

As you too are interested in wild life you may be interested in  
the following. Until a few years ago we were dipping our sheep  
off the shears' and again at the normal dipping time with Gamatox  
dip. As soon as we had freed our sheep of ticks and were given permis-  
sion, we ceased dipping, however we used this dip to spray the garden  
before planting, to kill white grub. We also used it on the outside  
of buildings to kill bluebottles. We then realized that the Tussac  
Birds all over the island had decreased alarmingly and on the assumption  
that the DDT in this dip may have been the cause we ceased spraying  
with it. These little birds showed a marked increase out in the open  
camp first and this year appear to have increased in the settlement.  
We realize that this one instance is not sufficient proof for scientific  
purposes but has certainly made us doubtful about using insecticides  
indiscriminately. The dip we used was the old Gamatox paste dip, I  
believe it is slightly different now.

Thank you again,

Yours sincerely

C. & K. Bertrand

16/10/64

POSTAL SECRETARY'S OFFICE  
14 MAR 1964  
FALKLAND ISLANDS  
Colonial Secretary  
Stanley.

45  
R. B. Napier  
West Point Island  
Falkland Islands  
9/3/64

Dear Sir

~~44~~ Thank you for your letter of 26th February 1964.

I was pleased to hear about the two new Bills giving further protection to wild animals and birds, and for the setting up of Nature Reserves.

Yours sincerely

R. B. Napier

Kiv-cc

BU 31 3 64  
(42)  
BU Xco 15.46

Extract from Minutes of Meeting of Executive Council held on the 13th, 14th,  
15th & 16th April, 1964

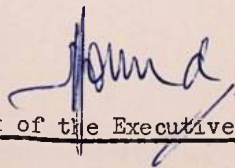
20. WILD ANIMAL AND BIRDS PROTECTION ORDINANCE AND REGULATIONS (Memo 8/64)

Council advised that the Bill be submitted to the Legislature with the following amendments to the schedules -

Schedule I    Delete King Shag  
                  Insert Leopard Seal

Schedule II    Insert Brent Goose

Subject to the Bill passing Legislature it was agreed that the Regulations be adopted with the following amendment to Regulation 5 - Delete "Every licensee" and insert "A Police Officer may require that any licensee". Delete "Agricultural Officer" and insert "Colonial Secretary".



Clerk of the Executive Council

46  
47

Wild Animals and Birds Protection Ordinance

The Schedules are to be altered as follows -

Schedule I delete "King Shag" and insert "Leopard Seal".

Schedule II insert "Brent Goose".

The penguin and albatross regulations at regulation 5 will be amended to read -

"A police officer may require that any licensee shall, at a date not earlier than 1st of January nor later than the 1st of February, make in writing to the CS or other officer authorised under the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities in which the eggs were taken."

These amendments are to be included in the Ordinance which will be submitted to Leg. Co. at its Spring Session.

S.

C.S.

WHT/FH  
18th April, 1964.

6/6 1.7.64

S.  
=

BU Legen 15.8.64

48

Port Stanley,  
Falkland Islands.

8th August 1964.

file  
51

The Officer Administrating,  
Secretariate,  
Port Stanley.

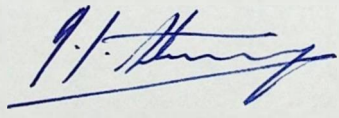
Dear Sir,

Further to my notes on the islands of Kidney and Couchon as potential nature reserves. I am forwarding for your interest a list of other Government islands which are considered to be of interest to conservation. The list includes those islands which have been named before, for consideration by Government as possible reserves.

Enclosed, are aerial photographs of the islands and key map giving location.

I would be gratefull if you would kindly return the photographs at your convenience.

Yours faithfully,



I. J. Strange.

See 49

14<sup>th</sup> August, 1964.

Dear Mr. Strange,

48

Thank you for your letter of the 8th August with your interesting notes and photographs.

I am doing some checking up on the ownership of these various pieces of land and will get cracking in time for the next Executive Council.

I will hang on to the photographs until then, but if you should require them please let me know and you shall have them back at once.

Once again thank you for your interest and assistance in this matter.

Yours faithfully,

COLONIAL SECRETARY  
OFFICER ADMINISTERING THE GOVERNMENT.

I.J. Strange, Esq.,  
STANLEY.

WIE/IN.

RGSC

Will you please let me know who owns the following islands -

Kidney Island  
 Cochon Island  
 Volunteer Rocks  
 Seal Point Port Harriet  
 Beauchêne Islands  
 Bird Island off Port Stephens  
 Jason Island Group.

S.  
 C.S. /

Hon. Col. Sec.,

Kidney Island, Cochon Island, Volunteer Rocks, Beauchêne Island, Bird Island and the Jason Island Group (except Grand and Steeple) are Crown Lands. Grand and Steeple Jason are in the holding of Dean Bros of Pebble Island while Seal Point Port Harriet is owned by the F. J. Co.

Elephant Jason, Bird Island, Volunteer Rocks and Beauchêne Island (which are the sites of known Fur Seal Rookeries) have been declared seal reserves under section 7 of the Seal Fishery (Consolidation) Ordinance (Cap. 62).

J.P.B.  
 26. viii. 64.

Off for Fitz Co  
 in Oct

=====

By 12/10/64

# HOLMESTED BLAKE & COMPANY, LIMITED

52

DIRECTORS: R. BLAKE, H. S. HOLMESTED, E. G. MATHEWS, A. L. BLAKE, MRS. C. A. E. STRONACH

LONDON OFFICE:  
120, PALL MALL,  
LONDON, S.W.1  
TELEPHONE: WHITEHALL 6077/8



HILL COVE,  
FALKLAND ISLANDS

CABLES: "BLAKE FOXBAY"

11th September 1964

51

The Honourable  
The Colonial Secretary  
Stanley

Dear Sir

39A

The Wild Animals and Birds Protection Bill would appear to prohibit the killing of mice, rats and foxes, which I imagine is not intended. Even if they were included in Schedule 1, it would be illegal under Section 6 (1) (a) to poison or trap them, so that their destruction would present a problem.

I am surprised that Sea Lions are included in Schedule 1. So far as I know they are quite harmless. Perhaps they have been inserted in mistake for Sea Leopards, which have the reputation of being dangerous at times. I am surprised also at the inclusion of Rock Shags and King Shags and exclusion of Brent Geese (locally so-called), which are nearly as much of a menace in these parts, at any rate, as Upland Geese. There is certainly no danger of their extinction. In any case in paying bounty rewards for beaks, I for one could not distinguish between those of Brent and Upland geese.

Yours faithfully

  
Manager

See 58

19 September, 1964.

Dear Mr. Blake,

52

Thank you very much for your letter of the 11th September on the Wild Animals and Birds Protection Ordinance.

How right you are to be surprised; unfortunately the Government Printer received the wrong set of proofs and various amendments ordered by Executive Council were not included in the printed Bill. All is not lost though and I will see the Bill is corrected during the Second Reading in the Legislative Council.

Vermin (rats, nice foxes) will be exempted from the Bill; Brent Geese will be inserted; King Shag deleted, and all reference to Seals (which have an Ordinance of their own) removed.

I hope this rather weak explanation for the oddness of the published Bill puts matters right.

Yours sincerely,

(Sgd) Wuloughby Thompson

Mr. W. W. Blake,  
HILL COVE.

WHT/TB.

MP 1099/II  
15th September, 1964.

MEMORANDUM NO. 12/64 FOR LEGISLATIVE COUNCIL  
Wild Animals and Birds Protection Ordinance.

I regret that the recent version of this Bill in the Falkland Islands Gazette use an incorrect one. Unfortunately the wrong proofs were handed to the Government Printer.

It should have contained the following amendments:

Schedule I. Delete King Shag  
Insert Leopard Seal (see below)

Schedule II. Insert Brent Goose

My attention has also been drawn to the fact that as written the Bill forbids the killing of vorasia (foxes, mice, rats), and the trapping of Seraphics and Turkey Buzzards.

Subject to any comments you might like to make I shall put in the necessary amendments during the Second Reading of the Bill in the next meeting of the Legislature.

One further point is that the references to Leopard Seals and Sea Lion has now been found to be ultra vires: seals already have a Protection Ordinance of their own. Again, I will amend during the course of the debate.

(Sgd) W. H. Thompson.

OFFICER ADMINISTERING THE GOVERNMENT

WHT/EB.

Issued to all members today.

19/9/64

W1  
BVL 15/10/64

EXTRACT FROM MINUTES OF MEETING NO. 3/64 OF EXECUTIVE COUNCIL

HELD ON THE 20th, 22nd & 23rd OCTOBER, 1964.

1099/II &  
0958

18. NATURE RESERVES (Memo 39/64)

Council advised that both Kidney Island and Cochon Island be declared Nature Reserves with the proviso that visits to Kidney Island should continue to be permitted and that tussac may be cut on Kidney Island. Discussion regarding Low Island and The Twins was deferred for consideration under the Wild Animals and Birds Protection Ordinance.

Council further advised that publicity be given to the danger of starting fires on Kidney Island and that appropriate notice boards be erected warning the public of the fire hazard.

No decision was taken on the subject of sealing in the vicinity of these Islands.

Clerk to Executive Council

Assented to in Her Majesty's name this 30th day of October, 1964.

C. Haskard  
Governor.



No. 15



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
Governor.

An Ordinance

To amend the law with regard to the preservation of Wild Animals and Birds. Title.

[1st November, 1964] Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows — Enacting clause.

1. This Ordinance may be cited as the Wild Animals and Birds Protection Ordinance, 1964. Short title.

PART I — GENERAL

2. If, save as hereinafter permitted, any person wilfully kills, injures or takes, or attempts to kill, injure or take, any wild animal or bird, or if any person has in his possession or control any wild animal or bird recently killed or taken which is not shown to have been killed or taken otherwise than in contravention of this Ordinance or any licence, order or regulation made thereunder, he shall be guilty of an offence and shall be liable to a fine not exceeding twenty pounds. Protection of wild animals and birds.

3. A person shall not be guilty of an offence under section 2 of this Ordinance by reason of — Exceptions to section 2 with respect to certain wild animals and birds.

- (a) the killing or taking of, or an attempt to kill or take, any wild animal or bird included in the First Schedule to this Ordinance, or by reason of the injuring of such wild animal or bird in the course of an attempt to kill it; or

- (b) the killing or taking of, or an attempt to kill or take, a wild animal or bird included in the Second Schedule to this Ordinance outside the period between the first day of August in any year and the last day of February in the following year, both days included, or by reason of the injuring of such wild animal or bird outside that period in the course of an attempt to kill it.

**Establishment of animal and bird sanctuaries.**

4. The Governor in Council may by order declare any Crown land or Colonial waters, or with the consent of the owner or lessee, any private land, to be a wild animal or bird sanctuary, and may with respect to any area specified in such order provide for all or any of the following matters, that is to say —

- (a) that any person who, within that area, at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against this Ordinance;
- (b) that any person who, save as may be authorised by a licence granted under this Ordinance or any regulation made thereunder, enters into that area during any period specified in the order shall be guilty of an offence against this Ordinance;
- (c) that any person who introduces into that area any domestic or carnivorous animal shall be guilty of an offence against this Ordinance;
- (d) that where any offence against this Ordinance, or any such offence against this Ordinance as may be specified in the order, is committed within that area, the offender shall be liable to a fine not exceeding forty pounds.

**General exceptions.**

5. (1) Nothing in section 2 or in any order made under section 4 of this Ordinance shall make unlawful —

- (a) the taking of, or an attempt to take, any wild animal or bird if the animal or bird is taken or to be taken solely for the purpose of ringing or marking, or examining any ring or mark on, that or some other animal or bird and then releasing it;
- (b) the killing, injuring or taking of, or an attempt to kill or take, any wild animal or bird for the purposes of approved scientific experiment.

For the purposes of this Ordinance, the term approved scientific experiment shall mean a scientific experiment approved by the Governor and for which a licence has been issued in accordance with section 8 of this Ordinance.

(2) Notwithstanding any of the provisions of section 2 or of any order made under section 4 of this Ordinance, a person shall not be found guilty of an offence against this Ordinance —

- (a) by reason of the killing or injuring of, or an attempt to kill, a wild animal or bird if he satisfies the court before whom he is charged that his action was necessary for the purpose of preventing serious damage or injury to domestic animals, crops, vegetables, fruit, or any other form of property or to fisheries;
- (b) by reason of the taking of, or an attempt to take, any wild animal or bird if he satisfies the court before whom he is charged that the wild animal or bird was taken or to be taken solely for the purpose of tending it and releasing it when no longer disabled;
- (c) by reason of the killing of any wild animal or bird if he satisfies the court before whom he is charged that the wild animal or bird had been so seriously disabled otherwise than by his own act that there was no reasonable chance of its recovering;

- (d) by reason of any act made unlawful by any of the provisions aforesaid if he satisfies the court before whom he is charged that the act was the incidental result of a lawful operation and could not reasonably have been avoided.

(3) Nothing in this Ordinance shall make unlawful the killing of foxes, rats, mice, rabbits, caranchos and turkey vultures by any means.

6. (1) If, save as may be authorised by a licence granted under this Ordinance, any person —

Prohibition of certain methods of killing or taking wild animals and birds.

- (a) sets in position any of the following articles, being an article which is of such a nature and is so placed as to be calculated to cause bodily injury to any wild animal or bird coming in contact therewith, that is to say, any springe, trap, gin snare, hook and line, poisoned or stupefying bait, or container holding explosives; or
- (b) uses for the purpose of killing or taking any wild animal or bird any such article as aforesaid, whether or not of such a nature and so placed as aforesaid, or any net, baited board, bird-lime or a substance of a like nature to bird-lime; or
- (c) for the purpose of killing or taking any wild animal or bird uses as a decoy any live animal or bird whatsoever which is tethered, or which is secured by means of braces or other similar appliances, or which is blind, maimed or injured; or
- (d) uses for the purpose of killing any wild animal or bird a shot-gun of which the barrel has an internal diameter at the muzzle of more than one and three-quarter inches; or
- (e) except in order to find an animal or bird already killed or injured, uses any form of artificial light for the purpose of killing or taking any wild animal or bird other than a wild animal or bird included in the First Schedule to this Ordinance,

he shall be guilty of an offence against this Ordinance and shall be liable to a fine not exceeding twenty-five pounds.

(2) Nothing in subsection (1) of this section shall make unlawful the use of a cage-trap or net for the purpose of taking a wild animal or bird if it is shown that the taking of the wild animal or bird is solely for the purpose of ringing or marking, or, examining any ring or mark on, that or some other wild animal or bird and then releasing it or for the purpose of an experiment duly authorised under section 8 of this Ordinance.

Provided that nothing in this subsection shall make lawful the use of a rocket-propelled net.

7. (1) The Governor in Council may by Proclamation either generally or with respect to any specified part of the Colony add any wild animal or bird to, or remove any wild animal or bird from, either of the First or Second Schedules to this Ordinance, or vary the close season for any wild animal or bird included in the Second Schedule to this Ordinance.

Power of the Governor to vary the Ordinance by proclamation.

(2) While any such proclamation remains in force this Ordinance shall be read subject to the variation made by such proclamation.

8. Notwithstanding anything contained in this Ordinance the Governor may, for such time and subject to such conditions and for such purposes as he thinks fit, authorise any person to kill or take any wild animal or bird by any means specified in the licence.

Power of the Governor to grant licences.

9. (1) A police officer, which definition shall include a constable, may without warrant stop and search any person found committing an offence against this Ordinance and any vehicle, boat,

Enforcement, fines, etc.

animal or bird which that person may then be using, and may —

- (a) arrest that person if he fails to give his name and address to the police officer's satisfaction; and
- (b) seize and detain for the purposes of proceedings under this Ordinance any wild animal or bird, other than a wild animal or bird included in the First Schedule to this Ordinance, or any weapon or other article capable of being used to kill or take wild animals or birds, which may be in that person's possession.

(2) Where an offence is committed in respect of more than one wild animal, bird, or article, the maximum fine which may be imposed under this Ordinance shall be determined as if the person convicted had been convicted of a separate offence in respect of each wild animal, bird, or article.

(3) The court before whom any person is convicted of an offence against this Ordinance shall order the forfeiture of any wild animal or bird, in respect of which the offence was committed and may, if it thinks fit, order the forfeiture of any weapon or other article in respect of or by means of which the offence was committed.

(4) Whenever in any legal proceedings under this Ordinance it is alleged that the wild animal or bird in respect of which the charge is laid was killed or taken without the limits of the Colony or Colonial waters or at a time when such wild animal or bird might lawfully be killed or taken, the proof of such circumstances shall lie on the person alleging the same.

## PART II. — PENGUINS AND ALBATROSSES

Restriction on taking penguins' or albatrosses' eggs without a licence.

10. Any person who shall take or destroy any penguins' or albatrosses' eggs without a licence under this Ordinance or contrary to the terms and conditions thereof or shall aid and abet any person not so licensed to take and destroy any such eggs shall commit an offence and be liable to pay for every egg so taken or destroyed a fine not exceeding ten shillings, and in addition shall forfeit any such eggs found in his possession.

Granting of licences.

11. The Agricultural Officer, a Deputy Collector of Customs, or such other officer as the Governor may appoint for the purpose, may grant licences to take penguins' or albatrosses' eggs to such persons as may apply for them for such periods, and on such terms and conditions in respect of the number and description of eggs to be taken, the territorial limits within which they may be taken under such licences, and the payment to be made in respect thereof, as may be approved by the Governor.

Liability of an owner or master of a vessel.

12. Any owner or master or other person in charge of any vessel who shall permit such vessel, or any boat or canoe belonging to such vessel, to be employed in taking or destroying penguins' or albatrosses' eggs, or who shall permit or negligently suffer any person belonging to such vessel to be employed in taking or destroying penguins' or albatrosses' eggs, contrary to the provisions of this Part of this Ordinance, shall forfeit any eggs so taken and any eggs found in his possession, and in addition thereto shall be liable to a fine not exceeding fifty pounds for each offence.

## PART III — MISCELLANEOUS

Venue.

13. For all purposes of and incidental to the trial of any person accused of any offence under this Ordinance, except an offence against section 4 or any order made thereunder, and the proceedings and the jurisdiction of any court, the offence shall be deemed to have been committed either in the place in which it was actually committed or in any place in which the offender may for the time being be found.

Recovery of fines.

14. Any fine adjudged under this Ordinance to be paid by the owner or master, or other person in charge of a vessel, may be recovered in the ordinary way, or, if the court thinks fit so to order,

by distress or arrest and sale of the vessel to which the offender belongs, and her tackle, apparel, and furniture, and any property on board thereof or belonging thereto, or any part thereof.

15. The Governor, and any person duly authorised by him in writing, may take or destroy for a scientific or any other special purpose, any penguins' or albatrosses' eggs, and in so doing shall be exempt from any fines and forfeitures under Part II of this Ordinance. Special exemption.

16. The Governor in Council may, from time to time, make regulations for carrying out the provisions of this Ordinance and the intent and object thereof. Governor in Council may make regulations.

17. The Wild Animals and Birds Protection Ordinance, Cap. 77, is hereby repealed. Repeal of Cap. 77.

#### SCHEDULE I

Wild animals and birds which may be killed at any time —

Dominican Gull  
Skua  
House Sparrow  
Upland Goose  
Brent Goose  
Thin-billed (Belcher's) Prion (Firebird)  
Hare.


#### SCHEDULE II

Wild birds which may be killed outside the close season —

Grey Duck  
Pampa Teal  
Chiloe Widgeon  
Yellow Billed Teal  
Paraguayan Snipe.

---

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

  
Clerk of the Legislative Council.

Government House,  
Stanley,  
Falkland Islands.

9th November, 1964.

FALKLAND ISLANDS

NO. 183 - COLONY

Sir,

56  
I have the honour, in the absence of the Governor, to forward herewith for the signification of Her Majesty's pleasure, two authenticated and ten printed copies of Ordinance No. 15 of 1964, entitled "An Ordinance To amend the law with regard to the preservation of Wild Animals and Birds."

57a  
2. A statement of Objects and Reasons is also enclosed.

I have the honour to be,  
Sir,  
Your most obedient, humble servant,

(Sgd) W. H. Thompson.

GOVERNOR'S DEPUTY

The Right Honourable  
Anthony Greenwood, M.P.,  
Secretary of State for the Colonies.

FA

OBJECTS AND REASONS

The object of this Ordinance is to give better protection to wild animals and birds by providing that, except to protect property or in other special circumstances, only certain specified species of wild animals and birds may be killed, and by providing for the establishment of bird sanctuaries.

The Ordinance also makes provision for the protection of penguins' and albatrosses' eggs.

R.S.C.

You will see from the minute number 18 of the Executive Council of the 20th/23rd October (folio 55) that Kidney and Cochon Islands are to be declared Nature Reserves. Please prepare the draft Orders in Council for H.E.'s signature.

S1

C.S.

12th November, 1964

WHE/FA

Col. Sec.,

Referring to our discussion, of yesterday morning, regarding this subject, on second thoughts I do not think it essential to incorporate the provisions of Ex. Co. Minute No. 1/63 n. 258A of 0067/R in the new Wild Animals and Birds Protection Regulations (attached), because such matters are covered by the fairly wide provisions of sec. 8 of the W.A.B.P. Ord. The fees appear to be collection fees and not an export duty. A similar provision is also contained in sec. 21 of the Seal Fishery Ord. (Cap. 62)

The draft Nature Reserves Order, W.A.B.P. (Sanctuaries) Order and W.A.B.P. (Sanctuaries) (No. 2.) Order are with you.

J.C.B.  
25. XI. 64.

59

GAZETTE NOTICE

No. 57

Colonial Secretary's Office,  
Stanley, Falkland Islands.

14th November, 1964.

WILD ANIMALS AND BIRDS PROTECTION ORDINANCE 1964

It is proposed to submit an application for the setting aside of the islands known as The Twins, lying off Carcass Island, the property of Cecil William Wickham Bertrand and Kathleen Gladys Bertrand, to be a Wild Animal and Bird Sanctuary in accordance with section 4 of the Ordinance.

Any person wishing to register an objection against this application should do so in writing addressed to the Colonial Secretary at the Secretariat, Stanley, within 28 days from the date of publication of this notice.

*W. H. Mompson*

Colonial Secretary

Ref: 1099/II

WHT/FA

60

GAZETTE NOTICE

No. 58

Colonial Secretary's Office,  
Stanley, Falkland Islands.

14th November, 1964.

WILD ANIMALS AND BIRDS PROTECTION ORDINANCE 1964

Calcast.

It is proposed to submit an application for the setting aside of the island known as Low Island, lying off (West Point Island) the property of Roderick Bertrand Napier, to be a Wild Animal and Bird Sanctuary in accordance with section 4 of the Ordinance.

Any person wishing to register an objection against this application should do so in writing addressed to the Colonial Secretary at the Secretariat, Stanley, within 28 days from the date of publication of this notice.

*W. H. Thompson*

Colonial Secretary

Ref: 1099/II

WHT/FA

*See 65*

61

Rsc

There is a minute for you  
at 58 pl. JA.

16. 11. 64

62

see 58.

81B.

63

Regs + orders with H.P.

BW 18. 12. 64

64.

SMP 1099/II  
14th December, 1964.

MEMORANDUM NO. 56/64 FOR EXECUTIVE COUNCIL

Wild Animals and Birds Protection Ordinance Regulations

At the April meeting of the Executive Council Honourable Members advised that the attached Regulations should be made under the authority of what was then a Bill awaiting the approval of the Legislature.

Because Regulations must be made under the law currently in force it will be appreciated that this advice was in error. Regulations cannot be carried forward from one Ordinance to another.

Honourable Members are asked to advise that the Regulations now be approved again, inclusive of the following amendments:-

- (1) Regulation 2. Delete "Agricultural Officer" and insert "Superintendent of Police".
- (2) Regulations 2(a) and 4(b) Where the word "first" appears, delete and replace with "1st".

*[Handwritten signature]*

COLONIAL SECRETARY

WHT/IM

Issued to all members.

4/15/12.

THE WILD ANIMALS AND BIRDS PROTECTION ORDINANCE, 1964

REGULATIONS

(under section 16 of the Ordinance)

No. of 1964

Governor

No. 15 of  
1964

His Excellency the Governor in exercise of the powers vested in him by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, is pleased by and with the advice of the Executive Council to make the following Regulations -

Short  
title

1. These Regulations may be cited as the Penguin and Albatross Regulations, 1964.

Applications  
for licences  
to be made be-  
for certain  
dates.

2. All applications for licences to take penguins' or albatrosses' eggs shall be made either personally or in writing and shall reach the ~~Agricultural Officer~~ or other officer authorised under the Ordinance to issue such licences, not later than -

(a) in the case of albatrosses, the first day of September;

(b) in the case of penguins, the 1st day of October.

Fees  
payable

3. The fee payable in respect of licences shall be as follows -

(a) for a licence to take not more than 1,000 eggs, 5/-;

(b) for a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

Periods for  
which licences  
may be issued

4. The period for which licences to take penguins' or albatrosses' eggs may be issued shall be -

(a) in the case of albatrosses from the 1st day of September to the 30th day of September in every year;

(b) in the case of Gentoo penguins from the first day of October to the 31st day of October in every year;

(c) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

Return of  
eggs taken  
etc., to be  
made.

5. A Police Officer may require that any licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Colonial Secretary, or other officer authorised under the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

Fines, etc.

6. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a fine not exceeding £5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

Revised  
Edition Vol. II  
p. 328

7. The Penguin Regulations are hereby revoked.

Made by the Governor in Council this day of 196

Clerk of the Executive Council

Ref: 1099/II

*Saved to Files*  
5.11.65

65

SMP 1099/II

14th December, 1964.

MEMORANDUM NO. 57/64 FOR EXECUTIVE COUNCIL

Wild Animals and Birds Protection Ordinance Declaration of Sanctuaries

The next issue of the Falkland Islands Gazette will contain notices of proposals to declare Low Island and The Twins as Wild Animal and Bird Sanctuaries in accordance with Section 4 of the Wild Animals and Birds Protection Ordinance.

The notices are being published at the request of the land owners concerned.

Honourable Members are asked to consider and advise whether the attached draft Orders in Council should be made subject to no objections to the proposed setting aside being received.

*W.H. Thompson*

COLONIAL SECRETARY

WHT/IM

*Sent to all Members today.*

*W.H. Thompson  
16.12.64.*

DRAFT

THE WILD ANIMALS AND BIRDS PROTECTION ORDINANCE, 1964

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of the Ordinance)

No. of 1964

Governor.

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owner of the island known as Low Island, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows:-

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1964.
2. The said island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this                      day of  
196

Clerk of the Executive Council

Ref: 1099/II

HB/IM.

Passed to Printer 5.1.68  
J.H.

167

RJC

It was decided at the recent meeting of Ex. Co. that Beauchene Is should be declared a wild animal and bird sanctuary.

May we have a draft order pl

J.P.B.

168

6.1.65

G. S.

Draft Wild Animals and Birds Protection (Sanctuaries) (No. 3) Order, 1965, attached, pl.

J.P.B.  
14. i. 65.

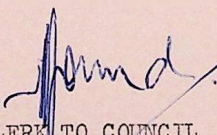
58  
69

EXTRACT FROM MINUTES OF MEETING NO. 4/64 OF EXECUTIVE COUNCIL HELD  
ON THE 30TH DECEMBER, 1964.

1099/II

3. PENGUIN AND ALBATROSS REGULATIONS (Memo 56/64)

Council advised that the Regulations be approved.

  
CLERK TO COUNCIL

TB

59  
70

EXTRACT FROM MINUTES OF MEETING NO. 4/64 OF EXECUTIVE COUNCIL HELD  
ON THE 30th DECEMBER, 1964.


1099/II

Wild Animals and Birds Protection (Sanctuaries) Orders. (Memo 57/64)

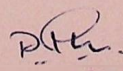
Council advised that Orders be made declaring Low Island, The Twins and Beauchene Island to be wild animal and bird sanctuaries subject to no objections being received regarding Low Island and The Twins.

  
CLERK TO COUNCIL:

3/e Please send Draft order (Beauchene) to Head Printer for publication

 20.1.65

Order sent to Printer 21. 1. 65.

  
21. 1. 65

BSW 20.2.65

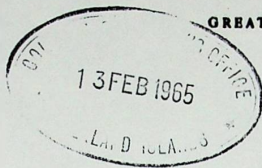
G3

60  
21

COLONIAL OFFICE

GREAT SMITH STREET, LONDON, S.W.1

No. 4



22 January 1965

Your reference: 1099/II

Our Ref: FST 28/29/02

Sir,

I have the honour to acknowledge the receipt of your despatch

57

No. 183 of the 9<sup>th</sup> November 1964 and to

inform you that the power of disallowance will not be exercised in respect of the undermentioned Ordinance.

~~Law~~  
~~Act~~

I have the honour to be,

Sir,

Your most obedient, humble servant,

*Anthony Freeman*

The Officer Administering  
the Government.

FALKLAND ISLANDS

No.	Year	Short Title
15	1964	Wild Animals and Birds Protection Ordinance, 1964.

107  
72

GAZETTE NOTICE

Colonial Secretary's Office,  
Stanley, Falkland Islands.

17th February, 1965.

<sup>14</sup>  
No. 36.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Falkland Islands:-

<u>No.</u>	<u>Title</u>	<u>Ref:</u>
10 of 1964	Application of Enactments (Intestates' Estates and Family Provision) Ordinance, 1964.	1460/II
12 of 1964	Maintenance Orders Ordinance, 1964.	1597/II
14 of 1964	Dogs (Amendment) Ordinance, 1964	160/43
✓ 15 of 1964	Wild Animals and Birds Protection Ordinance, 1964.	1099/II

(Sgd) D. R. M.

for COLONIAL SECRETARY

LH

BU 20.2.65

BO 10.3.65.  
(Order from  
Amber)

Key BU at 59

62  
73

SMP 0887  
9th March, 1965.

MEMORANDUM NO. 11/65 FOR EXECUTIVE COUNCIL

Lease of South & Elephant Jasons

As you know the question of leasing these islands is pending.

62 a I attach a copy of a paper by Mr. R.W. Vaughan B.Sc. which has considerable bearing on the matter.

*L. H. Simpson*

COLONIAL SECRETARY

WHT/IM.

*Kiv Bu  
at 61*

62a

A NOTE ON THE VALUE OF THE SOUTH FLAT AND ELEPHANT JASON

ISLANDS AS NATURE RESERVES

By

R. William Vaughan, B.Sc.

In the past there has been a great deal of discussion about the relative value of the Crown owned Jasons as grazing land or as seal reserves, in this note I shall attempt to point out their merits from the biologist's point of view. Dealing with the islands in turn we find that South Jason is a precipitous island that offers very little in the way of grazing for sheep, and that it is a difficult island to work owing to its steep and unsheltered cliffs. On this island at the present time there is a small group of fur seal which have probably spread here from Elephant Jason only two miles to the north. Elephant Jason is the site of the largest fur seal rookery in the area, the principal site is on the rocks that stretch away from the south-west corner of the island, but there is also a smaller group on the south west side of the main island, this is perhaps the most suitable of the three for grazing. Flat Jason is one of the most interesting islands in the Falklands, it is the site of one of the largest sea-lion rookeries in the area, but its greatest value is that it is a tussac island that has been very little disturbed.

There are a number of reasons both for and against leasing these islands for grazing purposes. Reasons for leasing are:-

1. The land is at the present time just lying idle and if sheep can be run there this is better for the economy of the islands.
2. If the islands are worked the fact that vessels have to go there will serve a dual purpose, they might offer a means of transport for anyone wishing to study the wildlife of the area, and would-be seal poachers might be deterred by the presence of vessels already in the area.

On the other hand there are a number of reasons why these islands ought to be preserved:-

1. Elephant Jason is a seal reserve, and South Jason now that fur seal are established ought to be declared a seal reserve. Farming activities in this area might cause a great deal of disturbance to the seal.
2. Grazing of these islands would lead to their being 'eaten out' in a very short time if it was uncontrolled. Flat Jason is a tussac island of scientific interest, it has probably never been grazed and should be kept in this state.
3. Other animals would almost certainly suffer if these islands were worked, especially the Johnny Rook which is needlessly persecuted by many sheep farmers. The lambing rate on Steeple and Grand Jasons is no lower than other areas in spite of the fact that Johnny Rooks inhabit these islands.
4. Leasing of these islands might possibly encourage some small scale local poaching activities.

To deal with some of the points raised, in more detail:

The amount of land available for grazing in this group is quite small, South Jason is extremely steep, and only the small flat areas to the north-east and south-west ends would offer suitable grazing. Elephant Jason perhaps has more ground that could be used, and Flat Jason since it has never been grazed should be kept this way. The number of sheep that could

be run/.....

Page two

be run here would be quite small, whereas the damage caused to the tussac and the disturbance to the seal rookeries would be considerable.

Poaching of the seals on these islands is an ever present problem, leasing the land would make it easier for a local poacher to obtain skins, but he may have considerable difficulty in getting the pelts to a suitable market. The case of poachers from the South American coast poses a rather different problem, more boats in the area would be a deterrent, but work at the islands would be limited to one visit a year probably, leaving the area clear for would-be poachers for many months.

Seal Reserves have been instituted for the protection of the fur seal around the Falklands, and the Elephant Jason is already a seal reserve South Jason has a group of fur seal and thought should be given to the establishment of a seal reserve on this island. If Elephant Jason should be leased it ought to be declared that the off-lying islets are total animal reserves, this would afford some protection to the fur seal there, but those animals breeding on the main island would not have this protection. The establishment of sheep may well cause these animals to leave the islands.

Tussac islands are capable of supporting sheep for a few years only and then when they have eaten out, they are of no use at all. It may be the case that anyone leasing the Jasons can make a living out of them for a number of years and then abandon them when they are eaten out, leaving them desolate. There are some good examples of this treatment around the Falklands, one only has to look at the Passage Islands and then Barron Island to see the terrible effects of uncontrolled grazing of tussac islands. The only way in which these islands should be grazed, is to fence them and limit the sheep to a particular area, and then the tussac can be rested and allowed to recover. Fencing is very costly and it is unlikely that many lessees could afford to fence off an island such as Elephant Jason.

The protection of wildlife around the Falklands has aroused a great deal of feeling in the past and it may be as well to mention why animals should be preserved. Some such as the seals are an economic asset, and should be rationally utilised, in the Pribilof Islands of Alaska the fur seal herd there is responsible for the entire income of the islands, which is of the order of some £500,000 annually. And this herd at the beginning of the century was on the verge of extinction! Birds such as the Johnny Rook are only found in the Falklands and possibly a few in Tierra del Fuogo, it would be a great pity to see this most interesting and inquisitive bird totally exterminated by a few irate sheep farmers. Not only animals but also plants must be considered, and the tussac is the most vulnerable in this respect. Grazing will very rapidly destroy the tussac and with it many of the birds that nest there. Erosion of the soil follows and one is eventually left with a useless mound of mud and rock.

If it is thought that the Jasons should be leased for grazing, this should only be done on a controlled basis, which means fencing, if Government feels that the land must be used what are the possibilities of them subsidising fencing? They will be conserving their own land.

Finally my own thoughts on these islands.

Flat Jason is of great interest as it is one of the few islands that has almost certainly never been grazed, and as such is valuable as a study area. The establishment of a total nature reserve on this island would protect the sea-lions and the tussac, as well as all the other animals and plants.

South Jason having a small population of fur seal should be handled in such a way as to cause the minimum amount of disturbance to these potentially valuable animals. The island is not at all suitable for sheep due to the terrain.

Elephant Jason/.....

Elephant Jason is the most suitable island for sheep but the only danger is that the fire that occurred there some years ago has left large craters which would possibly trap many sheep. The fur seals on the rocks off this island should be given the fullest protection.

It would be extremely foolish to allow sheep to run uncontrolled on any tussac island in the view of past experience, if leases are considered careful and thoughtful management should be insisted on.

Lease of Elephant Jason should be the main island only, the off-lying islets with the majority of fur seal on them should be kept apart, as a seal reserve.

(Sgd.) R. William Vaughan

8.3.65.

RWV/IM.

~~63~~  
74

CONFIDENTIAL

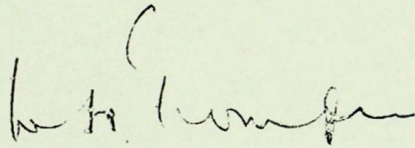
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24th March, 1965

MEMORANDUM NO. 17/65 FOR EXECUTIVE COUNCIL

Lease of certain of the Jason Islands

Further to Mr. Vaughan's paper I now attach notes put forward by Mr. Ian Strange which may well be useful in future discussion.



COLONIAL SECRETARY

WHE/IM.

## CONSERVATION OF TUSSOCK ISLANDS. JASON ISLAND GROUP

### Introduction

This paper has been drawn up for the purpose of presenting notes on reasons for holding certain islands in the Jason group as reserves. The Jason group is composed of ten major islands, all except two, Grand and Steeple Jason owned by Government. In this paper particular attention is given to three of the islands, namely, South, Elephant, and Flat Jason.

It is understood that several requests have in recent years been received by Government for the leasing of the latter three islands, for the purpose of grazing sheep. The possible leasing of these tussock islands has caused some concern with the conservationist as the islands in question represent a large percentage of the comparatively small area of untouched tussock remaining in the archipelago, which is of untold value not only to the wild life of this area, but to the Falkland Islands future economy.

### General Description, Flat, Elephant, and South Jason Islands.

All islands lie in the close vicinity of each other, very approximately two miles apart, and of a similar size approximately three miles in length and three quarters of a mile in width. The islands all bear rich growths of tussock grass (Poa flabelata).

Although it is intended to carry out a more detailed survey of the wild life to be found on these islands, it is reported that they support a variety of bird life, including numbers of Johnny Rook (Phalacrocorax australis). From the results of a recent aerial survey on the seal of the area, all the islands are known to support breeding groups of these, in particular Flat Jason which has a considerable number of Sea Lion (Otaria byronia) colonies, and Elephant Jason which has a fairly large Fur Seal (Arctocephalus australis) colony on the off-lying rocks to the SW of the main land.

### Discussion

The two largest and privately owned islands in the group, Grand Jason and Steeple Jason are both stocked with sheep, and are therefore visited each year for the purpose of shearing, dipping, and lamb marking. These visits undoubtedly cause considerable disturbance among those species of bird, which have in the past, and to a certain degree still are considered by certain parties to be detrimental to the sheep farming industry i.e., the Johnny Rook (Phalacrocorax australis) and perhaps to a lesser degree the Giant Petrel (Macronectes giganteus). It is known that the former species although on the protected list is almost certainly shot by persons working on these islands. From information collected when these two islands were visited with a working gang in 1962, it was found that the Phalacrocorax was shot not for the supposed damage it is thought to do to sheep, but more for the birds curiosity of man, and without doubt the noise that this bird can make, especially young immature birds. At present this species can still live in comparative safety of other islands in the Jason group, but should these islands be leased there is every danger that the same situation will arise causing a great deal of disturbance to the Phalacrocorax.

The remaining populations of Phalacrocorax are now nearly all found in the Jason island group, except for small populations on Beauche'ne Island, Bird Island, and perhaps the Passage Island group, although it is considered that the same situation exists on these latter islands as on the Steeple and Grand Jason Islands. The Passage Islands are now so badly eaten out that there is considerable doubt as to the present population status of the species.

There is/.....

There is now evidence to show that important connections lie between populations of seal and the species Phalcoabaenus. The bird is known to feed on dead seal, afterbirth, and seal excreta. In turn there are indications that seal colonies prefer those areas with tussock, and certainly with disturbance of tussock by man and grazing, seal are very likely to disappear, with the result that the Phalcoabaenus will also suffer.

Besides the one species mentioned above, the Jason group are reported to be the breeding grounds for many other species of bird. Certain species of petrels which rely largely on tussock for nesting cover are most likely to be found on Flat Jason. A survey carried out on Grand Jason 1962 found in areas where tussock had grown, and where there is now complete desolation, signs of many petrels having nested there before the destruction of tussock.

The archipelago is undoubtedly unique for its very interesting collections of wild life, in particular its bird species. Of the birds that are known to breed in the islands, over 50% rely indirectly or directly on tussock and tussock islands for survival. It is therefore apparent that the few remaining untouched tussock islands are of very great importance for the future of our wild life.

The percentage area of these remaining untouched tussock islands in relation to those areas stocked is very small indeed, for example, including islands now nature reserves, and those with potential value as reserves, amounts to less than 15 square miles.

Botanical value, South and Elephant Jason islands are reported to have been stocked, and are therefore of less value. Both these islands have also been burnt in recent years, which again reduces their value. Flat Jason, although rented some years ago does not appear to have had stock upon it, is therefore of immense value to the botanist as well as the biologist.

No work appears to have been carried out on the ecology of a tussock island, in which case Flat Jason would make a fine study area.

Elephant, South, and Flat Jason islands now represent a very large proportion of the remaining unstocked areas of tussock in the Falklands, such areas may in the future be of immense value retained in their present state, as stock beds for the tussock plant (Poa flabelata).

Seal, and sealing. If poaching of the seal stocks in the Jason area is still being carried out, the leasing of certain Jason islands may deter any outside activities, however, there is also the danger of small efforts at poaching which could be carried out by parties working the islands to supplement the harvests of licensed sealers.

Should there be considerable increases of the Fur Seal rookeries in the vicinity of Elephant Jason, it is perhaps possible that this species may attempt to establish on the nearby islands of South, Elephant, and Flat Jason. The stocking of these islands will almost certainly deter any such attempts. Recent aerial surveys made in the area do in fact show a small number of Fur Seal on Elephant Jason.

Stocking of the Jason Islands. The number of sheep which these islands could hold is considerable, however, any large numbers placed on these islands would very quickly reduce them to a similar state as for example First and Fourth Passage Islands, these islands were noted as examples of overgrazing during a recent aerial survey. Small numbers of sheep might have little effect on the tussock, but the returns from any small number could hardly cover the work involved in working such difficult islands. Fencing which should be carried out on any tussock island leased for

Page three

grazing sheep, would be extremely difficult if not impossible on the two islands of South and Elephant Jason, because of the steep sided nature of these islands. Flat Jason could be fenced, but it is understood that this island is in fact more difficult to work because of landing difficulties.

The tussock growth on the South and Elephant Jasons now appears to have fully recovered after it was burnt some years ago, but it is thought that ground conditions may not be so stable, there is therefore the added danger of soil erosion should the tussock be eaten back. Because of the very steep sided nature of these two islands, erosion would set in very quickly. Erosion following the eating out of tussock areas is very clearly shown on the Grand and Steeple Jason islands, great areas are reduced to dust bowls, and valuable soil is slowly being swept into the sea. This type of erosion started by man, very often leads to species such as penguins being blamed, the very birds which must have been responsible for the nutrition of tussock areas.

Methods of farming these remote offshore tussock islands, not lived on for any length of time by parties in question must at times lead to shearing, dipping, and lamb marking being carried out in one operation and visit. This could lead to lamb marking for example being carried out at a very late period, when lambs are a considerable size. Marking has on some of these islands been carried out in late March, which again has resulted in the Phalacrocorax being blamed for pecking at blood stained lambs after tailing and castration. Such troubles could be prevented by carrying out such work at the correct season, this is however largely controlled by the difficulty in getting to these islands.

I.J. Strange  
Port Stanley. 5th March, 1965.

IJS/IM.

58 + 59. Are they in from the Printer yet?

No - Haven't been printed <sup>26.3.65</sup>  
yet - probably this week.

JA

27/3/65.

Low Island.

I notice from Government Notice 58/64 that Low Island is described as "off West Point Island". This description is not strictly correct and should, I think, be rectified, *if occasion offers.*

27 March, 1965.

CS

BUF only

CORRIGENDUM

~~64~~  
65  
76

60

The reference in Gazette Notice No. 58/64 to Low Island lying off West Point Island" should have read "lying off Carcass Island."

Ref: 1099/II

DRM/TB,

F. I. ref: 0529/III 1099/II

\* C. O. ref:

66

SAVING TELEGRAM.

*From:* The Officer Administering the Government of the Falkland Islands.

*To:* The Secretary of State for the Colonies.

*Date:* 18th May, 1965.

No. 68.      SAVING.      COLONY

Legislation.

a  
Enclosed herewith are six copies of Proclamation No. 1 of 1965 and Regulation No. 4 of 1964.

GOVERNOR

a

# The Wild Animals and Birds Protection Ordinance, 1964.

## REGULATIONS

(under section 16 of the Ordinance)

*Markand*  
Governor.

No. 4 of 1964.

His Excellency the Governor in exercise of the powers vested in him by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, is pleased by and with the advice of the Executive Council to make the following Regulations —

No. 15 of 1964.

1. These Regulations may be cited as the Penguin and Albatross Regulations, 1964.

Short title.

2. All applications for licences to take penguins' or albatrosses' eggs shall be made either personally or in writing and shall reach the Superintendent of Police, or other officer authorised under the Ordinance to issue such licences, not later than —

Applications for licences to be made before certain dates.

- (a) in the case of albatrosses, the 1st day of September;
- (b) in the case of penguins, the 1st day of October.

3. The fee payable in respect of licences shall be as follows —

Fees payable.

- (a) for a licence to take not more than 1,000 eggs, 5/-;
- (b) for a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

4. The period for which licences to take penguins' or albatrosses' eggs may be issued shall be —

Periods for which licences may be issued.

- (a) in the case of albatrosses from the 1st day of September to the 30th day of September in every year;
- (b) in the case of Gentoo penguins from the 1st day of October to the 31st day of October in every year;
- (c) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

5. A Police Officer may require that any licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Colonial Secretary, or other officer authorised under the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

Return of eggs taken etc. to be made.

6. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a fine not exceeding £5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

Fines, etc.

7. The Penguin Regulations are hereby revoked.

Revised Edition Vol. II. p. 328.

Made by the Governor in Council this 30th day of December, 1964.

*R. A. M. Benson*  
Clerk of the Executive Council.

CS

67

Beauchêne is  
spelt with (not  
Beauchéne). When  
gazette appears, if  
no circumflex is  
available it can be  
inked in.

I have signed

lt

31/5-

File note

Noted t.y.  
JA

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of the Ordinance)

No. 2 of 1964.

*Wastard*

Governor.

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owners of the islands known as The Twins, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) Order, 1964.

2. The said islands to be a wild animal and bird sanctuary.

3. That any person who within the said islands at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.

4. That any person who introduces into the said islands any carnivorous animal shall be guilty of an offence against the said Ordinance.

5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

*D. Morrison*

for Clerk of the Executive Council.

Ref. 1099/II.

69

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of the Ordinance)

No. 3 of 1964.

*Wastland*  
Governor.

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owner of the island known as Low Island, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1964.
2. The said island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

*P. H. Morrison*  
for Clerk of the Executive Council.

Ref. 1099/II.

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of the Ordinance)

No. 4 of 1964.

*Waskand*  
Governor.

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 3) Order, 1964.
2. Beauchéne Island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any domestic or carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

*D. G. Morrison*  
for Clerk of the Executive Council.

Ref. 1099/II.

F. I. ref:1099/II

C. O. ref:

SAVING TELEGRAM.

*From:* The Officer Administering the Government of the Falkland Islands.

*To:* The Secretary of State for the Colonies.

*Date:* 12th June, 1965

No. 94. SAVING. COLONY

Legislation.

Enclosed herewith are six copies of the following:

Order	2/64	68
Order	3/64	69
Order	4/64	70

GOVERNOR

12 May,

65

72



From: The Colonial Secretary,

To: Superintendent of Police,

Headmaster, Stanley Schools,

Superintendent, Posts & Telecommunications.

Wild Animal Regulations

As you are aware the Members of the Legislature have expressed concern about the export of wild animals.

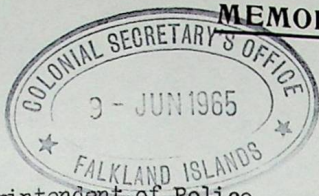
Please form a private committee (at a time most suitable to the Headmaster, Stanley Schools) and review past directives, Executive Council Minutes and any other memorabilia and make recommendations for the control of catching, crating, export, feeding after catching, protection of wildlife around Stanley, and export licence fees per bird and animal.

Mr. Strange may be co-opted if you consider it necessary and he so agrees.

The Superintendent of Police will be chairman, and the report is required not later than the 12th June.

COLONIAL SECRETARY

It is requested that, in any reference to this memorandum the above number and date should be quoted.



MEMORANDUM

9th June 1965

From: Superintendent of Police

To: The Colonial Secretary.

Stanley, Falkland Islands.

Handwritten initials and date: 'if.' 'S.' '15/6'

SUBJECT :-

Wild Animals and Birds Protection Regulations

- 1. The undermentioned formed a private committee to examine, report, and recommend matters relating to the Wild Animals and Birds Regulations.

K.W.Gray, M.C.,  
 J.Bound, E.D, J.P.,  
 S.Booth,

H.Bennett, C.M.Z.S )  
 I.Strange ) co-opted.

Past directives, Executive Council Minutes and relevant files were examined and considered, resolving the following report with their recommendations :-

2. A. Control of Catching.

- (i) That licences had been granted in the past arbitrarily which appeared to be ambiguous in regard to conditions of capture and removal or export. It is recommended that a licence granted under Section 8 of the Wild Birds and Animals Protection Ordinance 1964, should be designated a "TAKING LICENCE" for an approved quota of the respective species.

Agreed.

Object. The word 'export' does not adequately cover the total number of birds and animals actually captured to cover losses sometimes sustained before departure. A "Taking Licence" should ensure greater care in the initial handling and feeding.

- (ii) That licences to 'take' shall specify locations of rookeries from where collection may be undertaken.

Yes

Object. Prevent certain rookeries becoming depleted or disturbed by collectors more than necessary, particularly those convenient to reach. That is places other than the prohibited Nature Reserves.

- (iii) That an Animals & Birds Protection Inspector be appointed by the Governor for the purpose of supervision and control of Regulations relating to the Ordinance.

Bevin perhaps to be up with manager?

Object. To ensure regular and proper assessment of wild life, inspection and enforcement of the provisions in the principle ordinance and such conditions imposed by licensing. To include the supervision of crating, feeding after capture and export.

N.B. Competent advice and information on crating, feeding and general animal/bird care should be ascertained from both the Zoological Society of London and the International Society for the Prevention of Cruelty to Animals.

B. Protection of Wild Life around Stanley.

It is recommended that a distance of ten miles would be an adequate safeguard.

C. Licence Fees.

It is recommended that the fee per Bird be raised to £10. The fee per animal be raised to £50. Also that unprotected birds taken should not be free and licensed at £2 per bird.

Regulation needed

£50? enough

Object. In view of current market value of Wild Birds and Animals more realistic fees would ensure more care in handling, prevent unnecessary cruelty, and reduce exploitation by speculators other professional collectors.

See 76

continued/

3. Rare and Indigenous Species.

The committee considered that certain Birds and Animals as listed below should not be taken for export, either because they are rare and likely to become extinct in the Falklands or are a species peculiar to these islands. In the case of certain penguins which formerly had their habitat here and almost exterminated, these should be completely protected to re-establish the original rookeries.

Fur Seal

King Penguin

Macaroni penguin

Black-necked Swan

Cinnamon Teal

Chiloe Wigeon

Brown Pintail (grey teal)

Pampa Teal

Flying Steamer Duck

Johnny Rook

Cassins Falcon

Red-backed Buzzard

Pink Breasted Gull

Red-footed Owl.

*H. Gray*

SUPERINTENDENT OF POLICE.

Y.E.,

F. 73.

As a result of Mr. Bonner's speech on the Motion for Adjournment I set up a small committee to look into our Wild Animal Regulations. The terms of reference are at folio 72.

I think the committee has kept to <sup>an</sup> adequate and simple framework and I am glad to see they have not become too bogged down in their subject.

I have the following comments on the points raised:-

Control of catching. I agree that our licences have been ambiguous. A "taking licence" is a good idea. ✓

There should be no difficulty in specifying rookeries and areas, subject always to the agreement of the farm concerned.

Animals and Birds Protection Inspector. Whether the appointment of an Inspector would achieve anything I do not know but I have a feeling that a closer tie-up with farm managers would be much more productive. We do not require an Inspector to oversee crating and packing here in Stanley. The Police can do the job. *Agreed.* ✓

Crating for export. I will write to the Society for the Prevention of Cruelty to Animals. ✓

Protection of Wildlife around Stanley. I feel that we should incorporate the suggested ten mile radius safety zone into our regulations. Whether the safety zone would merely protect the protected birds and animals in the Ordinance or provide complete protection for all birds and animals is for consideration. *Please discuss*

Licence Fees. There is considerable loose talk about the prices which penguins and seal fetch in the United Kingdom but, as far as I know, we have no knowledge of what they fetch. Perhaps the Society for the Prevention of Cruelty to Animals can help us on this. When we know what they fetch we can concoct a suitable fee. *yes*

Protection of Rare and Indigenous Species. The list is very much Mr Ian Strange's list and, I regret to say, shows just how little he and the Committee understand our present legislation. For example:-

Fur Seal	} Are all protected by our present Ordinance
King Penguin	
Macaroni Penguin	
Black Necked Swan	
Cinnamon Teal	
Brown Pintail	
Flying Steamerduck	
Cassins Falcon	
Red Backed Buzzard	
Pink Breasted Gull	
Red Footed Owl	

I do not think we should go back to the Executive and Legislative Councils to revise a list which was produced only a year ago. *Agreed*

Much of the information which should go out on Wild Animals and Bird Protection can, I feel, go into our Falkland Island Journal (if it gets established). It should also provide a forum for arguments about the need to protect such birds as Chiloe, Widgeon.

*C.S.*  
C.S.

*Cd. Very constructive - please go ahead*  
*LN*  
*2/7*

75

22nd July, 1965.

Dear Chief Secretary,

The penguin, seal and sea elephant of the Falkland Islands are attracting a lot of attention overseas, and collectors are making an increasing number of requests for licences to catch and export them and other of our wild life species.

Although we dislike seeing our birds and animals caught and exported (their misery on the dockside is pathetic) we cannot deny them to reputable zoos and scientific groups, but we can at least insist on a proper standard of crating, comfort and feeding en route.

Would you be so kind as to let us know what standards should be applied. Do you have any written material on the crating and care of birds and animals in transit? Can you advise us on legislation to protect wild life in transit?

Could you also give me some idea of what prices sea-elephant, fur seal, King, Macaroni, Gentoo, Jackass and Rockhopper penguin, and small birds fetch in the United Kingdom? Our licence fee is only a nominal one, and although we have not the slightest intention of making a profit out of our wonderful wild life, it may be that a fairly stiff price to collectors would force them to take greater care of their charges in transit?

If you can help us we shall be deeply grateful.

(W.H. THOMPSON)  
COLONIAL SECRETARY

The Chief Secretary,  
Royal Society for the Prevention of Cruelty to Animals,  
105 Jermyn Street,  
LONDON, S.W.1.

Reply at 77

LS

Ref: 1099/II

Colonial Secretary's Office,  
Stanley, Falkland Islands.

5th August, 1965.

Dear Sir,

75 I refer to your recommendations on the present Wild Animals and Birds Protection Ordinance and Regulations, for which I am most grateful.

Taking the points made by your committee as they were made et seq., I have the following comments:

Control of Catching

- (i) Agreed and action will be taken accordingly;
- (ii) Rookeries will be specified;
- (iii) An inspector on the spot would be an expensive exercise, and one not on the spot would be useless. Farm Managers will be co-opted and encouraged to help whenever possible. The advice of The Royal Society for the Prevention of Cruelty to Animals has been sought on crating and export.

Protection of Wildlife around Stanley

Failing any evidence on the 'current market value' of birds and animals, the fees you suggest may be neither appropriate nor realistic, and I have written to the United Kingdom for a statement of recent sale prices. When this is received the matter will be considered. My own view is that your recommendations are adequate.

Rare and Indigenous Species

The number of these fowl likely to be exported is very small indeed, and stocks are unlikely to be depleted by genuine collection. I also doubt whether a complete denial of export would be legal, and refer you to Section 5(1)(b) of the 1964 Ordinance.

The need to conserve these birds is, however, noted.

Yours faithfully,

(Sgd.) W. H. THOMPSON

COLONIAL SECRETARY

K. W. Gray, Esq., M.C.  
J. Bound, Esq., E.D., J.P.  
H. Bennett, Esq., C.M.Z.S.  
S. Booth, Esq.,  
I. Strange, Esq.  
STANLEY

IM

45  
Bu 29/8/65 (mail) 75.

6/6 . 77

TELEPHONE }  
TELEGRAMS } WHITEHALL 7177



ROYAL SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS  
105 JERMYN STREET, LONDON, S.W.1

Please address letters to Secretary

When replying or  
telephoning please quote  
this reference

12th August, 1965.



DICT/HH

W.H. Thompson, Esq., M.B.E.,  
Colonial Secretary,  
Colonial Secretary's Office,  
Stanley,  
Falkland Islands.



Dear Mr. Thompson,

75

Thank you for your letter of 22nd July, which was addressed to our Secretary, who has asked me to reply.

77a

I have been in touch with my friend, Mr. Greed, who is the Director of the Bristol Zoo and I am enclosing a copy of his letter for your information.

b.c.

With regard to the proper packaging of these creatures, and feeding, I think the London Zoo Booklet on the subject will give you a very good idea of what is required and I am enclosing a copy herewith.

Yours sincerely

D.I.C. Tennant  
Chief Veterinary Officer.

Reply at 82

P.S. If there is any other information you require, kindly let me know.

77a

EXTRACT FROM LETTER DATED 9th AUGUST, 1965, FROM  
MR. R.E. GREED, BRISTOL ZOOLOGICAL SOCIETY, TO  
THE CHIEF VETERINARY OFFICER, R.S.P.C.A.

---

*W  
R*

Dear Col. Tennant,

Thank you for your kind letter of 6th August.

I am sorry we cannot have a young seal from Kings Lynn and I agree it would not be wise.....

With regard to elephant seals, etc. the prices quoted us in 1964 were as follows:-

* Elephant Seals	£675)	f.o.b. Germany
Fur Seals	£145)	
Gentoo penguins	£ 62/10/-)	} delivered London
Rockhopper "	£ 52/-/-)	
Jackass "	£ 38/-/-)	
Kings "	£125/-/-)	

We are always apprehensive about getting penguins through collectors and only wish it were possible to send one of our staff to the Falkland Islands to bring the birds back under proper conditions. This would be rather expensive for one Society to undertake and I have often thought it would be a good idea to get all the reputable zoos here to finance an expedition.

xxxxxxx

(Sgd)

R.E. GREED  
Director



Dept. of Pathobiology,  
Johns Hopkins University,  
615, North Wolfe St.,  
Baltimore, Md., 21205 U.S.A.

13th. August 1965

The Secretariat,  
Port Stanley,  
Falkland Islands

Dear Sir,

I would be grateful if you would send me a copy of "The Wild Animals and Birds Protection Ordinance, 1964" which was passed on 30th. October 1964 and became law on 1st. November 1964. Should there be any charge I would be glad to send my cheque by return.

Yours faithfully,

W.L.N. Tickell

*Send it*

*sent under comp. slip*  
*[Signature]*

*Bu(m) 8/9/65 (focs)*

*W.L.N. 6/8*

Port Stephens,  
21st August 1965.

+①  
79

6/14  
2/9

Colonial Secretary,  
Stanley.



o/b. d/s

Dear Sir,

On Friday 20th August at 1500 hours whilst enroute Fegen Inlet / Port Stephens in "Black Swan", I anchored off the landing place on the N.E. side of Bird Island, landed and walked over to the landing place on the South side passing the small lake on my right.

The sole object of this landing was in view of the stories one hears about 'poachers' been seen.

I found no trace of this section of the Island having been recently visited. The seals and birds showed no fear of man, birds were few in numbers; rockhopper penguins, rock shags, logger ducks, wrens, turkey vultures and jackrooks etc., only a few of each, hair seals numerous with the exception of sea lions, no fur seal sighted but did not visit the cave.

Trusting that under the circumstances I have not violated a regulation by landing on the above 'bird sanctuary'.

Yours faithfully

W.H. Goss

W.H. Goss

Repey at 81.

Ref: 1689/II

Colonial Secretary's Office,  
Stanley, Falkland Islands.

7th September, 1965.

Dear All members of Ex & Leg. Co.

At the last meeting of the Legislature I promised to look into the export of wildlife.

I wrote the following letter to the Royal Society for the Prevention of Cruelty to Animals:

"The penguin, seal and sea elephant of the Falkland Islands are attracting a lot of attention overseas, and collectors are making an increasing number of requests for licences to catch and export them and other of our wild life species.

Although we dislike seeing our birds and animals caught and exported (their misery on the dockside is pathetic) we cannot deny them to reputable zoos and scientific groups, but we can at least insist on a proper standard of crating, comfort and feeding en route.

Would you be so kind as to let us know what standards should be applied. Do you have any written material on the crating and care of birds and animals in transit? Can you advise us on legislation to protect wild life in transit?

Could you also give me some idea of what prices sea-elephant, fur seal, King, Macaroni, Gentoo, Jackass and Rockhopper penguin, and small birds fetch in the United Kingdom? Our licence fee is only a nominal one, and although we have not the slightest intention of making a profit out of our wonderful wild life, it may be that a fairly stiff price to collectors would force them to take greater care of their charges in transit?

If you can help us we shall be deeply grateful."

I have received a very helpful reply, together with a useful booklet on the transport of animals published by the Zoological Society of London.

In the reply it was stated that during 1964 the Bristol Zoological Society were quoted the following prices for our wildlife:-

"Elephant Seals	£675)	f.o.b. Germany
Fur Seals	£145)	
Gentoo penguins	£ 62/10/-)	} delivered London."
Rockhopper "	£ 52/-/-)	
Jackass "	£ 38/-/-)	
Kings "	£125/-/-)	

/Before

Before taking any further action I shall discuss the matter with the Honourable G. C. R. Bonner who first raised the matter, but in any case I shall ask the Governor in Council to consider revising our export fees before the next collecting season starts.

Yours faithfully,

(W.H. THOMPSON)  
COLONIAL SECRETARY

OK  
2/9

13th September, 1965.

Dear Mr. Goss,

79  
Thank you very much for calling at Bird Island and for letting us have a report on what goes on there.

Far from being upset at your going there we are very pleased that you are interested enough to do so and, in fact, if you can keep the odd eye on it for us we shall be very happy.

(W.H. THOMPSON)

Mr. W.H. Goss,  
PORT STEPHENS.

IM.

13th September, 1965.

Dear Colonel Tennant,

77 Thank you very much for your letter DICT/HH of the 12th August, 1965, which is most helpful.

I shall be reporting to the Legislative Council at its next meeting and I hope we shall soon be producing some adequate rules to deal with the problem of wildlife exports.

Yours sincerely,

WHT

COLONIAL SECRETARY

Colonel D.I.C. Tennant,  
Chief Veterinary Officer,  
Royal Society for the Prevention of Cruelty to Animals,  
105 Jernyn Street,  
LONDON, S.W.1.

III.

CONFIDENTIAL

Ref: 1099/II

15th September, 1965

MEMORANDUM NO. 56/65 FOR EXECUTIVE COUNCIL

Licence Fees for the Export of Wild Animals and Birds

Honourable Members have already seen my circular letter to all members of the Executive and Legislative Councils which arose out of the speech on the Motion for Adjournment by the Honourable Nominated Independent Member for the East Falkland.

The following table is self-explanatory.

<u>Item</u>	<u>Known price quoted to British Zoological Society in 1964</u>	<u>Present Licence Fee</u>	<u>Proposed Licence Fee</u>
Elephant Seal	£675 fob Germany	£5	£75
Fur Seal	£145 fob Germany	£5	£35 (to include Hair Seal)
Gentoo Penguin	£62.10.0. delivered London	£4	£10
Rockhopper "	£52. 0.0. delivered London	£4	£10
Jackass "	£38. 0.0. delivered London	£4	£6
King "	£125.0.0.	None stated	£25 (could apply to South Georgia and to include the Macaroni penguin)

All other fully protected birds are subject to a licence fee of £4 each, and with the exception of the Macaroni penguin, there appears to be no good reason for altering this figure.

The final control over what may or may not be captured is, of course, the licence itself.

Honourable Members are asked to advise that the proposed fees set out above be authorised by Regulation.

*W.H. Thompson*  
COLONIAL SECRETARY

*24*  
Issued to all members  
LS  
15/9/65

*Copy in 0607/R*

LS

EXTRACT FROM MINUTES OF MEETING NO. 7/65 OF EXECUTIVE COUNCIL HELD ON  
THE 22ND SEPTEMBER, 1965

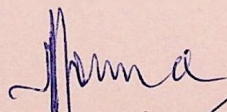
1099/II  
0667/R

7. Export of Wild Life (Memo. No. 56/65)

Council advised that the following scale of fees be adopted for animals and birds exported from the Falkland Islands and South Georgia:

Elephant seals	£75
Fur seals	£35
All other seals	£25
King penguins	£25
All other penguins	£7 10 -
Kelp geese	£7 10 -
All other birds and animals including those that are not protected	£5

It will be necessary to publish regulations under section 16 of the Wild Animals and Birds Protection Ordinance, 1964, to give effect to the levying of these fees.

  
Clerk of the Council

30th September,

65.

Dear Sir,

As you know the Falkland Islands Government is doing all it can to encourage the protection of wildlife and to this end an Ordinance was passed in November of last year. An Ordinance to allow for the establishment and control of Nature Reserves was also enacted.

Under the preservation of Wild Animals and Birds Ordinance provision is made for the Governor in Council, to declare any Crown land or Colonial waters, or with the consent of the owner or lessee, any private land, to be a Wild Animal and Bird Sanctuary. The Nature Reserves Ordinance makes similar provision for agreement with private owners for the setting aside of land as Nature Reserves.

The difference between a Sanctuary and a Nature Reserve is simply that a Nature Reserve provides complete protection whereas a Sanctuary may provide partial protection in so far as it may be set aside for the protection of a particular species. It is also easy to de-gazette a bird and wild animal sanctuary.

In neither case can the Crown acquire any prescriptive right over land so set aside.

I would accordingly invite your Board to consider setting aside Middle Island either as a Nature Reserve or a Wild Animal and Bird Sanctuary. The Island, as you know, contains a very good cross-section of wild life.

Yours faithfully,

(W. H. THOMPSON)  
COLONIAL SECRETARY

Reply at 98a

The Manager,  
Messrs Holmsted and Blake,  
HILL COVE.

BU 18 11 65 (52)

FA

8a

Reply at 55

86

Ref: 1099/II

Colonial Secretary's Office,  
Stanley, Falkland Islands.

4th October, 1965.

Dear Sir,

It may be of interest to you to know that the scale of fees for the export from the Falkland Islands and South Georgia of wild life has recently been amended.

The new fees will be:

Elephant seals	£75. - . - .	each
Fur seals	£35. - . - .	"
All other seals	£25. - . - .	"
King penguins	£25. - . - .	"
All other penguins	£ 7.10. - .	"
Kelp geese	£ 7.10. - .	"
All other birds and animals <i>including those that are not protected</i>	£ 5. - . - .	"

Yours faithfully,

COLONIAL SECRETARY

Mr. E. Graber,  
2902 Rastede,  
Gloysteinstr 19,  
GERMANY.

J. Chipperfield, Esq.,  
The Southampton Zoological Garden,  
Southampton,  
ENGLAND.

TB.

Copy on 0667/R

87  
GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

Wt. P2809 5/61

Number	Office of Origin	Words	Handed in at	Date
	Stanley			4.10.65
To				
	etat ADMINOFF ZBH			SGA/c

No. 196. Revised export fees for wild life seals elephant £75 fur  
£35 all others £25 stop Penguins king £25 all others £7 10s stop  
Kelp geese £7 10s stop All other birds and animals £5 stop  
Regulations being published and will follow

Secretary

2

1099/II

88

5th October, 65.

To: The Registrar General,  
Supreme Court,  
From: Colonial Secretary.

STANLEY.

Export of Wild Life.

The Governor in Council has advised that the following scales of fees be adopted for animals and birds exported from the Falkland Islands and South Georgia:

Elephant seals	£75.-.-.	each
Fur seals	£35.-.-.	"
All other seals	£25.-.-.	"
King penguins	£25.-.-.	"
All other penguins	£7.10.-.	"
Kelp geese	£7.10.-.	"
All other birds and animals	£5. -.-.	"

All you please put up as soon as possible a Regulation under section 16 of the Wild Animals and Birds Protection Ordinance to give effect to the letting of these fees.

COLONIAL SECRETARY

MEMORANDUM

89

From: The Registrar,  
Supreme Court,  
Stanley.

8th October, 1965.  
To: The Colonial Secretary,  
Stanley.

SUBJECT :- Export of Wild Life.

Attached Wild Animals and Birds (Export) Regulations, submitted please.

b.c.

I have inserted the Governor as the licensing authority as these Regulations are tied up with the Ordinance and in particular section 8.

The Ordinance has not been applied to the Dependencies, therefore these Regulations will have no effect in the Dependencies.

If the Ordinance is applied to the Dependencies all subsidiary legislation will apply automatically. Otherwise similar subsidiary legislation may be made under Cap 77 (the old W.A. and B Ord.) which is still active in the Dependencies.

X

I would suggest that King penguins are deleted from the Colony Regulations as we cannot afford to part with the few we have.

*J.P. Bennett*  
Registrar.

Ref: 1099/II

90

X This will apply to all. idc  
+ we have no intention of letting  
7.1. King's be collected at all.

to 2/10

Spe.

91

He. have draft Regs. at b.c. submitted for Ex Co.

21.10.65

minutes on file.

Accs.

89.

92

To issue.

Regs will also apply to S/S  
but see R/S/Cs 4<sup>th</sup> para.

S/S.

20/10

S/C see 91 ↓

GOVERNMENT TELEGRAPH SERVICE

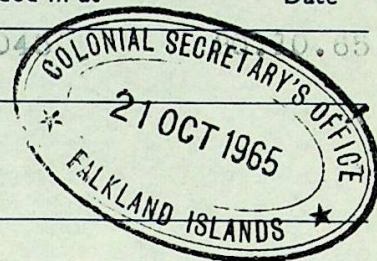
FALKLAND ISLANDS

RECEIVED

93

P1676 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
249	Speedwell Is	1545	104	10.05
To Secretariat Stanley				



Please send list birds names protected and un-protected also one

Gazette

A Davis

94

Ask Edril to ask him which Gazette

ENC

20/10/65

Time

EXTRACT FROM MINUTES OF MEETING NO. 8/65 OF EXECUTIVE COUNCIL HELD ON THE 11th & 12th OCTOBER 1965

28a' J' in 2364.

Council examined the recommendations made by the Colonial Treasurer and advised as follows -

Wild Life Export Licences. This has already been dealt with (Executive Council memo No. 56/65 and minute No. 7 of Council Meeting No. 7/65 of 22nd September 1965).

CLERK OF THE COUNCIL

KIU 85-93

FA

C.S.

96

Draft Regs. at be.

A short memo will be necessary.

28.10.65

CONFIDENTIAL

Ref: 1099/II

29th October, 1965

MEMORANDUM NO. 61/65 FOR EXECUTIVE COUNCIL

Export of Wild Life

At the meeting on 22nd September, 1965, Honourable Members advised the publication of regulations under section 16 of the Wild Animals and Birds Protection Ordinance 1964 to give effect to the levying of fees for the export of wild life. Draft regulations are now attached and Honourable Members are asked to advise that they be promulgated.

97a

*Handwritten signature*

COLONIAL SECRETARY

FA

CONFIDENTIAL

Issued to all Members today.

JA  
30/10/65

97a

Draft

The Wild Animals and Birds Protection Ordinance, 1964

REGULATIONS

(under section 16 of the Ordinance)

No. of 1965

Governor

15 of 1964 In exercise of the powers conferred by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council has made the following Regulations -

Citation 1. These Regulations may be cited as the Wild Animals and Birds (Export) Regulations, 1965.

Prohibition of export without licence 2. (1) No person without an export licence from the Governor shall export any wild animal or bird.

(2) The fees payable in respect of the exportation of wild animals and birds shall be as follows -

Elephant seals	£75.	-.	-.	each
Fur seals	£35.	-.	-.	"
All other seals	£25.	-.	-.	"
King penguins	£25.	-.	-.	"
All other penguins	£ 7.	10.	-.	"
Kelp geese	£ 7.	10.	-.	"
All other birds and animals	£ 5.	-.	-.	"

(3) The grant of any export licence shall be at the discretion of the Governor, and any export licence may be made subject to special conditions.

Made by the Governor in Council this day of , 1965.

Clerk of Councils

Ref: 1099/II

FA

BW Xeo ~~25.1.65~~  
25.1.66

24th November, 1965.

W  
1/4

Dear Holdgate

Export of Wild Animals

97a

I thought you might be interested in our latest attempt to preserve our wild life. I enclose a copy of our latest Regulations which lay down quite stiff export fees. You must remember that the imposition of a fee and the granting of a licence to catch are two entirely different things. For instance, because you see King Penguins on the list it does not mean we are going to issue licences for their export.

Our previous charges were only very slight and did nothing whatsoever to give us either a return or any guarantee that the animals were expensive enough to make their after care worthwhile.

Sincerely yours

(W.H. Thompson)

Dr. H.W. Holdgate,  
c/o British Antarctic Survey,  
30 Gillingham Street,  
London, S.W.1.

LS

See 104

Bu (Xco)

~~29.11.65~~  
→ 5.2.66  
Bu (Xco) ~~25.1.66~~  
~~2.12.65~~

~~58~~ 98a

# HOLMESTED BLAKE & COMPANY, LIMITED

DIRECTORS: T. DEANE, E. G. MATHEWS, A. L. BLAKE, MRS. C. A. E. STRONACH, W. W. BLAKE, L. W. H. YOUNG

Telephone: WHItchall 6077/8

*Handwritten initials*

120, PALL MALL,  
LONDON, S.W.1.

AND AT HILL COVE, FALKLAND ISLANDS.

FGM/val

14th January, 1966

W.H. Thompson, Esq.,  
Colonial Secretary,  
Colonial Secretary's Office,  
Stanley,  
Falkland Islands.

*Handwritten initials: S, 22h*

Dear Sir,

*85a*  
~~58~~ —

With reference to your letter dated 30th September, 1965, reference 2331, I have to inform you that it was decided at a Board Meeting of this Company held on the 13th January, 1966, to permit Middle Island to be declared a Wild Animal and Bird Sanctuary.

Yours faithfully,

For HOLMESTED BLAKE & CO. LTD.  
THE FALKLAND ISLANDS TRADING CO. LTD.

*Handwritten signature*

Secretaries

# WILDLIFE

## The World Wildlife Fund

986

British National Appeal  
2 Caxton St., London S.W.1  
Telephone: Sullivan 5511 & 4902  
ISM:SCS



President: H.R.H. The Duke of Edinburgh, K.G.  
Chairman: Peter Scott, C.B.E., D.S.C.  
Director-General: Ian S. MacPhail

14th January, 1966.

The Colonial Secretary,  
Stanley,  
FALKLAND ISLANDS.



Dear Sir,

I do not know whether or not you are aware of the activities of the World Wildlife Fund, but it is just possible that you or your Department are as a result of a visit some little time ago by Ambassador Crowe, one of our International Trustees.

One of our supporters in the Falkland Islands, Mr. R.B. Napier, has told me something of the conservation work that is being done in the Islands, particularly in regard to the creation of nature reserves. This is of great interest to us and I would be grateful to you if you could let us have some information, which I know will be of interest to my Chairman, Peter Scott, and to the President of the British National Appeal, the Duke of Edinburgh.

I am sending under separate cover some information about the World Wildlife Fund.

Yours sincerely,

*Ian S. MacPhail*

Ian S. MacPhail

Special Representative of  
International Trustees

*Reply at 102*



1099

Roy Cove,  
Falkland Islands.  
Feb. 20th, 1966.

99

The Hon.,  
The Colonial Secretary.  
Stanley.

S  
D  
7/3

CU  
44

Sir,

I would be grateful if you can advise me as to whether there are any restrictions on the poisoning of birds of prey.

We on this farm have lost a serious number of young sheep during the past season from an unprecedented plague of coranchos. These birds are very difficult to shoot but in Patagonia some considerable success has been achieved in poisoning carcasses with strichnine, and it might be equally effective here.

If we did it it would have to be under very strict supervision to avoid destroying working shepdogs.

Yours faithfully,

*Edmund Miller*  
Manager.

See 2306 Destruction of Penguins

Report at 101

HILL COVE

The Honourable  
Mr. L. G. Blake, M.L.C.,

BA 10366

~~103~~  
Reply or

COLONIAL SECRETARY

(Sgd) W.H. Thompson.

Yours faithfully,

3. Before I go ahead will you confirm that Middle Island is indeed Hill Cove property. The only Middle Island I can find on my map is labelled 'Bean Brothers'.

2. As you no doubt know your Board has now agreed to this.

On the 30th September you asked me to suggest to your Company that Middle Island should be set aside as a Wild Animal and Bird Sanctuary.

Dear Sir,

23rd February 66

5598a

5585a

10056

8th March, 1966.

64  
1/4

Dear Mr. Miller,

99

Thank you for your letter of the 20th February, 1966, concerning the poisoning of birds of prey.

Section 6 (1) (a) of the Wild Animals and Birds Protection Ordinance, 1964 (page 195 of the 1964 Gazette) prohibits poisoning unless the person concerned has a licence to do so. The Governor is the licensing authority (see Section 3).

It might well be worthwhile bringing this up under "Any other business" at Executive Council.

I agree that such a scheme would have to be carefully watched and controlled, but if the go ahead is given, who better than a Member of Executive Council to control and watch!

COLONIAL SECRETARY

S. Miller, Esq., M.L.C., J.P.,  
ROY COVE.

BH Xco  
~~26.3.66~~  
~~9.8.66~~  
9.6.66

IM.

9th March, 1966.

Dear Mr. MacPhail

986 ~~57~~

Thank you very much for your letter of the 14th January concerning activities of the World Wildlife Fund.

I would like to confirm that on behalf of the Falklands Government I am a trustee of a World Wildlife Project in these islands. It is a status survey of the following endangered species: the South American Sealion; Southern Elephant Seal; and South American Fur Seal. The project has the support of Ambassador Crowe.

The policy of the Falkland Islands Government is to encourage the protection of the many parts, especially the offshore islands, which are still largely unspoilt and, as such, are extremely valuable as reference areas where scientific and economic studies can be pursued. Sixty species of birds are known to breed here (16 are endemic), and many others can be easily observed. Our penguin and seal are, of course, of particular interest.

The Falkland Islands Legislative Council has, within the last 18 months, approved Ordinances for the establishment of Nature Reserves and for the protection of wild birds and animals. This last Ordinance replaced an earlier and out-of-date piece of legislation.

Two areas have so far been set aside as Nature Reserves. They are Cochoon and Kidney Islands which both lie off the north-east coast of the East Falkland. Kidney Island is about 45 acres in extent, and is particularly noteworthy for its seal, penguins, and bird life. It is completely protected, and visitors are only allowed to land by permit. Launches are available for tourists and scientists. Though small this island is unique and qualifies as an International Union for Conservation of Nature and Natural Resources National Park. Cochoon Island is a strict reserve, without tourism, and is about 40 acres in extent. You will find a better description attached.

37 in 0999

Three islands/.....

Mr. Ian S. MacPhail,  
The World Wildlife Fund,  
British National Appeal,  
2 Caxton Street,  
London, S.W.1.,  
ENGLAND

See 107

Three islands have also been declared Wild Animal and Bird Sanctuaries. Two of them are in the main Falkland group and are named Low Island and The Twins, and the third is Beauchene Island which lies slightly to the South. These sanctuaries do not rate quite the same full protection as do nature reserves, but even so they are covered by extensive legislation. The main difference is one of permanence more than anything else. We also have extensive legislation for the protection of seal.

We are extremely proud of our attempts to conserve wildlife. As a very small Government our only worry is that our resources are extremely limited. There is very little we can do about the poaching of seal from outside quarters.

If you would like any photographs of our wildlife I shall be delighted to send you some and look forward to receiving your information about the World Wildlife Fund.

Yours sincerely,

(Sgd) Willoughby Thompson.

C.S.

*BB*  
*Letter to this*

HOLMES & BLAKE COMPANY, LIMITED.

10359

COLONIAL SECRETARY'S OFFICE  
11 MAR 1966  
FALKLAND ISLANDS

DIRECTORS: R. P. BLAKE, E. G. MATHEWS, J. C. A. E. STRONARCH, W. W. BLAKE, L. W. H. YOUNG.

LONDON OFFICE:  
120, PALM MALL,  
LONDON, S.W.1  
TELEPHONE: CHIT 1027

HILL COVE,  
FALKLAND ISLANDS  
CABLES: "BLAKE FOXBAY"

Colonial Secretary,  
Stanley.

4th March 1966

Dear Sir,

~~100~~ 100

Reference your letter 2331 of 23rd Feb. The Middle Island owned by Hill Cove and offered by my Board for a Wild Animal and Bird Sanctuary is in the Chantres Sound and not in The Pebble Sound, and will be seen on sheet No. 10 of the maps.

Yours faithfully

*L. B. Blake*

Manager.

*[Handwritten signatures and initials]*

*[Handwritten mark]*

BRITISH ANTARCTIC SURVEY

BIOLOGICAL UNIT

DEPARTMENT OF ZOOLOGY,  
QUEEN MARY COLLEGE,  
MILE END ROAD, LONDON, E. 1.  
TELEPHONE: ADVANCE 2313

14th January 1966

W.H. Thompson, Esq.,  
Colonial Secretary's Office,  
Stanley,  
FALKLAND ISLANDS.



*W see*  
*SI*  
*24/3*  
*UM*  
*1/4*

Dear Thompson,

EXPORT OF WILD ANIMALS

98

Thank you very much for your letter and for the draft of your new regulations governing the export of wild animals. I entirely take your point that the provision for these exports in no way implies that licences will actually be given. I am also most encouraged by your statement with which I am in complete agreement that these higher charges should help to guarantee the proper care of the animals since their acquisition will involve considerable outlay. I think the whole thing is a very worth while development on your recent policy.

Kind regards.

Yours sincerely,

*M. W. Holdgate*  
M. W. Holdgate

P.S. Your letter dated 24th November arrived just after I had dictated a reply to yours of 24th December!

*Kind Bll*  
*Dr 180*

GAZETTE NOTICE.

105

No. 17.

20th April, 1966.

x  
Wild Animals and Birds Protection Ordinance, 1964.

It is proposed to submit an application to the Governor in Council for the setting aside of the island known as Middle Island, lying in the Chartres Sound, the property of Holmsted Blake and Company, Limited, to be a Wild Animal and Bird Sanctuary in accordance with section 4 of the Ordinance.

Any person wishing to register an objection against this application should do so in writing addressed to the Colonial Secretary at the Secretariat, Stanley, within 28 days from the date of publication of this notice.

x  
W. H. Thompson

COLONIAL SECRETARY

Colonial Secretary's Office,  
Stanley, Falkland Islands.

Ref: 1099/II.

TB.

BW Ex Co  
7.5.66

20th April, 1966.

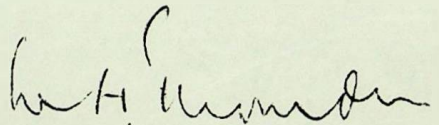
MEMORANDUM NO. 37/66 FOR EXECUTIVE COUNCILWild Animals and Birds Protection Ordinance Declaration of Sanctuaries.

The next issue of the Falkland Islands Gazette will contain a proposal to declare Middle Island, in Chartres Sound a Wild Animal and Bird Sanctuary in accordance with section 4 of the Wild Animals and Birds Protection Ordinance.

The notice has been published at the request of Holmsted Blake and Co. Ltd.

Honourable Members are asked to advise that Middle Island be set aside.

-----  
A Draft Order is attached.



(W.H. THOMPSON)  
COLONIAL SECRETARY

106a

DRAFT

THE WILD ANIMALS AND BIRDS PROTECTION ORDINANCE, 1964.  
(Ordinance No. 15 of 1964)

ORDER

(Under section 4 of the Ordinance)

No. of 1966.

Governor.

COPS  
COPS  
King George Bay

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owners of the island known as Middle Island, lying in ~~Chartres Sound~~, West Falkland, has been pleased to declare as follows -

(No. 2)

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) Order, 1966.
2. The said island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 19<sup>th</sup> day of July 1966.

Clerk of Executive Council,

Ref: 1099/II.

Bu 7/5/66 (105)

# WILDLIFE

## *The World Wildlife Fund*

British National Appeal  
2 Caxton St., London S.W.1  
Telephone: Sullivan 5511 & 4902



President: H.R.H. The Duke of Edinburgh, K.G.  
Chairman: Peter Scott, C.B.E., D.S.C.  
Director-General: Ian S. MacPhail

ISM/JF

25th March, 1966.

W.H. Thompson, Esq.,  
Colonial Secretary's Office,  
Stanley,  
Falkland Islands.

*Handwritten signature/initials in blue ink.*

Dear Mr. Thompson,

102 Thank you very much indeed for giving me such a full report on the wildlife of the Falkland Islands. It is most valuable and encouraging to know that so much care is being taken. I am copying your letter and report to Colonel Vincent, the secretary of the Survival Service Commission of the I. U. C. N. in Switzerland, and also to my chairman, Peter Scott, who is also chairman of the Survival Service Commission, as I know they will both be most interested.

I hope by now that you will have received the literature about the Fund. I would very much appreciate receiving photographs of your wildlife.

With many congratulations for the splendid work you are all doing, under what must be very difficult circumstances.

Yours sincerely,

*Handwritten signature of Ian S. MacPhail in blue ink.*

IAN S. MACPHAIL  
Special Representative of the  
International Trustees

109915

C.S. spare for connected file if necessary  
108

28 May 1966

I think that you and perhaps Holdgate and Tilbrook might be interested to know that it has been decided to declare the Crown land Jason Islands a wild animal and bird sanctuary. This declaration will cover the whole of the Jason Islands group except for Grand and Steeple Jason which are the freehold property of Dean Brothers.

In addition, Flat Jason will be declared a nature reserve. This island is reputed never to have been stocked with sheep and is said to be a good example of an undisturbed tussock island as well as being the site of a large sea lion rookery.

It occurs to me that among men coming down next season or returning north, there might be someone who would be interested in spending a few days visiting the Jason Islands. As you know, they are rather difficult of access but I hope that perhaps in about February/March 1967, before Protector comes to the end of her summer visit, she might happen to be in that area and, if Captain Sandford were agreeable, perhaps landings could be made by helicopter.

At this stage I merely mention the matter for what it is worth. It cannot be pretended that there is urgency for work to be done on the Jasons but one would not wish to miss any opportunity.

I am sending a copy of this letter to Captain Sandford and am handing a copy to Glapp for his information.

CS

Sir Vivian Fuchs.

Copy in 0887.

109

CONFIDENTIAL

Ref: 1099/II.

30th May, 1966

MEMORANDUM NO. 44/66 FOR EXECUTIVE COUNCIL

Wild Animals and Birds Protection Ordinance

Declaration of Sanctuaries

In Memorandum No. 37/66 reference was made to a notice which was due to appear in the May issue of the Falkland Islands Gazette.

It has been discovered that no such notice is necessary. The error arose when a previous notice, which was itself in error, was copied. Warning notices are only required when lands are to be set aside as full Nature Reserves.

The notice is not now being published.

Honourable Members are now asked to treat Memorandum No. 37/66 as cancelled.

Honourable Members are further asked to advise that the application by Holmstead Blake and Co., Ltd., for the setting aside of Middle Island, in Chartres Sound as a Wild Animal and Bird Sanctuary be approved and an order made accordingly.

An appropriate Order was attached to Memorandum No. 37/66.

*L. Pearce*  
*ccy.* COLONIAL SECRETARY

TM

CONFIDENTIAL

*Sent to all members today.*

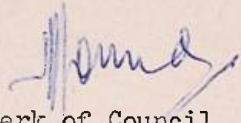
*How 2.6.66.*

*BD Xes 10.7.66*

110

Extract from Executive Council Minutes of Meeting No. 3/66 held on the  
10th May, 1966

1099/II      7. WILD ANIMALS AND BIRDS (EXPORT) REGULATIONS (Memo 60/65)  
Council advised that the Regulations be enacted.



Clerk of Council

*iii*  
Draft Regulations passed to H.P. 10.6.66



B.D 30.6.66

The Wild Animals and Birds Protection Ordinance, 1964  
**REGULATIONS**  
(under section 16 of the Ordinance)

No. 2 of 1966.

*Warkand*  
Governor.

In exercise of the powers conferred by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council has made the following Regulations — 15 of 1964.

1. These Regulations may be cited as the Wild Animals and Birds (Export) Regulations, 1966. Citation.

2. (1) No person without an export licence from the Governor shall export any wild animal or bird. Prohibition of export without licence.

(2) The fees payable in respect of the exportation of wild animals and birds shall be as follows —

	£	s.	d.	
Elephant seals ... ..	75	0	0	each
Fur seals ... ..	35	0	0	"
All other seals ... ..	25	0	0	"
King penguins ... ..	25	0	0	"
All other penguins ... ..	7	10	0	"
Kelp geese ... ..	7	10	0	"
All other birds and animals	5	0	0	"

(3) The grant of any export licence shall be at the discretion of the Governor, and any export licence may be made subject to special conditions.

Made by the Governor in Council this 10th day of May, 1966.

*[Signature]*  
Clerk of the Executive Council.

F. I. ref: 1099/II

C. O. ref:

113

SAVING TELEGRAM.

*From:* The Officer Administering the Government of the Falkland Islands.

*To:* The Secretary of State for the Colonies.

*Date:* 24th June, 1966.

No. 105      SAVING. COLONY

Legislation.

112  
Enclosed herewith are six copies of The Wild Animals and Birds Protection Ordinance, 1964 - Regulation No. 2/66.

GOVERNOR

Bur 30/6/66

NOTE

wild Animals and Birds Protection (Sanctuaries)

Order 1966, passed to printer 1/7/66.

JA.

ACS

~~Your book 110.~~  
JA.

By 15.7.66

Extract from a news item - original in O887 folio 92a

The decision was also taken that the whole of the remainder of the Crown land Jason Islands, including the Crown land rocks and reefs, should be declared a wild animal and bird sanctuary in terms of section 4 of the Wild Animals and Birds Protection Ordinance 1964.

This declaration will make it an offence to kill, injure or take any wild animal or bird in the sanctuary, or to introduce any carnivorous animal.

A declaration under the Wild Animals and Birds Protection Ordinance does not preclude the controlled pursuit of agricultural or pastoral activities and thus the islands except Flat Jason Island may be used for the grazing of sheep. The leasing of any Crown land island would exclude seal breeding areas and a lease would contain conditions concerning the preservation of wild animal and bird life and would make provision for periodic inspections.

Another island which is in the news is Middle Island in the Chartres Sound of King George Bay, West Falkland. This island is the freehold property of Messrs Holmsted and Blake who have indicated that they would wish Middle Island to be declared a wild animal and bird sanctuary. Such a declaration would make it an offence to kill, injure or take any wild animal or bird, or introduce any carnivorous animal into Middle Island.

Bu 15/7/66 (114)

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of Ordinance)

No. 3 of 1966.

*Chaskard*  
Governor.

IN EXERCISE of the powers conferred upon him by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, THE GOVERNOR IN COUNCIL has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) Order, 1966.

2. Elephant Jason Island and adjacent islets, South Jason Island and adjacent islet, North Fur Islands, South Fur Island, Jason East Cay and adjacent islets, Jason West Cay, The Fridays, White Rock and Seal Rocks (all within the Jason Islands group) to be wild animal and bird sanctuaries.

3. That any person who within the said sanctuaries at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.

4. That any person who introduces into the said sanctuaries any domestic or carnivorous animal shall be guilty of an offence against the said Ordinance.

5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 10th day of May, 1966.

*[Signature]*  
Clerk of the Executive Council.

Ref. 1099/II.

F. I. ref: 2331  
1099/II ✓  
C. O. ref:

SAVING TELEGRAM.

*From:* The Officer Administering the Government of the Falkland Islands.

*To:* The Secretary of State for the Colonies.

*Date:* 16th July 1966.

No. 115      SAVING. COLONY

Enclosed herewith are six copies of the following legislation:-

116  
Order No. 2/66  
Order No. 3/66

GOVERNOR

EXTRACT FROM MINUTES OF MEETING NO. 7/66 OF EXECUTIVE COUNCIL HELD ON  
THE 19th AND 20th JULY 1966.

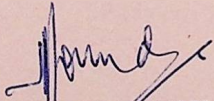
1099/II

8. DECLARATION OF MIDDLE ISLAND TO BE A WILD ANIMAL AND BIRD SANCTUARY

(Memc 37 &amp; 44/66)

106d 189

Council advised that Middle Island, the freehold property of Messrs. Holmsted, Blake and Company Limited, lying in King George Bay, West Falkland, be declared a Wild Animal and Bird Sanctuary.

  
CLERK OF COUNCIL

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of the Ordinance)

No. 4 of 1966.

*Maskand*  
Governor.

IN EXERCISE of the powers conferred upon him by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, THE GOVERNOR IN COUNCIL after obtaining the consent of the owners of the island known as Middle Island, lying in King George Bay, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1966.
2. The said island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 19th day of July, 1966.

*[Signature]*  
Clerk of the Executive Council.

Ref. 1099/II.

1099/II.

118

8th August,

66.

To: The Registrar General,

From: The Ag. Colonial Secretary,

Supreme Court,

STANLEY.

Wild Animal and Bird Sanctuaries

At a recent meeting of Executive Council it was advised that Middle Island, lying in King George Bay, West Falkland, be declared a Wild Animal and Bird Sanctuary.

Would you please prepare the necessary legislation for publication.

ACTING COLONIAL SECRETARY

Reply at 119

No. 1099/II

It is requested that, in any reference to this memorandum the above number and date should be quoted.



9th August, 1966.

To: The Ag. Colonial Secretary,

Secretariat,

Stanley.

From: The Registrar,  
Supreme Court,  
Stanley, Falkland Islands.

SUBJECT :- Wild Animal and Bird Sanctuaries.

Referring to your Memorandum of the 8th August, 1966. 118

Before proceeding with your instructions I would like to know if the owner of the island has consented (section 4. W.A.B. Ord) to the making of the Order as reference to his consent must be incorporated in the Order.

*J.P. Bennett*

Registrar.

*RASC*

*120*

*a.c.s. 121 PC sec 103  
Pl. see draft  
legislation at 106 a,*

*J.P.B.*

*17. viii. 66*

*11.8.66 (issued 16.8.66)*

*106 a to HP 7.9.66*

*BW 5.10.66*

*1170 for signing*

123.

9 September 1966

122

Thank you very much for your letter of 28th August and for sending me a copy of the second part of your memorandum on the conservation of wild life in the Falkland Islands.

Your notes make extremely interesting reading and it is very satisfactory to know that this data has been recorded in such detail.

Your letter and memorandum have now been filed in the Secretariat for future reference.

CS

I.J. Strange Esq.

Papers in folder at b.c. of file.

124

CS

please have these papers filed in such a way that they can be borrowed by interested persons.

Bus/10/66

1099/II

125

F. I. ref:

C. O. ref:

SAVING TELEGRAM.

*From:* The Officer Administering the Government of the Falkland Islands.

*To:* The Secretary of State for the Colonies.

*Date:* 31st October 1966.

*No.* 160 SAVING COLONY

Legislation.

117 b. Enclosed herewith are six copies of Order No. 4/66.

GOVERNOR

Pa

Port Stanley,  
Falkland Islands,

28th August 1966.

His Excellency the Governor,  
Port Stanley,  
Falkland Islands.

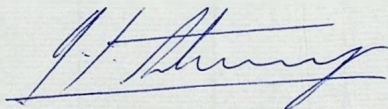
Dear Sir,

b.c. I am enclosing for your interest a copy of Section 2 of my Memorandum on the Conservation of Wild Life in the Falkland Islands.

This section of the memorandum deals largely with those islands which have been declared Reserves or Sanctuaries and islands of potential interest to future conservation.

A final section is in preparation and will deal with the various species of wild life to be found in the Falklands.

Yours faithfully,



Ian J. Strange.

See 123

CS

Attachment to  
C.S. File 1099/11

MEMORANDUM ON WIND LIFE CONSERVATION BY I. J. STRANGE.

MEMORANDUM ON THE CONSERVATION OF WILD LIFE IN

THE FALKLAND ISLANDS

Section II

Nature Reserves and Wild Life Sanctuaries

Introduction

A great deal of importance should be placed on the establishment of off-shore tussock islands as Nature Reserves and Wild Life Sanctuaries in the Falkland Islands, as the first main step towards conservation.

Many of the tussock islands are still very largely unspoiled and, as such, are extremely valuable as 'reference areas' where future scientific and ecological studies can be pursued, therefore it is such islands which should be established as Nature Reserves. The Nature Reserves Ordinance (Appendix VIII) makes provision for the protection of not only the fauna but also the flora of such areas. The Wild Life Sanctuaries ruling, which comes within the 'Wild Animals and Birds Protection Ordinance' (Appendix VIII) provides certain measures of protection for the fauna, but none for the natural vegetation.

Nature Reserves

Two islands have been declared Nature Reserves and a third will be finally declared so in the near future. On final declaration of this third island, the total land area under Reserve status will be a calculated 4.0906 sq. kilometers, 1001.1 acres. (The figures given can only be taken as very approximate. They are averages, taken from the results of two methods of calculation. In the first, a calibrated Planimeter was used and in the second, scaled squares on tracing paper were placed over specially prepared, large-scale maps of the islands concerned and the necessary calculations made.)

By the nature of their coastal terrain and position in relation to the mainland, two of the islands, Gist Jason and Cochon Island could be termed strict Nature Reserves, whereas Sidney Island could be considered as a Reserve with National Park status. This island, because of its close proximity to Stanley, the capital town, has been an attraction to many visiting scientists and residents of Stanley for some years, and as a National Park could undoubtedly be of great value in Scientific, Educational and Economic fields.

## ISLANDS WITH RESERVE STATUS

Kidney Island. East Falklands  
(Reserve status established 23rd October, 1964.)

This island of 340,000 square metres, 73 acres, is in a position  $51^{\circ} 35' S$   $57^{\circ} 45' W$ , close to the entrance of Port William the outer harbour of Stanley, the capital town.

Due to its close proximity, approximately eight nautical miles, to Port Stanley, the island, small as it is, has become well known.

The island is mentioned in the very early history of the Falklands during the events which took place at the first settlement, Fort Louis, in 1833. Numbers of eminent biologists have visited, and subsequently mentioned Kidney in their works, and almost certainly a large percentage of the information available on certain species found in the Falkland Islands has come from observations made on this small tussock island. It is, therefore, fitting that Kidney Island should have been the first island to be declared a Nature Reserve under the newly established Wild Life Reserves Ordinance.

The island is irregular in shape and at its highest point is approximately 15 metres above sea level, lying almost due East-West. The island has at the East end a deeply-cut bay formed by the extended promontories of the North and South coasts. At the West end, the island is cut obliquely to give a coast line with a South-West aspect on which is a shallow sand bay. The South coast extends approximately 1,200 metres and of this, approximately 300 metres is made up of steep rock faces rising out of deep water. Except for approximately 250 metres of sand beach, a large proportion of the South and South-West coast line is composed of broken rock and boulder-strewn beaches, forming a narrow littoral zone.

### Vegetation

Kidney is typical of many off-shore tussock islands, having a deep accumulation of humus - rich soil mainly derived from dead and decomposing tussock and animal matter, supporting a thick growth of tussock grass (*Poa flabellata*).

The greater proportion of the island has a dense coverage of tussock. In the few areas where this plant is not so dominant, Wild Celery (*Ornithoglossum australe*), a triangular-stemmed sedge (*Carex trifida*) and a species of fern (*Pteridium sennarioides*) are more commonly found growing. A Grass (*Panicum monchaeta*) and Artemisia antarctica are also quite common on the island but associated mainly with the supralittoral zone.

Around low water mark there is a dense belt of Durvillea antarctica. In the cove on the East side, and extensively to the South-West there are large areas of Kelp Macrocystis wrifera.

### Birds

Of the 62 recorded breeding species in the Falkland Islands (Appendix IX) the following twenty four have been recorded as breeding on Midway Island.

#### List species here:-

Rockhopper penguin	<i>Eudyptes crestatus</i>
Macaroni penguin	<i>Eudyptes chrysolophus</i>
Magellan (Jackass) penguin	<i>Spheniscus magellanicus</i>
White-chinned Petrel (Shoemaker)	<i>Procellaria aequinoctialis</i>
Sooty Shearwater	<i>Procellaria griseus</i>
Wilson's Petrel	<i>Oceanites oceanicus</i>
Grey-backed Storm-Petrel	<i>Garrodia nersis</i>
Rock Shag	<i>Phalacrocorax magellanicus</i>
King Shag	<i>Phalacrocorax atriceps albiventer</i>
Night Heron	<i>Nycticorax n. cyanocephalus</i>
Kelp Goose	<i>Chloephaga hybrida malvinarum</i>
Logger (Flightless Steamer) Duck	<i>Tachyeres brachypterus</i>
Turkey-Vulture	<i>Cathartes aura jota</i>
Carancho	<i>Caracara p. planus</i>
Black Oystercatcher	<i>Haematopus ater</i>
South American Tern	<i>Sterna hirundinacea</i>
Magellan (Delphin) Gull	<i>Leucophaeus scoresbii</i>
Falkland Skua	<i>Stercorarius skua</i>
Short-eared Owl	<i>Asio flammeus sanfordi</i>
Tussac-bird	<i>Cinclodes antarcticus</i>
Grass-Wren	<i>Cistothorus platensis hornensis</i>
Cobb's Wren	<i>Troglodytes masculus cobbi</i>
Falkland Thrush	<i>Turdus f. falklandii</i>
Siskin	<i>Carduelis barbatus</i>

### Other Animals

#### Sea Lion (*Otaria byronia*)

A small colony of Sea Lion inhabit the island. Fairly young animals have been observed in those areas colonized by this species but actual pupping of this species has never been established on Midway, and is thought to take place on other nearby islands.

#### Elephant Seal (*Mirounga leonina*)

One or two animals of this species can generally be found on Midway during the spring and summer months. Breeding on a very small scale has also been recorded on the island.

Cochon Island. East Falklands  
(Reserve status established 23rd October, 1964)

Cochon Island covers an area of 75,000 square metres 18.5 acres, and lies in a position at the entrance to Berkeley Sound  $51^{\circ}34'S$   $57^{\circ}44'W$  and approximately 1 mile from Kidney Island.

It is said that one of the early French navigators named the island because of the resemblance to two pigs. Viewing the island from a North-East position, the formation of steep cliffs on the North East side does, in fact, roughly resemble in silhouette the form of two pigs placed back to back.

The island is about 780 metres long and on average about 85 metres wide, and is aligned with its long axis running from the North-West to South-East. The island rises sharply to a height of 101 feet at its highest point, the average height probably being a little less along the narrow central backbone which runs the length of the island.

On the North-East side of the island, steeply inclined rock slabs and almost perpendicular cliffs rise from deep water to the backbone of the island. From this narrow ridge along the highest point of the island the South-West side also falls away, but at a less inclined angle.

As a result of this topography areas of comparatively flat ground are restricted to the narrow ridge along the central backbone of the island.

#### Vegetation

The main vegetation on the island is tussock grass (*Poa flabellata*) which is fairly dense on the backbone of the island, and perhaps to a less degree on the South-West sides, where a certain amount of erosion has taken place preventing the firm establishment of this grass.

Wild Celery (*Opium australe*) and a *Crassula* (*Tillaea moschata*) are the only other two forms of land vegetation recorded from the island, the latter being largely restricted to the rocky areas of the North-East side, North-West and South-East points. At the low water mark there are thick patches of Durvillea antarctica and close inshore a thick belt of kelp (*Macrocystis pyrifera*) grows the entire length of the South-West side extending some distance beyond the South East point and approximately 400 metres out from the North-East end of the island.

Cochon Island (Contd.)

Birds. Species of birds known to breed on the island include:-

Falkland Steamer Duck	<i>Fachyeres patagonicus</i>
Rock Shag	<i>Phalacrocorax magellanicus</i>
King Shag	<i>Phalacrocorax atriceps albiventer</i>
Rockhopper penguin	<i>Nudyptes crestatus</i>
Sooty Shearwater	<i>Procellaria griseus</i>
Wilson's petrel	<i>Oceanites oceanicus</i>
Grey-backed Storm-petrel	<i>Garrodia nereis</i>
Falkland Diving Petrel	<i>Pelecanoides urinatrix berard</i>
Turkey Vulture	<i>Cathartes aura jota</i>
Cobb's Wren	<i>Troglodytes musculus cobbi</i>
Tussock bird	<i>Cinclodes antarcticus</i>

Observed and most probably breeding:-

Falklands Thrush	<i>Turdus f. falklandii</i>
and Johnny Rook	<i>Phalacrocorax australis</i>

Flat Jason Island. N.W. Falklands  
(Reserve status)

Flat Jason lies within the Jason group at the extreme North-West corner of the Falkland archipelago in a position  $51^{\circ} 07s$   $60^{\circ} 54w$ . The island covers an area of 3.6356 square kilometres, 911 acres, and on final declaration will represent a very large proportion of the land with reserve status, Cochon and Kidney Island reserves having a combined total acreage of 91.5 acres.

The island is irregular in shape aligned with its long axis running from the North-West to South-East. To the North-West side of a point central of this axis, the island forms a narrow waist which almost cuts the island into two parts.

The coastline is composed of deeply-cut, gently-inclined rock slabs and boulder beaches of a fairly low-lying nature, which rise at an angle of approximately  $15^{\circ}$  to the tussac line, a distance of some three to four metres from the high water line. From the littoral zone the island banks fairly steeply, levelling out onto a comparatively flat plateau about twenty metres from the shore line. Measured at the highest point this plateau is no more than sixteen metres above sea level.

Vegetation

Flat Jason has a dense covering of tussac grass (*Poa flabellata*) the only vegetation so far recorded. Botanically the island is of considerable importance having never been stocked by any form of ruminants.

Dense belts of *Durvillea antarctica* are common around low water mark, and on the North-East side there is a thick belt of *Macrocystis pyrifera*.

Birds

Species known to breed on Flat Jason are:-

Tussac bird	<i>Cinclodes antarcticus</i>
Rock Shag	<i>Phalacrocorax magellanicus</i>
King Shag	<i>Phalacrocorax atriceps albiventer</i>
Stealer Duck	<i>Tachyeres brachypterus</i>
Kelp Goose	<i>Chloephaga hybrida malvinarum</i>
Falkland Thrush	<i>Turdus falcklandii</i>
and Johnny Hock	<i>Phalacrocorax australis</i>

In the case of the latter species the island is probably one of the four remaining major breeding grounds left in the archipelago.

The island is also thought to be a breeding ground for certain species of petrels. Information is, however, limited on such species to date, and a more detailed investigation of the island is required to establish numbers and species present.

/Other animals

Flat Jason Island (Contd.)

Other animals

From the results of aerial surveys made of the Otariid seal in the Falklands (Aerial Survey of Falkland Island Sea Lion 1965/1966 Strange). Flat Jason has been established as a fairly important breeding ground for the Sea Lion (*Otaria byronia*). No other species of Pinniped have been recorded on the island.

Nothing is known of the land invertebrate fauna of Flat Jason.

### Wild Life Sanctuaries

The Falkland Islands now have a total of four established sanctuaries with a total land area of 2,5578 sq. kilometers. A further ten islands and islets are awaiting final declaration which, when made within the very near future, will bring the total land area under sanctuary status to a calculated 12,8008 sq. kilometers, 3166 acres.

The Wild Life Sanctuaries ruling, although affording bodily protection for the fauna of these islands, makes no provision for the protection of the natural vegetation and habitats and it is still possible to stock such areas with domestic ruminants. The position, terrain and size of ten of these islands, which represent some 3,9300 sq. kilometers, 946.6 acres, will probably ensure that they will never be stocked. Of the remaining four islands one, Low Island is at present stocked with a small number of cattle; nothing is known about the owners' plans for Middle Island while Elephant and South Jason, which lie within the Jason group and represent 6,6700 sq. kilometers, 1648.5 acres, although not stocked to date, are to be leased by the Falkland Islands Government in the very near future for stocking with sheep.

Gibraltar Rock. N.W. Falklands  
(Sanctuary status)

A very small island of 192,500 square metres 47.6 acres, which lies approximately 2 kilometres off the West end of West Point Island. The island is on the outer edge of the Jason group in a position  $51^{\circ} 19' 60'' 46''$ .

The island in plan is roughly "kidney" shaped, both sides of a central axis taken at the narrowest point, being almost identical in shape and contour. In elevation the island rises steeply on the North-East side to a height of 90 metres, dropping away in almost perpendicular cliffs on the South-West, North West and South-East corners of the island. As a result of this topography, the island when viewed from the South-East and North-West aspects forms a most spectacular feature on the landscape, and as its name suggests is very similar in appearance to the renowned "Gibraltar Rock".

Vegetation

Tussock grass. *Poa flabellata* is the only vegetation so far recorded, a very dense growth of this species covering the North-East slopes.

Birds (Species of particular interest)

The Thin-billed prion (*Pachyptila belcheri*) has been observed on the island and in considerable numbers in the close vicinity, which are strong indications that the island is a breeding ground for the species.

The Falkland Diving petrel (*Pelocanoides urinatrix berard*) is also suspected of breeding on the island.

Johnny Rook (*Phalacrocorax australis*) observed and most probably breeding in small numbers.

The Fridays, North West Falklands  
(Sanctuary status)

The Fridays consist of two small islands with a total land area of 219,600 square metres, 54 acres. The islands lie in a position 51° 03s 60° 58 w approximately 4½ kilometres North West of Flat Jason Island.

Both islands, are of an irregular shape, with broken coastlines composed largely of deeply-scored, relatively flat rock and boulder beaches.

From the shoreline the terrain gradually rises to a central plateau which reaches a height of approximately 16 metres above sea level.

Vegetation

It is estimated from aerial surveys made of the two islands in 1965 and 1966 that approximately half the islands' combined total areas are covered in tussock grass (*Poa flabellata*). The remaining area of ground is bare, peaty ground, and rock debris which appears from aerial photographs to be devoid of any larger forms of vegetation.

Bird Life

No details are available on the bird life to be found on the islands.

Seal

From the results of the aerial surveys the islands are known to be breeding grounds for small numbers of Sea Lion (*Otaria byronia*).

East and West Cays. North West Falklands  
(Sanctuary status)

The East and West Cays are the two most Northwesterly outliers of the Falkland archipelago and come within the Jason group. The East Cay island lies in a position 51°00'S 61°18'W and the West Cay island is 51°00'S 61°26'W with a distance of about 8 kilometres between the two islands. Both islands are calculated to be 170,800 square metres 42 acres each in area.

The two islands differ little in their topographical description, both being largely composed of comparatively flat areas of rock and rock debris, which are estimated to stand approximately 6 metres above high water mark.

By the complete absence of Tussac grass, *poa flabellata*, on the West Cay, and a very sparse growth of this about on the East Cay island, it is presumed that both islands are probably subjected to the action of heavier seas. On the West Cay there is evidence that seas have, in fact, broken over the island by the remains of a vessel, thought to be an old American whaler, which lies wedged between two or three upstanding rocks situated in the near centre of the island.

Bird life

The West Cay has breeding colonies of Giant Petrels, *Macronectes Giganteus*, South American Terns, *Sterna Hirundinacea*, at least one pair of Johnny Rook, *Phalacrobaenus australis*, which are recorded as nesting in the remains of the wrecked whaler, and a small colony of Sentoo penguins, *Pygoscelis papua*, which nest on the rocky interior of the island only a few metres from the wreck.

Nothing is known about the bird life on the East Cay.

Seal

Small numbers of Sea Lion (*Otaria byronia*) inhabit both the West and East Cay. (Aerial Survey of Sea Lion stocks in the Falkland Islands 1965, 1966)

North Fur Island. North-West Falklands.  
(Sanctuary status)

North Fur is one of the larger islands within the Jason group which is to have Sanctuary status.

The approximate position of the island is  $51^{\circ}07'S$   $60^{\circ}45'W$ , some 6 kilometres from the neighbouring <sup>Elephant</sup> Jason Island. About 1,950 metres in length and with an average width of approximately 500 metres, the island covers an area of 683,200 square metres, 169 acres. The island is aligned with its long axis running from a North-East to a South West direction with a narrow promontary jutting out some 450 metres from the South-west end of the island in a North-West direction.

The edge of the island is broken with a number of small bays and clefts cutting into a formidable and rocky coast, which rises fairly steeply to a comparatively flat plateau about 16 metres above sea level.

Vegetation

The main vegetation on the island is Tussac grass, *Poa flabellata*, although a small area in the centre of the island appears from an aerial survey to be covered with a fine type of grass. As the island has never been stocked in the past this grass is thought to be most probably one of the native species.

Birds

The only species of bird known to inhabit the island are Tussac birds (*Cinclodes antarcticus*) and the Johnny Duck (*Phalacrocorax australis*).

Seal

Considerable numbers of Sea Lion (*Otaria byronia*) are established as breeding on the island. Although it is most probable that the island was once a breeding ground for the Fur Seal (*Arctocephalus australis*) in years gone by, there are no indications of the species colonizing the island at the present time.

The Twins. North-West Falklands.  
(Sanctuary status established 30th December, 1964)

Two small, privately-owned islands with a combined total land area of 292,800 square metres, 72.4 acres, lying approximately 2,700 metres from the "North West Point" on Carcass Island, the islands are positioned on the South-East edge of the Jason group of islands in Lat. 51°14'S Long 66°38'W.

Both islands, which lie approximately 460 metres apart, are irregular in shape with low, broken coastlines, composed largely of comparatively flat rock. At the South-East end of the larger island, a gently-shelving sand beach runs up into the central parts of the island forming dunes.

Vegetation

The islands are largely covered with Tussac grass (*Poa flebellata*). Areas within the close proximity of the sand beach on the larger island have areas of Blue grass most probably the species *Poa antarctica*.

Both the islands are surrounded by very dense areas of Kelp (*Macrocystis pyrifera*).

Bird Life

Magellan penguins (*Spheniscus magellanicus*), Tussac bird (*Cinclodes antarcticus*), Cobb's Wren (*Troglodytes musculus cobbi*), King Shags (*Phalacrocorax atriceps albiventer*), Turkey Vulture (*Cathartes aura jota*) are all fairly common breeding species to be found on the islands.

Terns, South American (*Sterna hirundinacea*) and Dolphin Gulls (*Leucophaeus scoresbii*) also form small breeding colonies.

Johnny Rook (*Phalacrocorax australis*) is also breeding on the island in small numbers.

Seal

Both the islands are important breeding grounds for the Elephant Seal (*Mirounga leonina*). As many as 700 specimens have been estimated on the sand beach of the larger island during the breeding season, with indications of the stocks increasing.

No other species of Pinniped have been recorded as breeding on the islands.

South Fur Island. North-west Falklands.  
(Sanctuary status)

This irregular shaped island is about 1,180 metres in length and an average of 200 metres wide, and is aligned with its long axis running from the North-west to the South-East.

The island covers an area calculated at 212,500 square metres, 52.5 acres, and is in a position  $51^{\circ}16'S$   $68^{\circ}51'W$  within the Jason group.

The island in general is fairly flat, a very small area at the North-west end of the area rising to a height of 16 metres above sea level. The coastline, indented with very shallow bays, has a most unusual feature not observed on any other island in the archipelago. The entire littoral zone being composed of huge boulders, all very similar in shape, size, and colour. By their comparative smooth appearance and rounded nature they would appear to have been subjected to some considerable wearing action, possibly by heavy seas and strong tides, the latter being very prevalent in that particular area. Viewed from the air, the coastline of the island might be described as being covered by a mass of dark coloured marbles.

Vegetation

The only vegetation so far recorded on the island is Tussac grass (*Poa flabellata*) which forms a belt of fairly dense growth down the centre of the island.

The island has never been stocked and may, therefore, be of future botanical interest.

Marine vegetation consists of an extremely dense belt of Kelp (*Macrocystis pyrifera*) which surrounds the entire island.

Bird Life

No details are yet available on the number and species of birds to be found on the island.

Seal

From the results of the aerial surveys made in 1965 and 1966 the island can be noted as a fairly important breeding ground for the Sea Lion (*Otaria byronia*). During the above surveys it was also recorded that the seal on the South Fur Island had a very distinct pelage colouring, a very high percentage of the animals being a light ochre or cream colour. Very light coloured

South Fur Island (contd.)

animals have been observed in other herds which are normally a dark brown but not in such large concentrations as on this particular breeding ground.

No other species of Pinniped have been recorded from the South Fur Island, in recent times, although almost certainly the area, by its name, was once the haunt of Fur Seal (*Arctacephalus australis*).

South Jason Island. North West Falklands  
(Sanctuary status)

South Jason island on final declaration will be the largest island with Sanctuary status in the Falklands. The island has a total base area of 3.9040 square kilometres, 946.6 acres. The island is over seven kilometres in length and about 950 metres in width, measured at the widest point, and aligned with its long axis runs from the East-North-East to West-South-West, its approximate position is  $51^{\circ}12'S$   $60^{\circ}55'W$ .

The main topographic feature of this island is the extremely steep sided nature of the West-North-West and East-South-East sides which rise to a central ridge, the highest point of this ridge being 945 feet, 312 metres above sea level. At the East-North-East and West-South-West ends of the ridge the land falls away more gradually to comparatively flat coastal plains, approximately 10 to 16 metres above sea level.

The coastline forms another feature of the island with the almost perpendicular cliffs which rise to a height of between 10 and 16 metres before the vegetation line is reached.

Together the formation of these features present one of the most formidable but impressive islands in the archipelago.

Vegetation

A very large proportion of the island is covered with a growth of Tussac grass (*Poa flabellata*) although much of the North-North-East side of the island is devoid of vegetation because of the very steep terrain.

Considerable erosion has taken place on the steep sides of the island, and has most probably increased since the island was burnt out some years ago. Although the tussac growth appears to have recovered from the fire, there is evidence that the original stability of the soil has been affected greatly. Areas of the humus-rich soil were known to have burnt for some months, reducing such areas to pits of soft ash.

Nothing is recorded on other species of vegetation which might still be surviving on the island.

Bird Life

There are no records of bird life known to have inhabited the island prior to the fire, but the numbers of different species is reported as being many.

/since the

South Jason Island (contd.)

Since the re-establishment of tussock grass on the island, a few pairs of Johnny Hooks (*Phalacrocorax australis*) have been recorded, probably breeding. Several hundred pairs of Black-browed albatross (*Diomedea melanophrys*) and Rockhopper penguins (*Eudyptes creatatus*) have also formed a mixed colony on the South-South-East side of the island.

Seal

Very few seal of any species have been recorded on the South Jason island. On the recent aerial surveys made of seal herds in the archipelago, only individual specimens of Sea Lion were sighted on the island.

It is recorded that between 1896 and 1900 numbers of Fur Seal (*Arctocephalus australis*) colonized the East-North-East end of the island. This area of the South Jason lies approximately 3½ kilometres from the main Fur seal colony situated on the Elephant Jason rocks.

Elephant Jason Island, North east Falklands  
(Sanctuary status)

The Elephant Jason Island has a base area of 2.7552 square kilometres, 701.9 acres and lies in a position  $51^{\circ}10'S$   $35^{\circ}51'W$ .

The main topographic features of the island are similar to those of the sister island, South Jason, which lies some 3 kilometres away.

The Elephant Jason has one main peak which rises to a height of 682 feet, 207 metres at the South West end of the island. This peak rises steeply on those aspects facing South, West and East, at the North East side falling away more gently to a relatively flat plateau which is surrounded by the North and North East coasts. Similar also to the South Jason, is the coastline which has the deeply cut, almost perpendicular cliffs, which in certain areas on the West side of the island rise to a height of approximately 70 feet, 21.3 metres before the commencement of the tussac line. An average height for the coastline is calculated at between 30 and 40 feet, 12 metres.

The island is irregular in shape, although in plan does roughly conform to the shape of an "elephant" with extended trunk, the trunk being formed by a narrow arm of land at the Southern end of the island. This trunk is further extended in length by a number of rocks which swing away in a West-South-East direction, the furthest outlying rock turning to a North-West direction. It is on the largest of these outlying rocks that one of the main fur seal (*Arctocephalus australis*) rookeries in the Falkland archipelago is situated.

Vegetation

Although the island also suffered the same fate as the South Jason Island, being burnt out some years ago, there is a dense growth of tussac grass (*Poa flabellata*) covering all but those steep areas on the West face and some of the high rocky ridges, centre and South of the island.

Nothing is recorded of other types of vegetation on the island.

Except for a very short period in the early 1900's when a very few sheep were placed on the Elephant Jason, the island has never been extensively stocked.

Bird Life

An inspection made of the island in February, 1965, combined with aerial surveys also in 1965 and 1966, revealed a comparative lack of bird life.

Johnny Rook (*Phalacrocorax australis*), Cobb's Wren (*Troglodytes musculus cobbi*)

Grass Wren

Elephant Jason Island (Contd.)

Grass Wren (*Cistothorus platensis hornensis*), Rockhopper penguin (*Eudyptes crestatus*) and Tussac bird (*Cinclodes antarcticus*) being the only species observed. No inspections were, however, made for ground nesting Petrels, which may breed on the island.

Seal

Very few seal have been reported from the main island itself, but on the largest of the outlying rocks to the southern end of the island, one of the largest Fur seal (*Arctocephalus australis*) colonies in the archipelago is to be found. This particular colony of seal was for many years subjected to the ravages of seal poachers, and in the early years of 1900 a guard was placed on the Elephant Jason Island to protect the very few remaining seal. It is recorded that licensed sealers at this time had great difficulty in obtaining as many as 50 seal in a season, so few were the remaining stocks. Finally, sealing by poachers and licensed persons became uneconomical and stopped. Very slowly stocks have been re-built and today it is estimated that about 2,000 seal inhabit the rock, but still only a fraction of the original stocks.

Low Island. West Falklands  
(Sanctuary status established 30th December, 1964)

Low island was the first privately owned island to be given Sanctuary status under the Wild Animals and Birds Protection Ordinance 1964.

The island belongs to the owners of West Point island, which is listed under islands of special interest, and lies at the entrance to Byron Sound, South East of Carcass island in a position  $51^{\circ}20'S$   $66^{\circ}27'W$ .

The island has no regular form and covers an area 812,500 square metres, 200.8 acres. At the North and North-East end of the island, approximately  $\frac{1}{3}$  of the coastline, the coast is composed of low cliffs of an almost vertical nature. To the South the coast is composed of boulder strewn beaches which gradually run out to the cliffs on the North-East side. On the West side of the island, a sand beach approximately 100 metres in length divides the boulder beaches from the North cliffs. From the area of the sand beach, a reef extends some 150 metres out from the island. At the North end, the island reaches a maximum height of 16 metres above sea level.

Vegetation

Tussac grass (*Poa flabellata*) covers all but a small area of ground at the North end of the island, this area being covered with one of the short grasses of an unidentified species. Marine vegetation consists of a dense area of Kelp (*Macrocystis pyrifera*) to the East side of the island, with less dense growth surrounding the island.

The island has for some years been stocked with a very small number of cattle which appear to have disturbed the vegetation of the island very little.

Bird Life

<u>Falkland Skua</u>	<i>Stercorarius skua</i>
<u>Falkland Upland Goose</u>	<i>Chloepnaga magellanica</i>
<u>Kelp Geese</u>	<i>Chloephaga hybrida malvinarum</i>
<u>Tussac birds</u>	<i>Cinclodes antarcticus</i>
<u>Turkey Vulture</u>	<i>Cathartes aura jota</i>
<u>Caraccho</u>	<i>Caracara p. plancus</i>
<u>Short Eared Owl</u>	<i>Asio flammeus sanfordi</i>
<u>Falkland Thrush</u>	<i>Turdus f. falklandii</i>
<u>Night Heron</u>	<i>Nycticorax n. cyanocephalus</i>
<u>Pied Oyster-catchers</u>	<i>Haematopus leucopodus</i>
<u>Black Oyster-catchers</u>	<i>Haematopus ater</i>
<u>Cobb's Wren</u>	<i>Troglodytes musculus cobbi</i>
<u>Falkland Flightless Steamer Duck</u>	<i>Tachyeres brachypterus</i>
<u>Magellan penguin</u>	<i>Spheniscus magellanicus</i>
<u>(Grey Duck) Crested Duck</u>	<i>Anas cristata</i>
<u>Paraguayan Snipe</u>	<i>Capella paraguasiae</i>

are all species recorded as breeding on the island. On the outlying rocks and

/reefs

Low Island (Contd.)

reefs of the island Pink-breasted gulls (*Larus ridibundus maculipennis*), South American terns (*Sterna hirundinacea*), King Shags (*Phalacrocorax atriceps albiventer*) and Rock Shags (*Phalacrocorax magellanicus*) are known to breed.

Seal

The island has a breeding stock of Sea Lion (*Otaria byronia*) no other species have been recorded on the island.

It is recorded that in July, 1930, 700 Sea Lion of all ages were killed on Low Island by the sealing company which was then in operation. The killing was carried out at the request of the previous owner who claimed that the seal hindered the landing of stock on the island. Seal stocks on Low Island appear to have never recovered from this operation and even now only stand at approximately 50% of the figure given.

Middle Island. West Falklands  
(Sanctuary status)

Middle Island lies in King George Bay in a position 51°38'S 66°21'W.

The island is roughly circular in plan, covering a total area of 1.5860 square kilometres, 392.0 acres. Much of the littoral zone is composed of tidal washed flat areas of rock which is backed by fairly low banks of slab rock which average approximately three metres in height. From the top of this rocky bank, the island rises fairly steeply to a central dome which breaks out into several small rocky outcrops at approximately                      metres above sea level

Vegetation

A dense belt of Tussac grass (*Poa flabellata*) circles the island in the coastal regions. Short grassland covers the central dome of the island with small areas of Fern Blechnum species ? in the close vicinity of the rocky outcrops. Records do not show whether or not the island has been stocked.

Bird Life

Little is recorded on the bird life of the island, no trained naturalist having visited the island. Aerial surveys have, however, been made, and from the initial results it would appear that the island has considerable potential values, ground nesting petrels suspected of breeding on the island.

Seal

No species of seal are recorded from the island.

### Beauchene Island

Beauchene island is the southernmost outlier of the Falkland Islands, lying at approximately lat.  $52^{\circ}54'S$ , long  $59^{\circ}09'W$ , some 80 kilometres south of Porpoise Point, East Falkland. It was discovered by a French navigator, Beauchene Gavin, whose name it bears, in 1699, and was visited occasionally by sealers in the subsequent period (Fanning, 1834) and by H.M.S. Beagle (Captain R. Fitzroy) on 8th March, 1834. The island is about 4 kilometres long and 1 kilometre wide at its widest point, and is aligned with its long axis running from north to south covering an area of approximately 1,6057 square kilometres, 398 acres. There are three main topographic regions. The northern two thirds of the island is oblong in plan and consists of a slightly tilted plateau, rising in sheer cliffs some 60 metres from the sea on the East and North sides, and sloping more gradually to a Western coast of shelving rocks and boulder beaches. At its highest, a little to the East of the middle line of the island, this plateau reaches about 75 metres above sea level.

The central part of the island is a narrow waist - for the most part made up of low-lying, bare, and relatively flat rock and debris sloping to shores of gently inclined rock slabs. The southernmost section, although no wider than the central waist, is higher, exceeding 30 metres, and consists of a mass of upstanding rocks which rise from the sea in cliffs. As a result of this topography, when the island is approached from the East or West the high areas in the north and south are sighted first and appear as two islands; the lowland linking them is not seen until a vessel is quite near to the land. This feature which deceived several early visitors, was first noted by Fitzroy in 1834.

The coastline is irregular and indented by numerous coves and clefts, but none of these are deep enough to provide much shelter from the generally heavy prevailing swell. The island is surrounded by deep water, 'Protector' finding 40 fathoms only 230 metres off the south-east coast, and as a result there are only small areas of kelp which do nothing to subdue the swell.

### Vegetation

Photographs taken in 1962 suggest that the algal zonation on the rocky shores of the island are typical of exposed Magellanic coasts, with patches of *Verrucaria* in the supralittoral, a dense belt of *Durvillea antarctica* around low water mark and some *Macrocystis pyrifera* in the coves offshore. Land

/vegetation

## Beauchene Island (Contd.)

vegetation is largely absent from the southern and central sections, but higher plateau in the north-west supports a dense growth of tussock grass (*Poa flabellata*). About half the total area of the island is covered by this vegetation. The landing party in 1962 reported that in a few places, where the tussock was lower and more open and the ground dumper, there were other plants in association and one species of umbellifer, one composite, and a "small blue flower" were mentioned. No specimens were collected.

## Bird Life

From investigations carried out by the author, Beauchene Island is the most important breeding ground for the species Phalcobaenus australis in the Falkland archipelago, about 350 of this species being estimated during a visit made to the island in December 1964 and 1965.

The island is also the breeding ground for an enormous mixed colony of Black-browed albatross and Rockhopper penguins, exceeding in size any other albatross colony known to the author in the Falkland Islands. The breeding area extends some 3.2 kilometres along the West coast and is about 400 metres in width, with approximately one albatross nest per square metre. Rockhopper penguins nest between the albatrosses, at a density of about 2 or 3 nests per square metre. In the field it was estimated that there must be at least 3 million nests of the two species in the colony and calculation made from the figures given, together with aerial photographs positioning the colony, is in general agreement in suggesting about 1,250,000 albatross and 2,500,000 rockhopper penguins.

The following is a list of birds known from the island, with estimates of status and abundance.

### (a) Breeding species

Gentoo Penguin	<i>Fygoscelis papua</i>	About 400 pairs
Rockhopper Penguin	<i>Eudyptes creatatus</i>	Very abundant
Black-browed albatross	<i>Diomedea melanophrys</i>	Very abundant
King Shag	<i>Phalacrocorax albiventer</i>	Common
Rock Shag	<i>Phalacrocorax magellanicus</i>	Infrequent
Johnny Rook	<i>Phalcobaenus australis</i>	About 350 birds
Yellow-billed Teal	<i>Anas flavirostris</i>	Very few
Tussock Bird	<i>Cinclodes antarcticus</i>	Common
Magellan Penguin	<i>Spheniscus magellanicus</i>	Infrequent
Giant Petrel	<i>Macronectes giganteus</i>	Very few

Beauchene Island (Contd.)

(b) Possible breeders

Dolphin Gull	Leucophaeus scoresbil	Very few birds
Cobb's Wren	Troglodytes musculus cobbii	Very few birds
Dominican Gull	Larus dominicanus	Very few birds
Chiloe Widgeon	Anas sibilatrix	Uncommon
Saunder's Penguin	Nudyptes chrysolophus	Uncommon
Siskin	Spinus barbatus	Uncommon
Milsons Petrel	Oceanites oceanicus	Frequent (in one area at night)

(c) Other species recorded on or above land.

Turkey Vulture	Cathartes aura jota
Shearbill	Chionis alba
American Barn Swallow	Hirundo sp sp rustica

Other animals

Seal

It is clear that Beauchene Island is far less important as a breeding ground for both Fur Seal (*Anctocephalus australis*) and Sea Lions (*Otaria byronia*) than has been thought in the past. The former species not being found on the island during visits made in 1962, 1963, 1964 and 1965 and only moderate numbers of Sea Lion observed during these visits.

## Areas of Special Interest

### Proposed Reserves

There still remain several islands and small areas of the mainland which are suitable as reserves and are of considerable value in the conservation of natural habitats and wild life in the Falkland Islands. Such areas have been carefully chosen for their undisturbed condition and for the fauna known to inhabit such areas. To the sheep-raising industry, the areas in question are of no economical interest, either being of too small an acreage or, more usually, because of their comparative inaccessibility. These points are made evident by the fact that such areas still remain unstocked after 125 years of sheep-ranching in the Falklands.

### Private Property

Although it has been stated in Section I of the Memorandum that there is not a general interest in wild life conservation in the islands, there is, however, a very small nucleus of land-owners who are greatly interested in such matters. These areas of private property, amounting to 7,882 acres in the form of two islands in the North West Falklands (West Point Island and Sarcass Island), although stocked, are managed with all attention being given to the conservation of the wild life and their natural habitats. In effect, such areas have status as both Sanctuaries and Reserves.

Bird Island. South-West Falklands

Bird Island is crown property, and under the provisions of the Seal Fishery (Consolidation) Ordinance of 1921 is listed as a Seal Reserve giving protection to the small rookery of Fur Seal (*Arctocephalus australis*), which is situated on the island.

The island has for some time been recognised by persons interested in wild life conservation as a particularly interesting and valuable island and suggestions have been made to Government that the island could be an important nature reserve.

Bird Island lies approximately 4½ kilometres from the West Falkland mainland in the Port Stephens area, the position of the island being 52°10'S 60°55'W.

The island covers an area of about 1,2522 sq. kilometres, 305 acres, calculated from base measurements. In describing the island's topographical features, it could be said that the island has three main promontories radiating almost geometrically from a central position, marked by a fairly large fresh water pond. The pond also marks the lowest point on the island being about 5 metres above sea level.

One of the promontories faces North, the whole area forming a hill with gently inclined sides, and rising to a height of about 70 metres above sea level. To the South-East the second promontory rises from the central point of the island with a more severe gradient to an approximate height of 112 metres above sea level. So severe are the slopes of this promontory that large areas are devoid of vegetation and covered instead with loose, rocky debris. The remaining and largest promontory consists of a relatively flat area which rises gently from the centre of the island and from the North-West coasts to a height of about 48 metres on the South coast where it drops in vertical cliffs to a littoral zone consisting of flat rocky shelving at sea level. Taken in section the whole area would resemble a gradually inclined wedge.

Except for a small boulder beach on the North-East side of the island, and a small area of horizontally layered rock to the North-West, which forms a gradual rise from the sea level to the tussock line, a larger proportion of the coast is composed of vertical or overhanging cliffs which vary in height

### Bird Island (Contd.)

between 10 and 48 metres. On the South coast in particular, deep fissures cut into the island, and a number of shallow caves have been formed by overhanging cliffs and rock shelves.

### Vegetation

Tussac grass (*Poa flabellata*) covers a large proportion of the island. Nothing is known of other forms of vegetation on the island. There are no records to indicate that the island has been stocked.

### Wild life

#### Birds (Species of special interest)

Although a more detailed survey has yet to be made of Bird Island, the few recorded visits to the island have established that the following species are breeding there.

Black-browed albatross	<i>Diomedea melanophrys</i>
Rockhopper penguin	<i>Sudyptes crestatus</i>
Gentoo penguin	<i>Pygoscelis papua</i>
Johnny Rook	<i>Phalacrocorax australis</i>
Falkland diving petrel	<i>Pelecanoides urinatrix berard</i>
King Shag	<i>Phalacrocorax atriceps albiventer</i>
Cobb's Wren	<i>Troglodytes musculus cobbii</i>

### Seal

Both species of Otarial seal are found breeding on the island.

The Fur Seal (*Arctocephalus australis*) has for many years been known to inhabit the coastal areas of the island but in no great numbers. The results of the 1965 aerial survey of seal colonies in the Falklands show between 150 - 200 Fur seal and a very small colony of approximately 40 Sea Lion (*Otaria byronia*).

Sea Dog Island. South West Falklands.

Sea Dog Island is Crown property and on the completion of a more detailed survey of the fauna and flora of this hitherto untouched islet, proposals may be forwarded to Government indicating the possibilities of this island being made into a Nature Reserve.

Sea Dog Island lies approximately 1 kilometre off Cape Orford the most southwest point of the West Falkland mainland, the position of the island is approximately 52°00'S by 61°06'W.

Covering an area of 310,000 sq. metres, 76.8 acres, the island conforms to no particular shape. The main topographical feature of the island is the south coast which is composed of almost vertical cliffs some 16 metres in height. At the base of the cliffs areas of flat rock form the littoral zone on a level with the high water mark.

Vegetation

Except for a dense covering of Tussac grass (*Poa flabellata*) which covers about 90% of the island's surface, nothing further is known about the vegetation on this island.

Wild life

There are no recorded visits to the island limiting information on wild life of the island to the results of aerial surveys which have been made. Although the aerial surveys indicate the island as being an important habitat for several important species, at present it can only be stated that the island is an established breeding ground for the Sea Lion (*Otaria byronis*).

## Discussion

Considerable steps have been made towards conservation with the passing of an Ordinance to allow for the establishment of Nature Reserves and the amendment of the Wild Animals and Birds Protection Ordinance which permits the establishment of sanctuaries, giving more effective protection to both breeding and other species of wild life.

Following these moves, Government set aside two islands as Nature Reserves (Kidney Island and Cochoy Island). Soon after, three privately-owned islands were submitted for sanctuary status (The Twins and Low Island), together with one other Crown island (Seauchans Island). More recently, notice has been given that a further ten islands, islets and rocks are to be given Sanctuary status and one more Reserve is to be made (Flat Jason).

The total calculated area will shortly stand at 4.0506 square kilometers, 1591.1 acres for areas with Reserve status and the total Sanctuary area will be 12.8006 square kilometers, 3156.8 acres.

Stocking and unrestricted grazing by sheep is permitted within the Sanctuaries and the larger islands are faced with this great danger. Fortunately, however, some islands are considered to be far too small to be economically stocked and others are either inaccessible or are devoid of vegetation.

It is the general practice on many of the off-shore tussac islands, which are generally too inaccessible for regular visits, for stock to be placed on them unattended for long periods. In some cases visits are made only once or twice yearly, when shearing and dipping take place. The natural vegetation of such islands is usually tussac grass, which is known to be extremely vulnerable to grazing by sheep, especially at certain times of the year. Therefore, with this method of farming, the tussac grass can be killed out completely in a very short space of time.

Six hundred acres is, very roughly, an average size for the islands in question and it is calculated that such an island, stocked with an economical number of sheep (about 300 - 400) could be eaten out within five years. It is uneconomical for such islands to be fenced or settled permanently, or for stock to be removed at certain times of the year. The previously-mentioned practice must therefore continue even though it is what can only be termed a short-sighted method of farming.

With the removal of the natural vegetation, the wild life on these islands very quickly disappears, especially those species which rely directly on the tussac for nesting or as a food source. The former humus-rich top-soil quickly dries out and becomes extremely vulnerable to the actions of wind and rain. The results are only too obvious because of the large proportion of islands which are now virtually barren.

In the eyes of the conservationist, Sanctuary status for those islands with hitherto untouched growths of tussac is considered to have very limited value. In effect, wild life is protected from the man with the gun, although the man with stock is a more permanent and, therefore, a far greater danger. In the case of those very small islands and islets which are of little or no value to the sheep industry, Sanctuary status is satisfactory, especially where there is also a lack of natural vegetation. Sanctuary status is also adequate for those small, privately-owned islands which the owners consider should be protected, but at the same time prefer to retain the right to stock with a limited number of cattle.

Of the 12,800 square kilometers which will shortly represent the total area of Sanctuary land, 6,670 square kilometers are to be leased by Government for sheep-raising. The land in question is composed of two of the largest islands in the Jason group - Elephant and South Jason. Both represent fine areas of tussac, comparatively untouched by man's activities. If they are to be stocked as it is proposed, then ideally they should be settled and extensively fenced for the benefit of man, stock and wild life. However, by virtue of their very position and terrain, these practices are almost impossible, leaving the other method of "farming" mentioned earlier.

It is felt that very serious consideration should be given to the future conservation of such islands before they are leased. It is suggested that, when proposals are made for leasing such land, a very detailed survey should be made of the state of the natural vegetation and wild life. The land should only be leased if it can be correctly farmed, using fencing and limited numbers of sheep which, while remaining economical, will not endanger the natural vegetation.

Land with Reserve status will shortly amount to 4,0506 square kilometers, (1,001.1 acres) in the form of two small islands of 75,000 square metres (19.5 acres) and 345,000 square metres (73 acres) respectively and one island of 3,6356 square kilometers (911 acres).

The most important natural vegetation in the Falklands is tussock grass (*Poa flabellata*) which grows in coastal areas and on off-shore islands, forming habitats which support a large number of the Islands' different species of wild life.

Although a few farms see the potential value of this natural vegetation, and continue to re-plant areas of their coastlines with it, most farmers are interested in it only as initial grazing for their sheep and once it has been eaten-out then other grasses are used. This is probably because the replacement of the grass requires a considerable amount of hard labour and is a tedious occupation. Also there must be patient waiting over some years before results can be seen. Those farms which have re-planted it, however, are discovering that tussock affords valuable shelter and feed to stock when they are correctly controlled.

Perhaps of even greater importance is the fact that tussock can control coastal erosion, which is now a major concern with some farms following the disappearance of this grass. In many areas the Magellanic manakin (*Spizococcus magellanicus*) is being blamed for causing coastal erosion and, in one area, the Thin-billed prion (*Pachyptila belcheri*) is blamed. With the present condition of the land this is probably correct, but it certainly does not occur where the species in question nest in belts of tussock grass. In environments such as this, plant and animal benefit each other for the further benefit of man, his stock and the land.

A balance has not been maintained between areas of tussock being planted and those being destroyed and although the decline was apparently gradual over the years, it has now reached the stage whereby there is such a comparatively low acreage of tussock left that the rate of decline is greater. By the acquisition of certain tussock islands for Reserves, steps have been started to safeguard these natural habitats, but it is considered that the balance between survival and destruction is still too fine and efforts will have to continue on a considerable scale to acquire more land as Reserves so that much of the wild life of the Falklands can be retained for the future.

#### Conclusion

The first steps have been made towards conservation in the Falkland Islands by the passing of the Nature Reserves Ordinance and by amendments to the Wild Life Protection Ordinance which now gives a ruling on Sanctuaries.

The values of both Sanctuaries and Reserves have been indicated and it has been shown that there has, to date, been a greater tendency towards the establishment of Sanctuaries rather than the more desirable Reserves. The value of Sanctuary status on the present ruling is greatly limited because it still allows short-term methods of stocking of valuable areas. This system is directly opposed to the conservation of wild life because it destroys the natural vegetation and therefore the natural habitats of certain species.

The preservation of tussock grass must be our first consideration if the wild life is to be retained. Proposals are that greater areas of this natural vegetation should be placed under the protection of the Reserves Ordinance and that farming inside the sanctuaries should be firmly controlled so that unrestricted grazing will not be allowed.

Recommendations are that:

- A. More tussock islands should be given Reserve status, especially islands which are known to be previously untouched by man's activities; areas known to hold important species, and islands or areas which could only show a short-term gain from stocking.
- B. Areas under Sanctuary status should be firmly controlled so that the natural vegetation is protected from the common methods of unrestricted grazing. This would apply to Government-owned Sanctuaries which are leased and recommendations would also be made to private landowners to this effect.

APPENDIX IX

A. BREEDING SPECIES

1	King penguin	<i>Aptenodytes patagonica</i>
2	Gentoo penguin	<i>Pygoscelis papua</i>
3	Rockhopper penguin	<i>Eudyptes crestatus</i>
4	Macaroni penguin	<i>Eudyptes chrysolophus</i>
5	Magellan (Jackass) penguin	<i>Spheniscus magellanicus</i>
6	Holland's Grebe	* <i>Podiceps rolland</i>
7	Silver Grebe	<i>Podiceps occipitalis</i>
8	Black-browed Albatross	<i>Diomedea melanophrys</i>
9	Giant Petrel	<i>Macronectes giganteus</i>
10	Thin-billed (Belcher's) Prion	<i>Pachyptila belcheri</i>
11	White-chinned Petrel (Shoemaker)	<i>Procellaria aequinoctialis</i>
12	Sooty Shearwater	<i>Procellaria griseus</i>
13	Wilson's Petrel	<i>Oceanites oceanicus</i>
14	Grey-backed Storm-Petrel	<i>Garrodia nereis</i>
15	Falkland Diving Petrel	* <i>Pelecanoides urinatrix berard</i>
16	Rock Shag	<i>Phalacrocorax magellanicus</i>
17	King Shag	<i>Phalacrocorax atriceps albiventer</i>
18	Night Heron	* <i>Nycticorax n. cyanocephalus</i>
19	F.I. (Brent) Goose	<i>Chloephaga rubidiceps</i>
20	Upland Goose	* <i>Chloephaga magellanica</i>
21	Ashy-headed Goose	<i>Chloephaga poliocephala</i>
22	Kelp Goose	* <i>Chloephaga hybrida malvinarum</i>
23	Black-necked Swan	<i>Cygnus melanocoryphus</i>
24	Crested (Grey) Duck	<i>Anas cristata</i>
25	Cinnamon Teal	<i>Anas cyanoptera</i>
26	Chiloe Wigeon	<i>Anas sibilatrix</i>
27	Yellow-billed (Common) Teal	<i>Anas flavirostris</i>
28	Brown Pintail (Grey Teal)	<i>Anas spinicauda</i>
29	Pampa Teal	<i>Anas versicolor</i>
30	Logger (Flightless Steamer) Duck	* <i>Tachyeres brachypterus</i>
31	Flying Steamer Duck	<i>Tachyeres patagonicus</i>
32	Turkey-Vulture	<i>Cathartes aura jota</i>
33	Johnny Rook (Caracara)	<i>Falco baenensis australis</i>
34	Carancho	<i>Caracara p. plancus</i>
35	Cassin's Falcon	<i>Falco peregrinus cassini</i>
36	Red-backed Buzzard	<i>Buteo polyosoma</i>
37	Lied (Fuegian) Oystercatcher	<i>Haematopus leucopodus</i>
38	Black Oystercatcher	<i>Haematopus ater</i>
39	Falkland Island Plover	<i>Charadrius falklandicus</i>
40	Winter Plover (Dotterel)	<i>Zonibyx modestus</i>
41	Paraguayan Snipe	<i>Capella paraguaiensis</i>
42	Strickland's Snipe	<i>Capella stricklandi</i>
43	Common Seed-Snipe	<i>Thinocorus rumicivorus</i>
44	South American Tern	<i>Sterna hirundinacea</i>
45	Pink-breasted Gull	<i>Larus ridibundus maculipennis</i>
46	Dominican Gull	<i>Larus marinus dominicanus</i>
47	Magellan (Dolphin) Gull	<i>Leucophaeus scoresbii</i>
48	Falkland Skua	* <i>Stercorarius skua</i>
49	Short-eared Owl	* <i>Asio flammeus sanfordi</i>
50	Red-footed Owl	<i>Strix rufipes</i>
51	Barn Owl	<i>Tyto alba tuidara</i>
52	Tussac-bird	* <i>Cinclodes antarcticus</i>
53	Garnot's Ground-Tyrant	* <i>Muscisaxicola m. macloviana</i>
54	Grass-Wren	* <i>Cisticolus platensis hornensis</i>
55	Cobb's Wren	* <i>Troglodytes musculus cobbi</i>
56	Falkland Thrush	* <i>Turdus f. falklandii</i>
57	Falkland Pipit	* <i>Anthus correndora grayi</i>
58	Military Starling	* <i>Pezites militaris falklandicus</i>
59	Biskin	<i>Carduelis barbatus</i>
60	Black-throated Finch	* <i>Melanodera m. melanodera</i>
61	House Sparrow	<i>Passer domesticus</i>
62	Mallard (introduced 1930's)	<i>Anas platyrhynchos</i>

\* = Falkland Races. Considered by many authorities to be racially distinct from species on the South American mainland.

## APPENDIX VIII

### NATURE RESERVES ORDINANCE 1964

The ordinance to make provision for the establishment and control of Nature Reserves was passed by the Legislature of the Colony of the Falkland Islands on the 27th May, 1964.

The following, details the more important sections of the Ordinance.

#### Part I - General

##### Interpretation

In this Ordinance "nature reserve" means land reserved for the purpose of protecting, and of providing, under suitable conditions and control, special opportunities for the study of, and research into, matters relating to the flora and fauna of the Colony.

##### Declaration

The Governor may by Order in Council declare any area of Crown Land, or with the consent of the owner, any area of private land to be a nature reserve, and may in like manner alter the limits of any such area or cancel any such declaration. Provided that in every case of land in private ownership thirty clear days' notice shall be given in the Gazette to enable objections to the establishment of every such nature reserve to be lodged with the Governor.

##### Control

- (1) The Governor in Council may make regulations for the control and administration of nature reserves so declared.
- (2) In particular and without prejudice to the generality of the power conferred by subsection (1) of this section, such regulations may provide:-
  - (a) for the restriction and control of camping and residence in, entry into and movement within the nature reserves;
  - (b) for the prohibition, restriction and control of the possession and use of weapons, snares, traps, gins and nets;
  - (c) for the prohibition, restriction and control of the burning and cutting of vegetation.

##### Prohibition on hunting

No person shall at any time, shoot, or attempt to shoot, or take or attempt to take or kill any wild animal or wild bird in any nature reserve or collect or attempt to collect therein the eggs of any wild bird.

Provided that the Governor, may, if he considers it desirable, give permission in writing to any person to kill or take under his direction any wild animals or wild birds or the eggs of any wild bird specified by him.

WILD ANIMALS AND BIRDS PROTECTION

Ordinance

Amendments were made to the above ordinance and were passed by the Legislature of the Colony of the Falkland Islands on the 30th October, 1964.

Under Section 4 of the Ordinance provision was made for the establishment of animal and bird sanctuaries and is detailed as follows:-

Section 4

Wild Animals and Birds Protection Ordinance  
Establishment of animal and bird Sanctuaries

The Governor in Council may by order declare any Crown land or Colonial waters, or with the consent of the owner or lessee, any private land, to be a wild animal or bird sanctuary, and may with respect to any area specified in such order provide for all or any of the following matters, that is to say:-

- (a) that any person who, within that area, at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against this Ordinance;
- (b) that any person who, save as may be authorised by a licence granted under this Ordinance or any regulation made thereunder, enters into that area during any period specified in the order shall be guilty of an offence against this Ordinance;
- (c) that any person who introduces into that area any domestic or carnivorous animal shall be guilty of an offence against this Ordinance;
- (d) that where any offence against this Ordinance, or any such offence against this Ordinance as may be specified in the order, is committed within that area, the offender shall be liable to a fine not exceeding forty pounds.

See Vol. III for a later list

WILD ANIMAL AND BIRD SANCTUARIES.

Middle Island, King George Bay	Order 4/66
Beauchene Island	Order 4/64
Low Island near Carcass Island	Order 3/64
The Twins near Carcass Island	Order 2/64
Elephant Jason Island & adjacent islets )	
South Jason Island & adjacent islet )	
North Fur Islands )	
South Fur Islands )	Order 3/66
Jason East Cay & adjacent islets )	
Jason West Cay )	
The Fridays )	
White Rock & Seal Rocks (Jason Group) )	

NATURE RESERVES

Kidney Island )		
Cochon Island )		Order 1/64
Flat Jason Island		Order 2/66

See file at bc of 1099/17

8/2/67