

FIS/10/1

NAT/FAU/4#10

FIS/10/1
v.2

Wild Animal and Bird
Protection

ARCHIVE

B.A.5. / 7

SUBJECT:

COURT OF
ENQUIRY

B.A.5. /

7

Chetty

(35)

Typist

M/ make 2 copies of R257

(36)

YE *29 Jan*

YE wishes to follow up

X/ of R254?

16/1

(37)

RD B/u 20 Feb 1974

[Signature]

16/1

(38)

YE

There are two letters in the file R 261 & R 260 which YE writes to refer to. We should also perhaps discuss the extraordinary campaign by Dr Turner the BAS without assets on Bird Island.

16/2

(39)

C S

1. The letter at Page 261 crossed my letter on Page 253 which I consider adequately covers the position, and the next move is up to Mr Reinauer.
2. In regard to David Hall's letter at Page 260, I will have a word with Ian Strange tomorrow, but, here again, my earlier letter at Page ~~251~~ ²⁴⁸ seems to cover the position.
3. We will have to do something about Dr Turner, the BAS ornithologist, who is writing to international organisations about the conservation policy in the Falkland Islands. Also, I find it extraordinary that Peter Scott is forwarding these complaints to the Falkland Islands Company instead of to you or myself. Be that as

it

(39)

contd:

it may, I will have a talk with Dr Laws on his return to make certain that BAS personnel keep their mouths shut when it concerns policies which affect us internationally. We have enough trouble already from the Press and the Argentines without help being given to it from our own scientists.

4. In regard to Mitchell's letter at Page 262, most of the allegations appear to be pure hearsay, but we will have to pay attention to them, particularly the one about the Marines shooting off at the end of the bay: this letter ties in with the letter from the MOD at Page 256. Also, when the next attachment of Marines arrives here, I want to make quite certain that the OC and all his men understand the importance of wild-life preservation in the Islands.

EGL

E G Lewis
7 February 1974

(40)

Bu 1/4

YE
y/ of yours (39) submitted pl.

RTH
2/4/74

(41)

B/S
I thank you: Arthur Cohen

EGL
2/4/74

(42)

SK

Bu 10/5/74 (273)

YE *MA* 24/4/

YE will with L only to R 274? Although
Florence has had a go at there, or - Bennett may
have some observation.

23/4

D. L. L. /

P 274. Please ask Mr Bennett to look at
 the paper and then bring up the same by
 the end of the week.

M. J.
 24/4/72

(44)

RSC

As in (43) pl ~~the~~
 24.4.72

Brief Sec., M. J. 4/5

1. Section 2. The words "and any Orders or Regulations made hereunder" should be deleted as Ordinance includes subsidiary legislation.
2. Section 3. Delete "wilfully". Its inclusion does not make reasonable reading as the section stands. ?
3. Section 6. Add marginal note "Permits to collect mammals, birds or plants."
4. Section 7. Add marginal note "Permit to enter Specially Protected Area etc."
5. Section 8. Add marginal note "Permit to bring into the Dependencies animals plants etc;"
 There is no provision in the Ordinance prohibiting the introduction of birds without authority.
6. Section 9. Although the Director of BAS is probably the best person to fill this appointment he is an officer of another territory (B.A.T.).
 I think it would be sufficient for the resident Magistrate to exercise such powers and if necessary refer the matter to the Governor before doing so.
 Alternatively 9(a) could refer to a fit and proper person ✓

and Mr. Laws could be appointed also the Magistrate in person.

7 Section 10. Delete "such" where that word first occurs.

8 Sections 12-13 I think sections 12 and 13 should be subsections of sec 11. Marginal note "Report by person issuing permits".

9 Section 14(2) The words "by order" should be inserted immediately before "designate".

10 Section 15(2) The words "by order" should be inserted immediately before "designate".

11 Section 19. Delete "Orders or" from section and marginal note. Authority should be given in sections 14(2) and 15(2). See 9 and 10 above.

12 Promulgation clause to be added after sec 20.

J.P.B.
30. IV. 74.

Chief Sec.,

The following are my further observations:

1. Section 8. The word "bird" should be inserted immediately after "living".

2. Section 16(2) The words "by order" should be inserted immediately before "designate".

3. Sections 14(2) R 274 r 3 ref to section 18. "It is proposed that Orders will be required for any later additions to the three Schedules." If this method of amendment to Schedules is to be carried out the sections must specifically state so.

4 Schedules Schedules should refer to sections:

" Schedule A Section 14

" Schedule B Section 15

Schedule C Section 16"

5. Fines

I think the fines should remain at £150.

6.

The eggs of birds are not protected under the proposed Ordinance.

J.P.B.
2. V. 74.

B.V. 74. 35/8

B/V 24 AUGUST 74
B/V 4 SEP 74

1. Would you please see Page 290, which I consider to be a satisfactory outcome following our letter of 14 May.

2. If you agree, this Legislation can now be put to Executive Council and I hope passed at the next meeting of the Legislative Council in November.

E. G. Lewis
E G Lewis
29 August 1974

2. E

Page 290 seen K. Y.

2. Personally I prefer the alternative to section 9.

3. Laws for the Dependencies are enacted by the Governor, Pl. see article 10 of the Letters Patent REL Vol II n 7.

J.P.B.
2.18.74.

A C S

48

1. Even though I have the power to enact laws for the Dependencies, I consider the Executive Council should be told what I intend to do.

2. Therefore, will you please draft a short memorandum for the next meeting of Exco mentioning that this Legislation has now been cleared with our experts in London and that it is my intention to enact it before the end of the year. You may add that this Legislation may will act as a model for amendments which we may wish to introduce to the Colony's Legislation.

E. G. Lewis
E G Lewis
2 September
1974

49

*your dividend at 48 above. Draft at (306).
(305) is also for attention.*

50

CS
3.10.74.

61P / R. J. M. /

4/10/74

(As sent)

MRS Booth

50

Note (309) for Draft.

Her minute is up for Exco.

Jan 10.

A/S

51

Note above.

S.B. 14/10

52.

C.S.

Notes, thank you.

§

14. 10. 74.

By S. H. 74.

(Exco)

53

RC (311)

What is legal per pl.

§ 4. 11.

54

C.S.

The eggs of wild birds are not protected in any way except those of penguins and albatrosses (28. D.B.P.O sec 10) and eggs of wild birds in nature reserves which are: Midway Island, Canton Island, Bird Island and the Crown Jason Islands (N.R. Ord. sec 5).

38. B.
5. 81. 74.

56

RC 311 & 54. Pl. reply as at 54 in draft. He did not, of course, call them.

§ 11. 11. 74.

57

cf. 18/11/74

Draft reply to Mr Hamadine as requested sfc

13.11

58

R.S.C.,

The Governor intends to enact the Deps Ordinance at centre as soon as possible, but he has asked me to get you to have a look over the draft to see that all is in order. Would you kindly do so pl? I wonder if we need the words "in Council" at the end of the Regulations? As a matter of fact the Regs did go to Exco last week. The Orders attached are in fact only examples I think, to be used ~~perhaps~~ as required.

for C.S.
18.11.74.

B.S.

I amended the galley proof before I came across the revised version of the draft Ordinance. As a result the new definition of animal is not that given in the revised version nor is section 11 in the form given in the revised version but I prefer the form in the galley proof.

2. The revised version could not be relied upon on account of omissions and now deletions.

3. I think the words "of species which are not indigenous to the region" appearing in sections 3(d) and 8 should be deleted and the words "any species" substituted therefor. As the sections stand it is not an offence to take into the Dependencies "any living animal, plant, virus, bacteria, yeast or fungus" indigenous to the region although the animal, plant etc may have been kept in some other land.

4. I have also amended the Regulations as it is the Governor who has the authority not the Governor in Council.

5. The Regulations should not be made before the Ordinance is enacted.

6. The 3 Orders are only specimens and are not required at present. In any case they need to be recast as again it is the Governor who has the authority and not the Governor in Council.

B.S.
19.11.74.

~~60~~ 60

DSC
It may be that your ins/index at
(312) has been done.

Then pt. pass to RSC for 59

31
22/11

61
Noted RSC
26.11.74

62

A.S.

As above pl

RSC
26.11.74

63.

C.S.

The various suggested modifications to the Ordinance have now been incorporated in the proof at centre pt. including those made in the telegram at p. 314.

Only two matters now outstanding, namely -

- i. a decision regarding RSC's suggestion at para 3 of minute 59; and
- ii. action on Nigel Bonner's telegram at p. 313.

8

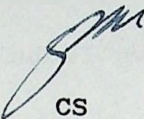
2.12.74.

64

RSC

Ref. 314

Please may I have your advice on whether there is any need to take action as suggested by Bonner. It seems to me a rather minor point but it might be worth taking a look at.


CS
5.12.74

65

RSC

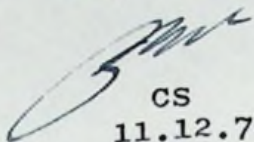
I had a long chat with Bonner, Head of Life Sciences with BAS. He makes the following points on the Ordinance at 301.

1. While there is a definition of "native plants" there is no definition of "plants". I see his point. Perhaps we should tidy this up. We could, I think, leave out the word "native" in "native plant" in section 2 without destroying the meaning. Then in 3b when we refer to "native plant" the word "native" needs no explanation.
2. There is no provision to kill or wound a native mammal or native bird or to destroy any native plant where this is on a limited scale or is incidental to another act. The point here is that it may at times be necessary to catch rare species for scientific purposes.
3. Similarly there is no provision for taking into care animals etc. which have been wounded.
4. At Section 6 Bonner makes the point that 2a is unnecessary as it is covered by 2d. I am inclined to agree with him.
5. There is no provision for dispatching animals on compassionate grounds because they are wounded.
6. At Section 9 Bonner makes the point that permits should be personal but I am not sure that I agree with him here. I don't disagree that they should be personal. but I think the Section already provides for this.
7. Section 12 - Bonner's considered view is that 2c is not necessary on conservation grounds.
8. Section 12.3 - Bonner feels this can be tidied up and I am inclined to agree with him. There seems no need for sub-section 4. If we delete the words after "except" in sub-section 3 and then let it run on to subsection 4 commencing with the word "for" and deleting all after "this way" I think we achieve exactly the same purpose but in a simpler way.
9. A similar criticism can be made, I think, of section 13, which I have amended in pencil to tighten up

10. At Section 19 it seems that we ought to think also about repealing and/or replacing the Sealing Ordinance which was saved by Chapter 1 (DS)

2. Some of these are fairly substantive amendments to the Ordinance and as H.E. intends to enact legislation with effect from 1 January your opinion may be that it would be better to let it stand and amend it later.

3. On return I shall submit to H.E.

66  CS
11.12.74

C. S.

To satisfy all the amendments suggested by Nigel Bonner to an Ordinance due to come into operation on 1st Jan leaves little time for the printer to re-set the proof.

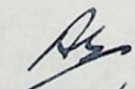
2. It is a pity Nigel Bonner was not invited to join the original draftsmen Dick Sawo and Brian Roberts.

3. In any case I think a copy of the suggested substantive amendments should be sent to the original draftsmen.

4. I also feel that amphibious marine mammals (seals) should not be included in the Ordinance as they are adequately protected under the Seal Fishing Ordinance which gives certain powers to sealing officers, provides for the creation of seal reserves and controls the use of sealing vessels.

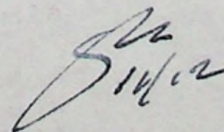
89.B.
11. XII. 74.

67



1. v. o. RSC's 66 & H.E.'s down to enact asap
Will you kindly look up the draft Ordinance -
It seems not to be on this file - and b/s together
w. a recent minute of mind to RSC about the
method of making DS legislation.

68

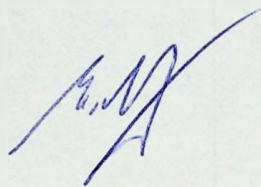
 14/12

C.S.

R.S.C.

I think Mr Bonner is trying to be far too precise and in any case I do not agree with many of his suggested amendments. The main thing is that we give overall protection to the Islands, and quickly, before the tourist ships start flooding south and west to South Georgia. If Mr Bonner wants to do a major re-drafting job on the Ordinance he can discuss it with Dr Laws his Director (incidentally his immediate predecessor) and then agreed amendments can be considered if necessary.

2. At the moment, I am prepared to go along with the FCO telegram on page 315 and the Ordinance should be prepared accordingly as I wish to sign it before I leave.



3rd January, 1975

E G Lewis

R.S.C.

R. see HE's minute above.

We now have the galley proof fanned
for signing?



3. 1. 75.

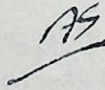
B.S.

See E.G.

B.S.

6.1.75.

71



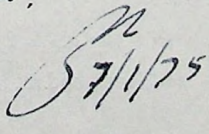
71. 69

70 pl.

Original draft

w/o Bonner's amendments.

72



note: Proof passed to H. Pinter today.

8.1.75.

See 16.1.75

73.

C.S.,

Four copies of Deps Ordinance DS 1/75 and two copies of the Regulations made under it submitted at centre for signatures, pl.


17.1.75

74

OK signed. What about Regulations!

27/1

75.

C.S.

The Regulations (two copies) are also at centre pl. However, Mr Lewis did not sign before he left and perhaps the easiest way to regularise the matter would be for the printer to run the first page of the Ordinance and the Regulations again, dating them 1st February, and asking it to sign?


30. 1. 75

76.

R.S.C.,

Please see my minute 75 above. Is there any other way in which the matter could be regularised pl? Spares of the Legislation and the January Gazette have been run off (though not issued) showing that Mr Lewis signed the Ordinance and we would like if possible to save wasting the paper. However, I rather think a re-run is the only answer.


7.2.75

77
C.S.,

It the Ordinance was made on the 17th January 1975 or before the 20th Jan Lewis. On the other hand if it is to be made after the 17th Feb 1975 it must bear S.P. E's signature as the date of commencement altered accordingly.
2. The same applies to the Regulations.

S.P.B.

7. ii. 75.

78

79

I'm afraid we have no choice other than
x/ of 77

10/2/75
79

By 20.2.75

(11/11 - reprint Ord.
from printer)

C.S.,

Four copies of Deps Ordinance No. DS1/75 (as re-printed) together with two copies of Regulations 1/75 made under the Ordinance (also re-printed) submitted at centre for signature pl. (by HE and you).

18.2.75

80

H.E.

Y.E.

Ref 79 and all minutes back to 58.

This is an Ordinance which YE has authority to enact for the Dependencies without consultation with Council.

2. It has been approved by experts in London (folio 290) and has been drawn to the attention of Executive Councillors for information (310). It was Mr Lewis's intention to enact it before he left but you will note that although it was printed, there was slippage. I must confess that I was under the impression that Mr Lewis had in fact signed a fair copy but I have proved

to be wrong. We have therefore had to have the Ordinance reprinted for YE's signature together with Regulations made under the Ordinance also for your signature.

3. In preparing legislation we were guided almost entirely by the top men of BAS and you will note at Minute 65 that Bonner, a senior scientist with BAS, saw me in December and wanted amendments made to the law, but that these proposed amendments were not proceeded with because HE wanted the legislation enacted quickly, and also because (although the file does not show this) Bonner was ~~shortly~~ over-ruled by Dr Laws in London.

AJP Monk
19.2.75

81

YE 18/12/74

Does not seem to have been sent 80
It is planned to sign?

34/3

82

6.8

1. Let's sign the
Amending Ordinance as advised

Please make every effort to impress
on all concerned that I do
not want to see delays of the
kind which occurred in submitting
(80) to me. Too many jobs & letters
seem to go astray.

83

5/3

YE 82 Notes for return. It is also advised to sign
the Regulations at once.

34/3

By 18.3.75.

84.

(printed copies of (322))

C.S.,

Legislation (2 authenticated copies & 10 printed copies) is sent to London for signification of non-disallowance under a short standard despatch (see p. 327 in LEG/10/1 attached) - a brief statement of objects and reasons accompany the despatch (see p. 327a in that file). Sometimes, however, the despatch is expanded to include details of the background (as in Estimates despatches).

The recently promulgated Dependencies Ordinance relating to the conservation of wild animals and birds is now to be forwarded to S/S pl.

B.

17.3.75

86

AS
84

To S/S. Sending std pl. drawn on §2 of (274). Can this file pl. be cannibalised & only pp relating to this Ord & Regs left on it, other pp being re-filed?

(320) answers & reply.

86

B
18/3

CS

86

SEAL POINT (PORT HARRIET) RESERVE

1. I note from the Guide to Stanley that Seal Point at Port Harriet is designated as a reserve where "two kinds of penguins, as well as seals and a mass of birds may be seen".
2. At the time the pamphlet was compiled and until recently the area was owned by the Falkland Islands Company but I understand that the land has recently been sold to a Mr Hills(?) I have also heard that Mr Hills has indicated that he is not prepared to grant permission to visitors to the area.
3. I should be grateful for any information you may have about this and for your advice since I recently visited the reserve and found it one of the most interesting areas in the vicinity of Stanley. It would be a great pity if it were to be closed to visitors.

(Signature)

(N A I French)

24 March 1975

87

II
DES

P. investigations report back.

B2513

III

C.S.

88

The land in question has not been sold to Hills but negotiations are proceeding for the lease to Hills as from the 1st May 1975, but this is subject to the FIC retaining holding land for their butchery.

Mr Hills says that his first concern will be his business of farming with beef cattle and sheep. He will be running ewes on his new farm and no one will be permitted through his Camp for 6-8 weeks at lambing time.

He says it is a bit early yet to make a firm decision on visitors to the area but visitors damage gates and fences and no one will be allowed on his farm without obtaining permission and giving the reason for their visit. This is the system he operates with his Sparrow Cove farm.

He points out that previously there were no ewes in that area and visitors did not prove a problem.

Inconsistent because visitors presumably damage gates & fences.

27/3

IV
P10

IV
TE

89

RESTRICTED

x/III seems reasonable but not y/. I should pursue further, possibly by asking EIC to insist a covenant in the lease?

328/3

V

90

b.s

= Many thanks. Yes - I agree with "x" but "y" is exaggerated. Most of the existing gales in that area are in poor condition but rust and neglect, rather than visitors, are responsible.

if Mr Halls' apparent restrictions were removed it would be impossible to leave Stanley except for the reserved.
Pete Purdue

31/3

VI

91

DCS

Pt. write to H.M.M. (in conf.) as above pl (arg. IV)

31/3

92

VII

DCS

We agree. Pt. arrange for me to see Halls.

31/4

10th 3pm

Arranged 3pm 10th April see Halls

93.

C.S.,

Draft despatch at centre s.f.c. pl.

2. Immediately copies of the legislation have been sent to London & will have the file cannibalised as instructed.

§

3. 4. 75.

94

AS 93
Good. Encl.

95
M
5/14

AS
This file shd be kept for the F.I.D. Cons. Ord pl.

96
M
5/14

CS
Despatch forwarding Ordinances at face for signature pl.

11-4-75

TE
96

97

TE is advised to sign if available. 2 places.

98
1
M
5/14

C.S.,

Minutes 86-92. This matter has now been dealt with, -pl?

2. P. 320. We have no projects afoot in this field, we have simply set aside certain areas as Native Reserves and as Bird Sanctuaries. Whether we should be thinking in terms of developing our native resources is something that perhaps the Development Committee should advise on?

In the meantime, acknowledge p. 320 noting their offer?



16. 4. 75

99

~~100~~
6.5

(328). The previous paper has not been submitted to me. Can I assume that our existing legislation is sufficient? (Ord. No. 1 of 1975 was, of course, for the J. 1. Dependence. Why we also speak on (326)?

7/5

100

CS R.328 + 199 refer. W. Allan sent all the relevant papers up to Gant. Some time ago. We could not find the saving tel. mentioned at 1X on R328.



28.4.75

101

OM

I think HZ wanted all pp down and b (328)
placed on one file in the POC area.

52415

102

29.6.75

AS

Mr. Desmond Smith saw me recently to ask —

1. if he may have a licence or permission to shoot hair seals during the period October 1975 to February 1976 from his land. They are apparently taking off the elephant seal cubs.

Will you pl. investigate legal form & advise.

5/7/8.

R.S.C.,

Would you advise please.

14

§

† C.S.
18.8.75

C.S.,

Greater part of Mr Smith's northern coast line has been declared a Wild Animals and Birds Sanctuary (O.A.B. 11/68). This is the area in which most elephant seal are to be found.

2. In my opinion the Wild Animals and Birds Protection Ordinance 1964 does not apply to seals because we have a separate law the Seal Fishing Ordinance (Cap. 62) relating to the control protection and control of the killing of seal.

3. Mr. Smith may kill "sea lions" provided he holds a licence issued under section 5 of the Seal Fishing Ordinance to do so.

4. Old sea lions who find it difficult to obtain food by usual methods, at times visit the King Penguin Rookery at Volenten Point and kill many young birds in the nursery. I would suggest that such animals are destroyed immediately.

5. When I last visited the King Penguin Rookery at Volenten Point at Christmas 1973 I noted that the Rookery had increased by very few in numbers during the previous 10 years.

81.13.

19.VIII.75.

271

THE INTERNATIONAL COUNCIL FOR BIRD PRESERVATION

BRITISH SECTION

Constituent Societies

THE ROYAL SOCIETY
THE ROYAL SOCIETY OF EDINBURGH
THE ZOOLOGICAL SOCIETY OF LONDON
THE BRITISH ORNITHOLOGISTS' UNION
THE BRITISH TRUST FOR ORNITHOLOGY

THE SCOTTISH ORNITHOLOGISTS' CLUB

Associated Societies

THE NATIONAL TRUST
BRITISH FALCONERS' CLUB
ROYAL NAVAL BIRDWATCHING SOCIETY
THE ARMY BIRDWATCHING SOCIETY

THE ROYAL SOCIETY FOR THE PROTECTION OF BIRDS
THE WILDFOWL TRUST
THE SOCIETY FOR THE PROMOTION OF NATURE RESERVES
THE FAUNA PRESERVATION SOCIETY
THE ORNAMENTAL PHEASANT TRUST

THE WILDFOWLERS' ASSOCIATION OF GREAT BRITAIN AND IRELAND
THE ULSTER GAME AND WILD FOWL PRESERVATION SOCIETY
THE ROYAL AIR FORCE ORNITHOLOGICAL SOCIETY
DIPLOMATIC SERVICE ORNITHOLOGICAL SOCIETY

THE SEABIRD GROUP

Chairman: PROFESSOR W. H. THORPE, F.R.S.
Treasurer: STANLEY CRAMP
Secretary: MISS PHYLLIS BARCLAY-SMITH, C.B.E.



c/o BRITISH MUSEUM (NATURAL HISTORY)

CROMWELL ROAD,

LONDON, S.W.7

Tel. 01-589 6323

Telegrams: ICBP, Nathismus, Southkens, London

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Zambia

His Excellency The High Commissioner,
British Antarctic Territory,
Government House,
Port Stanley,
FALKLAND ISLANDS.

Your Excellency,

As a Council having world-wide responsibilities for the protection of wild birds and their natural habitats, the British Section, of which I am Chairman, has for many years been particularly concerned with the problems of conservation on small oceanic islands.

As I am sure you are aware, such islands are often the home of small populations of extremely rare species of birds, often confined to a single island or to a few islands in an archipelago. Once a species becomes very rare or in danger of extinction specimens become greatly sought after by museums and private collectors in many parts of the world. One of the methods employed by collectors, their agents or their intermediaries is to offer rewards among country folk for specimens captured.

Even if the bird sought is not endangered or not even particularly rare, the offering of such rewards frequently does very great harm by encouraging the indiscriminate capture of wild birds, often by means which are extremely cruel, in the hope of being able to dispose of them at a good price.

My Council would be most grateful if you would take every means in your power to prevent unauthorised collection of wild birds and in particular forbid completely this very dangerous practice of offering rewards for specimens either alive or dead.

Yours faithfully,

W. H. Thorpe

Professor W. H. Thorpe, F.R.S.

4 March 1974

Professor W H Thorpe FRS
Chairman
The International Council for Bird Preservation
British Section
c/o British Museum (Natural History)
Cromwell Road
London SW7

Dear Professor Thorpe

Thank you for your letter of 27 February about the protection of wild birds and their natural habitats in the Antarctic. As far as I am concerned you are speaking to the converted, and we are doing everything possible, in conjunction with the British Antarctic Survey, to see that there is no unauthorised collection of wild birds in our territory. Apart from anything else, it is, of course, still very difficult to get down into the British Antarctic Territory, and although there is one cruise ship, the Lindblad Explorer, making occasional tours to the South, they are very careful not to put a foot wrong in regard to the environment and the wild-life and have the support of such people as Sir Peter Scott and others.

However, If I can be of any help to you at any time, please keep in touch.

Yours ever

E G Lewis

PS I have subsequently just received your letter addressed to the Governor of the Falkland Islands, but in this job I wear two hats - High Commissioner and Governor - and the remarks in my letter above apply equally.

274

Polar Regions Section
Latin America Department



Foreign and Commonwealth Office
London SW1

Telephone 01-

His Excellency
Mr E G Lewis CMG OBE
Governor & Commander in Chief
Government House
Stanley
FALKLAND ISLANDS

Your reference

Our reference HWF 7/2

Date 4 April 1974



Dear Mr Lewis,

FALKLAND ISLANDS DEPENDENCIES CONSERVATION ORDINANCE

At last I am able to send you ten copies of the draft proposed new "Ordinance to amend the law with regard to the conservation of wild animals and birds in the Falkland Islands Dependencies". This has been prepared by Dick Laws and myself. In the hope that we may be able to save some correspondence, David Hall sent it to Brigadier Sir Hubert Flaxman, who did not wish to suggest any alterations in substance but has made some useful amendments in form to bring the draft nearer to the form in which Ordinances are usually drafted for the Colony. The draft which I now enclose therefore has the full approval of both Sir Hubert and the Foreign and Commonwealth Office. I do hope that it will also meet with approval in Stanley. If it becomes law, I think it will be recognized as a useful model for other regions as well.

2. You may like to have some general points of explanation: The ideas behind this draft are about South Georgia. We have not forgotten the South Sandwich Islands which are, of course, included, but you will know the reasons why any conservation legislation there is rather unrealistic. The basic idea is that South Georgia should be regarded primarily as a place set aside for scientific research, rather like Aldabra in the British Indian Ocean Territory. This is not incompatible with any future development of economic resources except within or close to the areas designated in Schedules A and B, e.g. the Governor's authority to lease sites for, say, a shore fishing station or a base for exploiting other marine resources is not precluded except within these special areas. Our aim is to restrict disturbance to known areas, so that it will be possible to monitor the extent to which human activities are upsetting the natural ecological balance.

3. Sir Hubert Flaxman does not think it necessary to make any special provision to regularize entry of visitors into areas other than those designated in the three Schedules. Our understanding is that if, in future, it is decided that stricter regulation of tourists, mountaineers, visiting foreign scientists, etc., is desirable, adequate authority for this already exists in the Immigration Ordinance 1965 (applied to the Dependencies by the Application of Laws Ordinance of the same year).



4. The following are comments on sections:

Section 3. This picks up the wording of the Antarctic Treaty "Agreed Measures" except for the addition of sub-paragraph (e). A majority at the last Consultative Meeting would have liked to see something like this added for the Antarctic Treaty Area, but it has not yet proved possible to secure the necessary unanimous vote. The tourist agencies want to be able to specify in their advertising brochures exactly where they are going and Schedule C will enable them to do so without all the complications we have had over visits to Antarctic stations (see Recommendation VI-7 of the Sixth Antarctic Treaty Consultative Meeting).

Section 4(2). This is taken from the Antarctic Treaty Act 1967, clause 2(2), where it was inserted to cover the special circumstances of, say, a wrecked boat crew without food. This is apparently the only case in British law in which necessity can be pleaded as a defence.

Section 5-8. It is now becoming clear that the most effective conservation procedure is to make a blanket prohibition in the widest terms (as in Section 3) and then to authorize reasonable exceptions which are consistent with the aims of the legislation. This is much easier to administer and enforce than to have, for example, lists of species which may or may not be taken, with close seasons, etc. It enables the Governor or his deputy to review the terms of each permit and to adjust the conditions as appropriate in each case. We aim to conserve a number of ecological systems rather than named species because it has so often proved useless to try to protect a species if its habitat is unwittingly destroyed. This amounts to "wild animal management", a concept which is rapidly replacing the older idea of "wild animal protection". Good examples are the current need to cull the reindeer in South Georgia rather than protect them, or the systematic attempt to eliminate introduced feral cats now being carried out at Kerguelen.

Sections 10-12. This follows the Antarctic Treaty "Agreed Measures", which are now working very well. For the first time we have statistics of just how many birds and seals are being killed annually throughout the whole area.

Sections 14-15. These two types of area in Schedules A and B follow the experience so far gained in the Antarctic and the results of study of Recommendations VII-2 and VII-3 of the Seventh Antarctic Treaty Consultative Meeting. These ideas stem directly from the advice of SCAR.



Section 16. We have in mind the certainty that tourism will increase and the fact that adequate regulation has been too late almost everywhere in the world. The draft leaves the Governor free to issue a permit, for example, to a party which wants to climb Mount Paget, but all normal human disturbance would be restricted as much as possible to known areas (where in future it is likely that some facilities may have to be provided).

✓ Section 17. We have not felt competent to advise on the fines suggested in square brackets except to comment that they should be considered in relation to the fees payable under the proposed Regulations for export of Wild Mammals and Birds. We see no reason why the fees payable should not be the same as they are at present under the Falkland Islands Regulations (No. 3 of 1968, Falkland Islands Gazette, Vol.77, No.7, 1968, p.90). The control of Zoological Gardens Bill has still not got through Parliament. The difficulty about the issue of permits to export seals and birds to the UK therefore still remains a matter which can only be regulated from Stanley and the general position about import into other countries has not changed since we discussed it. It now appears that there is no reason why the British Bill should not be passed except that it possesses relatively low priority in a huge legislative programme.

*may
P19*
✓ Section 18. It is proposed that Orders will be required for any later additions to the three Schedules and we have taken the opportunity to provide a suggested format for each. We think the only Regulations needed at present should cover the fees for export of living mammals and birds. A draft of this is provided.

5. We are not sure whether the Declaration under Cap.62 making Bird Island a Seal Reserve is still extant? Perhaps it should also be revoked here.

6. We will, of course, be glad to provide any further explanations that you may require. We feel sure that there will be points you will wish to discuss and will be most interested to know what you think about it.

Brian Roberts

Brian Roberts

ENC

cc Dr R M Laws
British Antarctic Survey
30 Gillingham Street
LONDON SW1V 1HY

FALKLAND ISLANDS DEPENDENCIES

AN ORDINANCE

to amend the law with regard to the conservation
of wild animals and birds in the Falkland Islands
Dependencies

(1974)

Date of commencement.

ENACTED for the Dependencies of the
Colony of the Falkland Islands by
the Governor of the Colony of the
Falkland Islands and the
Dependencies thereof, as follows -

Short title.

1. This Ordinance may be cited as the
Falkland Islands Dependencies
Conservation Ordinance, 1974.

Interpretation.

2. In this Ordinance and any Orders or
Regulations made hereunder, unless
the context otherwise requires -
"native mammal" means any member, at
any stage of its life cycle, of any
species belonging to the Class

Mammalia indigenous to the Dependencies or occurring there through natural agencies of dispersal, as well as reindeer Rangifer tarandus, but not including whales and dolphins of the Order Cetacea.

"native bird" means any member, at any stage of its life cycle (including eggs), of any species of the Class Aves indigenous to the Dependencies or occurring there through natural agencies of dispersal.

"native plant" means any kind of vegetation at any stage of its life cycle (including seeds) indigenous to the Dependencies or occurring there through natural agencies of dispersal.

"permit" means a formal permission in writing issued under the authority of the Governor.

Conservation of
wildlife.

3. No person shall wilfully, except as permitted under this Ordinance,

- (a) kill, wound, capture, molest
or export any native mammal
or native bird, or
- (b) collect or destroy any native
plant; or
- (c) enter any Specially Protected
Area or Site of Special
Scientific Interest; or
- (d) bring into the Falkland
Islands Dependencies any
living animal, plant, virus,
bacteria, yeast or fungus of
species which are not
indigenous to the region; or
- (e) visit or travel on land in
any part of the Falkland
Islands Dependencies, as a
tourist or for any other
purpose of recreation, other
than in an area for the time
being designated under
section 16 as an area of
Special Tourist Interest.

Exemptions from
Section 3.

4. (1) Section 3 of this Ordinance shall not be taken to be contravened by anything done, or attempted to be done, by any person in accordance with a permit issued in respect of him under this Ordinance if it is done or attempted to be done when that permit is in force and in compliance with any conditions or limitations to which the permit is subject.

(2) Without prejudice to the preceding subsection, where a person is charged with an offence under section 3 of this Ordinance, it shall be a defence to prove that the act in question was done or attempted in a case of extreme emergency involving possible loss of human life.

Issue of permits.

5. The Governor may issue to any person a permit authorising him to do such of the things mentioned in section 3 of this Ordinance as are specified in the permit. Such a permit shall be drawn in terms as specific as possible and may be issued subject to such

conditions and limitations as the Governor considers appropriate.

6. (1) Permits authorising persons to do such of the things mentioned in Section 3(a) and (b) of this Ordinance shall be limited so as to ensure as far as possible that:

(a) the variety of species and the balance of the natural ecological systems are maintained, and

(b) no more native mammals or birds are killed or taken in any one year than can normally be replaced by natural reproduction in the following breeding season.

- (2) A permit authorising any person to do such of the things mentioned in section 3(a) and (b) of this Ordinance shall only be issued for the following purposes:

(a) to provide indispensable food for local use in limited quantities, and in conformity

with the purposes and

principles of this Ordinance;

(b) to provide specimens for scientific study or scientific information;

(c) to provide specimens for museums, zoological gardens, or for other educational or cultural institutions or uses;

(d) to provide for regulating the management and use of living resources.

7. A permit authorising any person to enter any Specially Protected Area or Site of Special Scientific Interest shall only be issued in accordance with sections 14 or 15, as appropriate, of this Ordinance.

8. A permit authorising any person to bring into the Falkland Islands Dependencies any living animal, plant, virus, bacteria, yeast or fungus of species not indigenous to the region shall only be issued for purposes, and, where necessary under such controlled

Delegation of power
to issue permits.

9.

conditions, as will not cause harmful interference with the natural ecological system of the region.

The Governor may delegate his powers under section 5 to any person who for the time being:

- (a) holds office as Director of the British Antarctic Survey or holds an appointment (by whatever name called) having functions similar to those which at the passing of this Ordinance are performed by that Director; or
- (b) is the resident Magistrate in South Georgia.

Reporting of action in
accordance with permits. 10.

In connection with the matters authorised by any such permit, the permit may require the person in respect of whom it is issued to make to the Governor or other person issuing the permit a report, at such times and in such manner as may be specified in the permit, as to the occurrence of such acts and events as may be so specified.

11.

Any person to whom the power to issue permits is delegated under section 9 shall, in respect of each year, send to the Governor a report in

accordance with section 12, and every such report shall be sent to the Governor as soon as practicable after the end of the year to which it relates.

12. A report made by any person under section 11 in respect of any year shall contain such particulars of permits under this section issued by him relating to that year, and of information received by him relating to that year in pursuance of section 10, as the Governor may require.
13. In sections 11 and 12 "year" means a period of twelve months ending on 30 June.

Specially Protected
Areas.

14. (1) The areas defined in Schedule A are hereby designated "Specially Protected Areas" and shall be accorded protection in order to preserve their ecological systems.
- (2) The Governor may designate any additional area as a Specially Protected Area which is:
- (a) a representative example of a major land, freshwater, or coastal marine ecological system;
 - (b) an area with a unique complex of species;

(c) an area which is the type locality or only known habitat of any native plant or invertebrate species;

(d) an area which should be kept inviolate so that in the future it may be used for purposes of comparison with localities that have been disturbed by man.

(3) A permit issued in accordance with section 5 of this Ordinance shall not have effect within a Specially Protected Area except in accordance with subsection (4) of this section.

(4) A permit to enter a Specially Protected Area shall be issued only for a compelling scientific purpose which cannot be served elsewhere, and provided that the actions permitted thereunder will not jeopardise the natural ecological system existing in the designated area.

Sites of Special
Scientific Interest.

15.

(1) The areas defined in Schedule B are hereby designated "Sites of Special Scientific Interest" and shall be accorded protection in accordance with sub-section 4 of this section in order to prevent interference with scientific investigations.

(2) The Governor may designate any additional area as a Site of Special Scientific Interest which is being maintained exclusively for scientific investigations in a locality where such investigations may be jeopardized by accidental or wilful disturbance.

(3) A permit issued in accordance with section 5 of this Ordinance shall not have effect within a Site of Special Scientific Interest except in accordance with subsection (4) of this section.

(4) A permit to enter a Site of Special Scientific Interest shall be issued only for a compelling scientific purpose which cannot be served elsewhere, and provided that the actions permitted thereunder will not interfere with the scientific investigations for which the Site was designated.

Areas of Special
Tourist Interest.

16.

(1) the areas defined in Schedule C are hereby designated "Areas of Special Tourist Interest", which shall be open for tourism and recreation;

(2) Subject to the next subsection of this section of this Ordinance the Governor may designate additional areas representative of wildlife and scenic beauty.

(3) In designating additional areas the Governor shall have regard to the need to monitor the effects of tourists on the natural ecological systems within these areas.

Penalties.

17.

(1) Any person who knowingly contravenes section 3(a) of this Ordinance, by wilfully killing, wounding capturing or molesting any native mammal or bird, except as permitted under this Ordinance, shall be liable to a fine not exceeding [£150].

(2) Any person who wilfully contravenes sections 3(b), (c), (d) and (e), except as permitted under this Ordinance, shall be liable to a fine not exceeding [£150].

(3) Any person who fails to comply with a requirement imposed on him by a permit issued in accordance with sections 6, 7, 8 and 10, or who in any report made by him in pursuance of such a requirement

knowingly and recklessly makes a statement which is false in a material particular, shall be liable to a fine not exceeding [£150].

Venue.

18.

For all purposes of and incidental to the trial of any person accused of any offence under this Ordinance and the proceedings and 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.

Governor may make
Orders or Regulations. 19.

The Governor may, from time to time, make Orders or Regulations for the better carrying out of the provisions of this Ordinance and the intent and object thereof.

Repeal.
(DS2/69).

20.

The Application of Colony Laws (No.2) Ordinance 1969 is hereby repealed.

SCHEDULE A

Specially Protected Areas

Cooper Island lat. $54^{\circ}49'S.$, long. $35^{\circ}47'W.$

SCHEDULE B

Sites of Special Scientific Interest

Bird Island lat. $54^{\circ}00'S.$, long. $38^{\circ}03'W.$

Annenkov Island lat. $54^{\circ}29'S.$, long. $37^{\circ}05'W.$

SCHEDULE C

Areas of Special Tourist Interest

Grytviken. The area bounded by Moraine Fjord,
Hamberg Glacier, Mount Sugartop and Lyell
Glacier.

Bay of Isles. The area between Cape Buller
and Cape Wilson inland to the height of
land, together with all the islands and
rocks in this bay.

CONSERVATION ORDINANCE 1974

REGULATIONS

No. of 1974 E.G. Lewis
Governor

Citation.

1. These Regulations may be cited as the Wild Mammals and Birds (Export) Regulations, 1974.

Fees payable
for export.

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

	£
Elephant Seals <u>Mirounga leonina</u>	150 each
Fur Seals <u>Arctocephalus gazella</u>	70 "
All other seals	50 "
King Penguins <u>Aptenodytes patagonica</u>	50 "
All other birds and mammals	10 "

- (2) 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.
- (3) The Governor may waive the fees payable under these Regulations in circumstances which require

FALKLAND ISLANDS DEPENDENCIES CONSERVATION
ORDINANCE 1974

(Ordinance No of 1974)

SPECIALLY PROTECTED AREAS ORDER 1974

No. of 1974

E.G. Lewis
Governor

In exercise of the powers conferred on him by
Section 14 of the Falkland Islands Dependencies
Conservation Ordinance 1974, the Governor in Council
has been pleased to declare the following area in
South Georgia to be a Specially Protected Area for
inclusion in Schedule A of that Ordinance:

.....

This Order may be cited as the Specially
Protected Areas Order 1974

Made by the Governor in Council....

FALKLAND ISLANDS DEPENDENCIES CONSERVATION
ORDINANCE 1974

(Ordinance No. of 1974)

SITES OF SPECIAL SCIENTIFIC INTEREST ORDER 1974

No. of 1974

E.G. Lewis
Governor

In exercise of the powers conferred on him by
Section 15 of the Falkland Islands Dependencies
Conservation Ordinance 1974, the Governor in
Council has been pleased to declare the following
area in South Georgia to be a Site of Special
Scientific Interest for inclusion in Schedule B
of that Ordinance:

.....

This Order may be cited as the Sites of
Special Scientific Interest Order 1974.

Made by the Governor in Council.....

FALKLAND ISLANDS DEPENDENCIES

CONSERVATION ORDINANCE 1974

(Ordinance No of 1974)

AREAS OF SPECIAL TOURIST INTEREST ORDER 1974

No. of 1974

E.G. Lewis
Governor

In exercise of the powers conferred on him by
Section 16 of the Falkland Islands Dependencies
Conservation Ordinance 1974, the Governor in
Council has been pleased to declare the following
to be an Area of Special Tourist Interest for
inclusion in Schedule C of that Ordinance:

.....

This Order may be cited as the Areas of Special
Tourist Interest Order 1974.

Made by the Governor in Council.....

B/W K m / E.Y. 6 May
dmp

DON MEIER PRODUCTIONS, INC.

520 NORTH MICHIGAN AVENUE / SUITE 1216 / CHICAGO, ILLINOIS 60611 / 222-1755

March 1, 1974

Mr. E. G. Lewis
Government House
Falkland Islands

Dear Mr. Lewis:

Thank you for your January 10 letter which arrived on February 23. It is obvious that mail between your residence and ours leaves something to be desired, but considering the distance, it is understandable.

I gather your information came from the British Embassy which I visited late last year. I have since written to Mr. Jones, whom I believe is your Governor General, asking permission and seeking some additional information. A copy of that letter is enclosed.

From the information you have provided me, most of the questions we have are answered, and I am enclosing a letter to Mr. Strange in care of you since I do not have an address. I assume you will forward it to him.

There are a couple of specific questions I would appreciate having answers to:

1. Can you be reached by telephone from the U.S.? If so, on what number?
2. When is the best time of the year to photograph the major bird population, both on the main island and on the outer islands?

Mr. E. G. Lewis
March 1, 1974
Page Two

3. When are the albatross best photographed?
4. Would our team of four or five be permitted to "rough it" (tents, sleeping bags, cooking gear, etc.) on the islands for several days or as long as it takes to properly film the wildlife?
5. Who will issue us the proper permits to film in your sanctuaries?
6. Is there a director of the sanctuaries?
7. Is there any scientific work going on and, if so, who is conducting it?
8. Finally, do we need any specific permissions to pass through Argentina?

I look forward to hearing from you and hopefully we will be able to see your marvelous islands in the coming year.

I am also including in this letter a map which will give you a small idea of the kind of organization we are and what we are doing, plus further amplification through the press release also enclosed.

Sincerely,

DON MEIER PRODUCTIONS

Richard Reinauer /dp

Richard Reinauer
Associate Producer
Mutual of Omaha's
WILD KINGDOM

RR/dp

Dictated but not signed

File 1-57 28

January 7, 1974

Mr. J. A. Jones, O.B.E.
Stanley
British Falkland Islands

Dear Mr. Jones:

Having spoken with members of the British Consulate in Chicago and having visited with the Press Department at the British Embassy in Washington, it has been suggested that I write to you directly.

We are a television production company in the United States with the enviable record of having one of the longest term programs in the history of the medium and one of the most awarded programs as well. We produce a show called "Mutual of Omaha's WILD KINGDOM" which is a show about natural history and we specialize in not only adventure shows which are thoroughly and completely scientific but in species shows which document the life history of animals. The host of our program is Dr. Harlin Perkins, Director Emeritus of the St. Louis, Missouri Zoo.

Recently, while reading a document from Lars Eric Lindblad who spoke so glowingly of Falkland Islands, I was intrigued particularly with his description of the albatross population that comes back to roost on the Falkland Islands after being at sea for several years. It occurred to me that there might also be other wildlife, zoological experiments, or conservation practices going on in your area that would make for a fine television program.

Mr. J. A. Jones, O.B.E.
January 7, 1974
Page Two

We like to feel that not only do we educate millions of people every week around the world because of the vast audience of over 100 million, but that wherever we can, we have brought further interest to that area, many times resulting in an increase in tourism.

We would be most obliged if you could advise us regarding the possibility of filming on the islands, providing us with the names of individuals we might contact regarding this, what permissions would be required, and most particularly, what animal life or bird life could be filmed for such a program. Unfortunately, there seems to be virtually no literature that we can lay our hands on regarding this.

We do look forward to hearing from you and I sincerely thank you for your interest and for responding.

Sincerely,

DON MEIER PRODUCTIONS

Richard Reinauer
Associate Producer
Mutual of Omaha's
WILD KINGDOM

RR/dp

Enc. 1973-74 Map
Background on Wild Kingdom

BACKGROUND ON A FOUR-TIME EMMY AWARD WINNER: MUTUAL OF OMAHA'S
WILD KINGDOM

Mutual of Omaha's WILD KINGDOM, now in its 11th season on network television, is one of the longest running programs in the history of the medium. It is a show whose special blend of adventure, entertainment and education appeals to a broad audience of young and old alike. Probing the wild places of the globe, it brings to almost thirty million viewers every week a world they could never otherwise experience.

Mutual of Omaha's WILD KINGDOM is a unique concept in television programming: an action-adventure series based on real people in a real world. The setting might be any of the remaining untamed, untouched regions of the earth; the many strange and wonderful animals that inhabit these regions are the cast of characters.

Every week, Marlin Perkins--the program host and a distinguished zoologist--journeys to a different part of the Wild Kingdom. He may go to Africa to dart elephants from a helicopter; to the Arctic to trap polar bear; to South America for jaguar; or into the sea in search of a whale: each has been the subject of a WILD KINGDOM episode. Over the years, Perkins has visited both poles, and every continent and major ocean of the world in search of adventure.

The man behind the scenes is Producer-Director Don Meier whose guiding hand touches every stage of production from location to finished print. A member of the board of directors

of the World Wildlife Fund, he combines an active interest in conservation with a distinguished career in television production. A creative force in the innovative period of Chicago-originated network programming, Meier was director of the highly praised "Garroway At Large". Mutual of Omaha's WILD KINGDOM is produced in Chicago.

One reason for the great and continued success of Mutual of Omaha's WILD KINGDOM is the simple fact that the program respects its audience. Every show is authentic: animals are presented as they exist. Zoological accuracy is the rule.

Every half-hour episode emanates from location. One program may concentrate on a species of animal, another a particular region, while another may chronicle the life of a primitive people. The exciting film--all in color--is obtained from a small staff of the world's finest wildlife photographers. Dedicated naturalists, they live with and know intimately the subjects they are photographing. From days spent in a cramped blind may come several feet of film that capture the special moment when the great drama of nature is revealed. For the average show, almost 20,000 feet will be photographed. From this will be culled the 950 feet that will finally make up the finished program.

The technical excellence and dedication to detail that have marked the series since its beginning have earned it many awards--including four national Emmys, in 1966, 1967, 1969, and 1970. The show has also won many film festival and technical

awards. The program's conservation theme has also earned it recognition and praise from the U.S. Fish and Wildlife Service, State Fish and Game Departments, the National Wildlife Federation and scientists all over the world, many of whom participate with Perkins in the show.

As before, the show will continue to bring to millions of Americans, and to viewers in many foreign countries, the many wonders of the Wild Kingdom.

X X X

Stanley
Falkland Islands.
1st May 1974.

T.H.Layng Esq
Chief Secretary
Secretariat
Stanley.

Centolla Netting

Dear Sir,

On March 13th 1974 I was asked to view an assortment of nets and other fishing gear which had been discovered in Port William on the 9th March.

I understand that these nets were reported to the Police Department and it was generally accepted that they were forms of "trawls" for catching fish. They were also identified as being of Japanese make.

When I viewed them, the most disturbing observation was the fact that they were very badly entangled with some 30 to 40 penguins and other sea birds; Gentoo penguins, Magellan penguins, Rock and King Shags were identified. According to the people responsible for finding the nets and lifting them, there could have been anything up to 150 birds in the nets, but on lifting many were lost overboard. Obviously many of the birds had been entangled some considerable time before the nets were discovered as only skeletons remained.

The most important and significant point that I would like to make, is that I am confident that these were not "trawl" nets for catching fish but a special type of net used for catching King or Centolla crabs. I am familiar with this type of net and the way they are used. On inspection it would be found that the nets are extremely fine and have a large knit size. The nets can be broken by hand which would not be the case with a "trawl". Further, these nets were anchored and buoyed in the same manner that is commonly used in Alaskan waters for catching King crab, and off Punta Arenas for Centolla fishing. In practice the nets act as a wall on the sea bed and the crabs simply walk into these and get entangled in the fine mesh.

You will I am sure understand the serious situation which could arise if this type of net were to be used extensively in Falkland waters. We have already seen what one small area of net can do. When it is considered that many miles of this type of net are normally laid for catching crabs, the possible death toll of penguins and other sea birds could be tremendous.

I also understand that a number of Crab pots were also found buoyed in or about Port William. These were the same type as used by the Japanese Fishing vessel Taiyo Maru 82.

Yours faithfully,

T.H. Layng
T.H. Strange.

cc: Dr Laws. Director B.A.S.

Why?

14 May 1974

Dr B B Roberts CMG
Polar Regions Section
Latin America Department
FCO

FAULKLAND ISLANDS DEPENDENCIES CONSERVATION ORDINANCE

1. Thank you for your letter Ref HWF 7/2 of 4 April, with which you enclosed the Draft Legislation in regard to the Conservation of Wild Animals and Birds in the Falkland Islands Dependencies. I consider the draft to be an excellent one, and I agree with you that it may well be recognised as a model for other regions as well.

2. The only comments we have are those of detail and concern drafting points. These are as follows:-

(a) Section 2

The words "and any orders or regulations made hereunder" should be deleted as the Ordinance includes subsidiary legislation.

(b) Section 3

Delete the word "wilfully".

(c) Section 6

Add marginal note "Permits to collect mammals, birds or plants".

(d) Section 8

Add marginal note "Permit to bring into the Dependencies animals, plants, etc". The word "bird" should be inserted immediately after "living".

/(e)

Contd:

(e) Section 9

Although the Director of BAS is probably the best person to fill this appointment, he is an officer of another territory. We consider it would be sufficient for the resident Magistrate to exercise such powers and if necessary refer the matter to the Governor before doing so. Alternatively, Section 9 (a) would refer to a fit and proper person and Dr Laws could be appointed in addition to the Magistrate.

(f) Section 10

Delete the word "such" where this first appears.

(g) Sections 12 & 13

We consider these Sections should be sub-Sections of Section 11. Marginal note "Report by person issuing permits".

(h) Section 14 (2)

The words "by order" should be inserted immediately before "designate".

(i) Section 15 (2)

The words "by order" should be inserted before "designate".

(j) Sections 14 (2)
 15 (2)
 16 (2)

It is proposed that orders will be required for any later additions to these three schedules: if it is felt that amendments should be carried out in this way, the Sections must specifically state so.

(k) Section 19

Delete the words "orders or" from Section and marginal note. The necessary authority should be given in Sections 14 (2) and 15 (2). A Promulgation clause should be added after Section 20.

(l) Schedules should refer to Sections: "Schedule A, Section 14".

3.

3. We consider the fines should remain at £150.

5. The declaration under 62 making Bird Island a seal reserve refers to Bird Island in the Falklands and not South Georgia.

5. We have no Legal Adviser here, but the Registrar of the Supreme Court, Mr H Bennett, has done his best to sieve through the Draft Legislation and if I can receive your comments quickly, I will have the Legislation presented at the next meeting of the Council.

Yours ever

E G Lewis

FIS/10/1

15 May 1974

Mr Richard Reinauer
Associate Producer
Mutual of Omaha's Wild Kingdom
Don Meier Productions Inc
520 North Michigan Avenue
Suite 1216
Chicago
Illinois 60611
USA

Dear Mr Reinauer

Thank you for your letter of 1 March, which, like my letter of 10 January, seems to have taken a terribly long time in reaching its destination. I cannot understand what is going wrong because we have a weekly air service out of Comodoro Rivadavia which is regular and efficient and our mail gets to the UK within 3-4 days. I am sending this letter to you via the UK in the hope that it will reach you within 10 days.

I am afraid you have the wrong information about Mr J Jones as he was the previous Chief Secretary and is no longer with us. There is no Governor-General: I am the Governor, and that is that!

I have discussed the situation with Ian Strange, and we both agree that probably the best time of the year for your purposes would be towards the end of November/first half of December. There will be no difficulty about your team living rough in tents on any of the Islands concerned and, equally, we would be in a position here to give you permission to enter any of the sanctuaries.

I should not imagine that there would be any difficulty in passing through Argentina, but visitors to our Islands require a travel card issued by the Ministry of Foreign Affairs in Buenos Aires before they can get onto the 'plane in Comodoro Rivadavia. The service is run by L.A.D.E, the state-development airline, and, in effect, this means the Argentine Air Force.

It is possible to telephone us from the States but sometimes reception is very poor and I would recommend that you send a telegram.

/Contd:-

2.

Finally, I would like to give you my assurance that as far as this Administration is concerned everything possible will be done to assist you if in fact you decide to come down and shoot a programme in the Islands.

Yours sincerely

E G Lewis

21st May, 74

Dear Sir,

Centolla Netting

Many thanks for your most interesting letter of the 1st May and for bringing to our attention the fact that the methods tried out by the Taiyo Fishing Company during their trials last summer are causing danger to our penguins.

2. We must not, of course, lose sight of the fact that the visit by Taiyo Maru was an experiment into various types of fishing here and not an indication of any continuing methods which they intend to use. We shall certainly bring to their attention with the minimum delay the dangers which they are causing to our wild life in their crab fishing methods.

3. From your point of view it must be interesting for you to learn that penguins and shags are diving to such depths as to become entangled in gear laid for the catching of in deep water.

Yours faithfully,

(T.H. Layng)
Chief Secretary

I. J. Strange, Esq.,
Ross Road West,
Stanley.

c.c. Dr R.M. Laws,
Director,
British Antarctic Survey,
30 Gillingham Street,
London, S.W.1.

THE INTERNATIONAL COUNCIL FOR BIRD PRESERVATION BRITISH SECTION

Constituent Societies

THE ROYAL SOCIETY
THE ROYAL SOCIETY OF EDINBURGH
THE ZOOLOGICAL SOCIETY OF LONDON
THE BRITISH ORNITHOLOGISTS' UNION
THE BRITISH TRUST FOR ORNITHOLOGY

THE SCOTTISH ORNITHOLOGISTS' CLUB

THE ROYAL SOCIETY FOR THE PROTECTION OF BIRDS
THE WILDFOWL TRUST
THE SOCIETY FOR THE PROMOTION OF NATURE RESERVES
THE FAUNA PRESERVATION SOCIETY
THE ORNAMENTAL PHEASANT TRUST

Associated Societies

THE NATIONAL TRUST
BRITISH FALCONERS' CLUB
ROYAL NAVAL BIRDWATCHING SOCIETY
THE ARMY BIRDWATCHING SOCIETY

THE SEABIRD GROUP

THE WILDFOWLERS' ASSOCIATION OF GREAT BRITAIN AND IRELAND
THE ULSTER GAME AND WILD FOWL PRESERVATION SOCIETY
THE ROYAL AIR FORCE ORNITHOLOGICAL SOCIETY
DIPLOMATIC SERVICE ORNITHOLOGICAL SOCIETY

Chairman: PROFESSOR W. H. THORPE, F.R.S.
Treasurer: STANLEY CRAMP
Secretary: MISS PHYLLIS BARCLAY-SMITH, C.B.E.



c/o BRITISH MUSEUM (NATURAL HISTORY)

CROMWELL ROAD,

LONDON, S.W.7

Tel. 01-589 6323

Telegrams: ICBP, Nathismus, Southkens, London

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Venezuela
Yugoslavia
Zambia

WHT/NHW

E.G. Lewis, Esq.,
Governor and High Commissioner,
Government House,
FALKLAND ISLANDS

Dear Mr. Lewis,

I should have written before to thank you for your helpful letter of 4th March, but I have been waiting until answers from a number of similar enquiries concerning other territories have been received.

I quite realise that the protection of wild birds and their natural habitat in the Antarctic is a far simpler job than in many other places, but as we have had difficulties in a number of island territories, I thought I would write to you along with all the others. It is good of you to say that you will give any help at any time in the future.

In this connection I wonder whether you are anxious about the longterm threat of oil pollution, in view of the rapid increase in the number of giant tankers, their allegedly faulty construction, and the carelessness that their crews are said to display in controlling oil spillage. I see that a recent series of articles in "The New Yorker" has painted an extremely pessimistic picture of the future of the ocean life of the Antarctic from this cause, due of course in the main to the fact that all the big tankers go round the Cape.

With kind regards,
Yours sincerely,

W. H. Thorpe

W.H. Thorpe
Chairman

6th June, 1974

Professor W.H. Thorpe, F.R.S.
The International Council for Bird Preservation,
British Section,
c/o British Museum (Natural History),
Cromwell Road,
London, S.W.7.

Dear Professor Thorpe,

Thank you for your letter of the 25th May and certainly I am concerned at the long term threat of oil pollution but I do not go along with the extremely pessimistic picture painted by the articles which have appeared in the "New Yorker". So far - and we are not very distant from Cape Horn - oil pollution is not a problem and I have seen very little signs of it down in the Antarctic.

There is of course taking place this month an international conference on The Law of the Sea and no doubt many countries will be aiming for increased territorial limits and for control over the resources of the sea and the sea bed up to 200 miles. This control could include control of pollution but enforcement as you know would be a more difficult matter.

For your information we are at the moment just considering new draft legislation covering the wild life in our Dependencies such as South Georgia and I hope to present this to our Legislative Council in November.

With kind regards,

Yours sincerely,

(E.G. Lewis)

8.12 / 22/7/74 / B/W / 285

dmp

DON MEIER PRODUCTIONS
520 NORTH MICHIGAN AVENUE / SUITE 1216 / CHICAGO, ILLINOIS 60611 / 222-1755

July 3, 1974

Governor E. G. Lewis
Government House
Falkland Islands

Dear Governor Lewis:

My sincere thanks to you for your 2 letters, one of which, as you indicated, must have taken a most unusual and circuitous route to arrive in Chicago, I apologize for the delay in getting back to you on your second letter and I also apologize for the fact that the British Consulate in Chicago was so mis-informed regarding the fact that there is no Governor-General and that the former Chief Secretary, Mr. Jones, is no longer there. But now that we have all of the details correct, we can proceed in good order.

As per your suggestions, we will institute procedures to secure a travel card which you indicate is issued by the Ministry of Foreign Affairs in Buenos Aires which is required before we can board the L.A.D.E., state-development airline in Comodoro Rivadavia.

In addition to working through our own travel agent in Chicago, Mr. Ernest Prossnitz of Special Tours and Travel, we are considering the use of 2 agents in Buenos Aires, either a company called Shalom Tour Operators or the Astra office run by Mr. Alexander Nesviginsky, both of whom have recommended filming in Patagonia prior to arriving in the Falklands.

Governor E. G. Lewis
July 3, 1974
Page Two

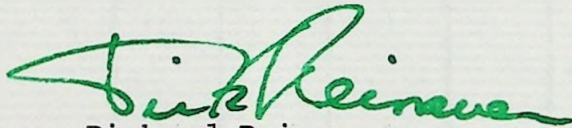
We most sincerely appreciate your personal assurance that everything possible will be done to assist us and we shall keep you advised on our activities.

I gather that my last letter to your office was forwarded to Mr. Ian Strange who has responded to us with a most interesting, detailed, and informative letter and I believe that we will use Mr. Strange as our guide and assistant while filming in the Falklands.

Again, many thanks for your offer of assistance and for your interest in our activities. I hope we have the opportunity of meeting in the near future.

Sincerely yours,

DON MEIER PRODUCTIONS



Richard Reinauer
Associate Producer
Mutual of Omaha's
WILD KINGDOM

RR/dp

cc: British Consulate
Mr. Ian Strange
Mr. Ernest Prossnitz

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

Number	Office of Origin	Words	Handed in at	Date
			A/C H/O	8 July 1974

To ATAT PRIORITY (PRIORITY)

PRODRONE LONDON SWL

081600Z

From Falklands

Tel No 243 of 8 July

Routine to FEO

CONSERVATION IN THE DEPENDENCIES

1. Your letter HMF 7/2 of 4 April and my reply of 14 May.
I would be grateful for your further comments as I wish to take this
legislation to the next meeting of the Council.

LEWIS

Time

"WILD LIFE FILM"

286



SEA WORLD

July 11, 1974

His Excellency Ernest Gordon Lewis CMGOBE
Government House
Port Stanley
Falkland Islands

Dear Your Excellency:

I am writing to you at the suggestion of the National Science Foundation. I have been involved with NSF for the past few years carrying out research in Antarctica. Last year I was working in New Zealand and McMurdo Sound. This year I will be going to Palmer Station on the Antarctic Peninsula. This means that I will be coming down through South America to Argentina.

I am also most interested in coming out to the Falklands upon my return from the ice to see first hand some of the unique species that occur there, particularly the waterfowl and penguins. I have some local contacts that may be able to help me get from place to place. This letter is only to alert your office that I may be visiting your Islands and to inquire whether I will require any special permits, etc., to observe the wildlife there.

Thank you very much for your interest. If there is anything that I can do for you up here, please do not hesitate to ask. I am not sure when I will be there but I would guess sometime in December.

Very sincerely yours,

Frank S. Todd
Corporate Curator of Birds

FST/ed

12
B/W
14/ July

283

NNNN

ZCZC ATS895 MOZ633X LHC668 XLH017 TX24962

FKLX BY GBLH 115

LONDONLH 115/112 13 0555 PAGE1/50

ETATPRIORITE

GOVERNOR

FALKLANDISLANDS

FM FCO 121520Z

UNCLASSIFIED

TO ROUTINE PORT STANLEY TELNO 194 OF 12 JULY.

YOUR TEL NO 243 TO FCO OF 8 JULY 1974: CONSERVATION

1. YOUR LETTER OF 14 MAY RAISED A FEW POINTS ON WHICH WE SOUGHT
SIR H FLAXMAN'S ADVICE. DR ROBERTS WAS UNABLE TO

COL ETATPRIORITE 121520Z 194 12 243 8 1974 1 14

LHC668 XLH017 TX24962 GOVERNOR PAGE2/62

DEAL WITH HIS

REPLY BEFORE GOING ON LEAVE UNTIL END JULY BUT WE EXPECT TO LET
YOU HAVE OUR SUGGESTED REVISED TEXT BY BAG EARLY IN AUGUST.

2. WE THINK LEGISLATION SHOULD ENTER INTO FORCE ON 1 JANUARY 1975
SO THAT MAGISTRAN BE ADEQUATELY INSTRUCTED ABOUT WORDING OF
PERMITS ETC.

3. PLEASE LET US KNOW IF THIS IS NOT CONVENIENT

CALLAGHAN

COL 2 1 1975 3

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

284

Number	Office of Origin	Words	Handed in at	Date
			A/C H/O	16 July 1974

To

STAT PRIORITY (ROUTINE)
FRODROME LONDON SWL

From Falklands Tel No 253 of 16 July
Routine to FCO

Your Tel No 194: CONSTITUTION

1. Any time in August for revised text will be fine.

LEWIS

Time

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

288

SENT

Number	Office of Origin	Words	Handed in at	Date
			A/C H/C	28 July 1974

To

DON MENIER PUBLICATIONS
520 NORTH MICHIGAN AVENUE
SUITE 1216, CHICAGO

Many thanks for your letter of 3 July and we look forward to
seeing you in the Falklands. Shalom Your operators know the
form about obtaining travel cards.

GOVERNOR Lewis

B/u 15 AUGUST 74

287

FIS/10/1

1 August 1974

Mr Frank S Todd
Corporate Curator of Birds
Seaworld
1720 South Shores Road
Mission Bay
San Diego
California 92109
USA

Dear Mr Todd

Thank you for your letter Ref FST/cd of 11 July. I was pleased to read that you are planning to come to the Falklands on your return from the Antarctic Peninsula.

No special permits will be required to observe the wild life here and no doubt you will get in touch with Mr Ian Strange, who is our local expert on wild life in general and honorary adviser to this Government on environmental problems.

If I can be of any further help, please let me know.

Yours sincerely

E G Lewis

FALKLAND ISLANDS

289a

Number	Office of Origin	Words	Handed in at	Date
			A/C H/O	6 August 1944

To ETAT PRIORITE (ROUTINE)
PROCDROME LONDON SW1

061400Z

From Falklands

Tel No 287 of 6 August

Routine to FCO

Your Tel No 215.

1. Please inform Hamburg visit would be welcome.

LEWIS

RL

ZCZC ATs260 NOV295X LHC447 XLH011 TX263563
FKLY BY GELH 075
LONDONLH 75/72 6 0115

289

GOVERNMENT TELEGRAPH SERVICE
FALKLAND ISLANDS

ETATPRIORITE

GOVERNOR

FALKLANDISLANDS

FM FCO 051635Z UNCLASSIFIED

TO ROUTINE PORT STANLEY TELEGRAM NUMBER 215 OF 05 AUGUST
1974 ORNITHOLOGICAL EXPEDITION , HAMBURG CONSULATE-GENERAL
INFORM US THAT THREE GERMAN SCIENTISTS , FROM BIOLOGICAL
INSTITUTE FOR ENVIRONMENTAL CANCEROUS SORES , HAMBURG
ZOOLOGICAL INSTITUTE AND ISOTOPE DEPARTMENT OF UNILEVER
RESEARCH , WISH TO

COL ETATPRIORITE 051635Z 215 05 1974

LHC447 XLH011 ETATPTE GOV PAGE2/32

VISIT FALKLANDS FOR ABOUT 5 WEEKS END JANUARY/EARLY
FEBRUARY 1975 , TO STUDY BIRDLIFE AND COLLECT SPECIMENS
(WHICH CAN BE CORPSES) FOR STUDY IN HAMBURG .
DO YOU AGREE ?

CALLAGHAN

787

GOVERNMENT TELEGRAPH SERVICE
FALKLAND ISLANDS

GOVERNMENT TELEGRAPH SERVICE
FALKLAND ISLANDS



Foreign and Commonwealth Office
London SW1

Telephone 01-

His Excellency
Mr E G Lewis CMG OBE
Governor and Commander in Chief
Government House
Stanley
FALKLAND ISLANDS

Your reference

Our reference HWF 7/2

Date 9 August 1974

B/H to me / 25 Aug

Dear Toby,

FALKLAND ISLANDS DEPENDENCIES CONSERVATION ORDINANCE

1. Many thanks for your letter of 14 May FIS/10/1 Vol 2 and for the comments on the Draft Legislation I sent to you in April. We have consulted Sir Hubert Flaxman about these points. With four exceptions I have incorporated these into the attached text amended in manuscript so that you can see the outcome. The lettering below follows that of paragraph 2 of your letter of 14 May.

2. (a) Words deleted.

(b) In Sir Hubert Flaxman's view the word "wilfully" is correctly used here. It was inserted in Section 1 of the Antarctic Treaty Act 1967 on the advice of the Parliamentary draughtsmen. In their view any of the prohibitions in subsections (a) - (e) of Section 3 could be transgressed by mistake or accident to be used as an argument for extenuation. We do, however, have the word where it really matters, in new paragraph 16.

(c) Marginal note added.

(d) Although Sir Hubert Flaxman agreed with the point I put to him that a bird is, scientifically speaking, an animal and that our object in using the word "animal" was to cover the need for a permit to cover the wilful importation of, for example, insects, he nevertheless thought that your addition would be considered valid by the man-in-the-street. He therefore suggested that the wording of Section 3 should remain as at present but that animal should be defined as including birds, fish and insects in the interpretation clause (Section 2).

(e) Sir Hubert Flaxman sees no legal objection to the wording of this section as it stands but he has suggested that Section 9 might read:

/9. The



9. The Governor may delegate his powers under Section 5 of this Ordinance to:

- (a) the Resident Magistrate in South Georgia; and
- (b) such other person as he may appoint in that behalf.

For practical administrative reasons the position we wish to achieve is that permits may be issued in Stanley (by you), in South Georgia (by the Resident Magistrate) and in the UK (by the Director of the British Antarctic Survey). In practice, some of the permits will be issued by the Resident Magistrate in connection with research programmes, but in other cases permits will need to be carefully drafted in England, by Dr Laws in consultation with yourself, and perhaps vice versa. We have in mind, for example, the conditions and limitations mentioned in Section 5 and the issue of export licences for living mammals or birds. There is also the problem of reporting under Section 11 since the Magistrates change regularly in the middle of the permit year, and then cease to be Magistrates. In consequence the reports to the Governor will need to be prepared in England by a responsible person. On balance we would prefer this section to stay as it is so that it is apparent in the Ordinance who has powers to issue permits but we would happily accept the simpler formulation above if you prefer it. (Both texts appear in the cleantext and one needs to be deleted.)

- (f) Word deleted.
- (g) Suggestion adopted.
- (h) and (i) The words "by Order" have been inserted in new subsections 11(2), 13(2) and, as a logical extension, in 14(2).
- (j) I suggested to Sir Hubert Flaxman, and he has agreed, that care could be taken of this point by inserting the following new Section 15 (following re-numbering of Sections 12-16):
 - 15. The Governor may, by Order, amend the definition or revoke the designation of any area defined in Schedules A, B and C of this Ordinance.
- (k) The words "Orders or" in the new Section 18 have been deleted as a consequence of inserting the new Section 15.
- (l) References to sections have been added.



3

3. One further point has occurred to us: it would be convenient if the Ordinance could come into force on 1 January 1975. This would be shortly after the first BAS ship arrives next season and would give time for the Magistrate to receive instructions about the wording of the permits etc. Sir Hubert Flaxman has suggested that Section 1 of the Ordinance can be amended to take care of this by adding the words

"and shall come into force on the first day of January 1975"
and by adding the words

"and commencement"

to the marginal note. No doubt Lindblad Travel Inc have been in direct touch with you to seek permission for their proposed "exploring in South Georgia" between 11 and 15 December. If for any reason you should find it convenient to use this legislation in this connection, we would see no difficulty in London if you alter the date of entry into force to 1 December 1974. "John Biscoe" is scheduled to arrive at Grytviken on 21 November and this would allow time for the Magistrate to receive any necessary instructions.

4. I am sending you ten clean copies of the Ordinance incorporating all these manuscript amendments (with both versions of Section 9 discussed under (e) above). I hope this may save some typing in Stanley. If there are no further matters of substance to be raised from your end and if our suggested alterations are acceptable to you, we think the draft is now ready to be presented to the Council.

Yours sincerely,
Brian Roberts

B B Roberts

Encs

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

Number	Office of Origin	Words	Handed In at	Date
--------	------------------	-------	--------------	------

A/C H/O 29 AUG 1974

To

STAT PRIORITY (ROUTINE)

PROCDONE LONDON SW1

291700Z

From Falklands

Tel No 318 of 29 August

Routine to PCO

DEPENDENCIES CONSERVATION ORDINANCE

1. Your letter HMF 7/2 of 9 August. This is most helpful and I will try and have this Legislation passed before the end of the year.
2. If you could let me have another five (5) copies, it would save time at this end.

LEWIS

Time



Polar Regions Section
Latin America Department
Foreign and Commonwealth Office
London SW1

Telephone 01-

E. J. 16/9/74

His Excellency
Mr E G Lewis CMG OBE
Governor and Commander in Chief
Government House
Stanley
FALKLAND ISLANDS

Your reference

Our reference HWP 7/2

Date 3 September 1974

Dear Toby,

FALKLAND ISLANDS DEPENDENCIES CONSERVATION ORDINANCE

With reference to your telegram No. 318 I now enclose the five additional copies requested.

Yours truly,

Brian Roberts

Brian Roberts

*Additional copies
sent in AFS Office.*

UNCLASSIFIED

WILD LIFE FILE

304



British Embassy

3100 Massachusetts Avenue NW Washington DC 20008

Telex Domestic USA 89-2370/89-2384

Telex International 64224(WUI)/248308(RCA)/440015(ITT)

Telephone (202) 462-1340

Miss M G D. Evans
Buenos Aires

Your reference

Our reference 4/6

Date 6 September 1974

Dear Wynne,

FALKLAND ISLANDS

On 14 March (!) you asked for a copy of an article by Christopher Bell which had appeared in "Oceans". I very belatedly and apologetically now enclose a copy of the article.

Yours ever

Demit

D C Walker

Copied to:

S Relton Esq Latin America Dept FCO
HE The Governor Falkland Islands,

Hill Cove, on Byron Sound, West Falkland.

The Falkland Islands

by Christopher Bell

Photographs by the Author

TOWARDS THE END OF 1972, I was asked by the British Government to visit the Falkland Islands "to examine and advise on education" there. It was not altogether easy to prepare myself for this mission: although the islands were first discovered almost four hundred years ago and have been a British colony since 1833, most people know nothing about them. Lying deep in the South Atlantic, about three hundred miles off the east coast of South America, for most of their history they have been known only to the islanders themselves and to sailors of all nations—sealers and whalers and the crews of sailing ships hazarding the passage of Cape Horn. They have seldom emerged from obscurity, though once, in December 1914, a British fleet surprised a German squadron under Admiral von Spee off the Falklands and almost annihilated it, and in more recent years, the claims of the Argentine Government to sovereignty over the islands have been widely reported. The completion of an airstrip at the end of 1972 has made them, for the first time, easily accessible to those who work there, to casual visitors, and even to tourists.

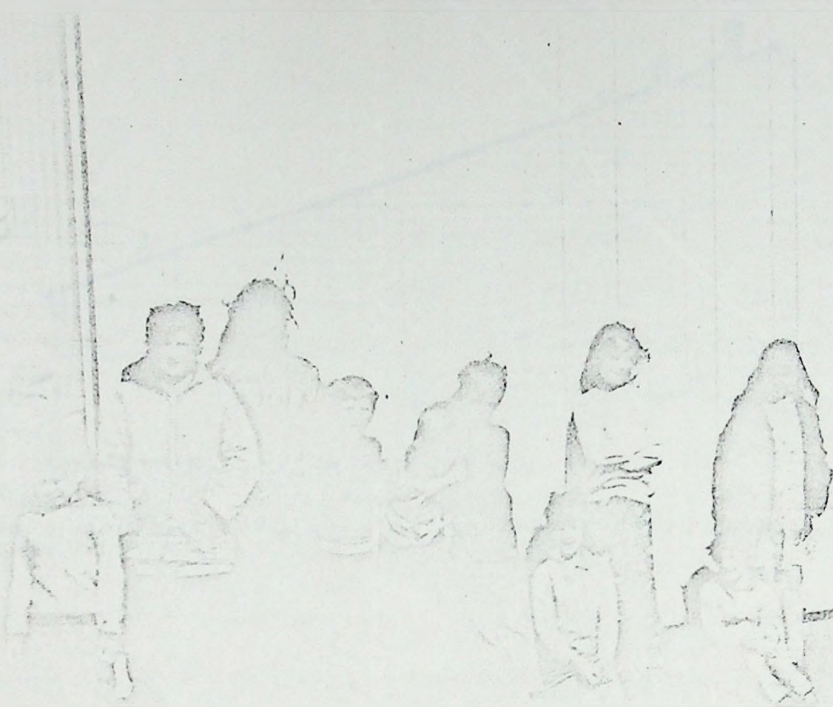
Most of my friends variously placed

the islands in the South Pacific or off the northwest coast of Scotland, but in the end I was able to find two or three people who had lived there and, when I arrived, at the beginning of February 1973, I found that conditions were much as I had been led to expect. The completion of the airstrip made it possible for me to reach the islands by air, via Buenos Aires and the small oil town of Comodoro Rivadavia, on the barren southeast coast of the Argentine Republic. Since the beginning of the year, the capital of the islands, Port Stanley, had been linked to Argentina by a rather uncertain seaplane service, but before that, the islanders had relied on ten or twelve sailings a year to and from Montevideo in Uruguay and on quarterly visits from a small freighter which carried the wool crop and a few passengers to Britain.

Approaching the islands from the northwest and circling down towards Port Stanley, it was easy to see that there are two main islands, East and West Falkland, separated by the twelve-mile stretch of Falkland Sound and sur-

rounded by about two hundred smaller islands, varying in size from a few square miles to mere pinpoints of rock over which the waves broke lazily. The coastline is deeply indented and the many sheltered bays and creeks form magnificent harbors, which have attracted sailors since the islands were first explored. The total land surface is about 4,700 square miles, somewhat less than the state of Connecticut, but spread, of course, over a much larger area. The whole archipelago lies between 51° and 52°30' S, the equivalent, in the northern hemisphere, of southern Canada or the south Midlands of England.

The climate is dominated by strong westerly winds, blowing from the neighborhood of Cape Horn. But the picture which many visitors have painted of bleak, wet, gale-swept moorlands is by no means justified. It is true that rain falls on three days in five throughout the year and that snow has been recorded in every month. It is also true that during my visit, in the middle of the southern summer, the weather varied from day to day and even from hour to hour, and that there were days of sudden storms, of scudding low clouds and even hail. But there were also delightful calm days, hot



Schoolchildren of Port Howard, West Falkland, on Falkland Sound between East and West Falkland islands.

and sunny, on one of which the temperature rose as high as 70°F. But, as might be expected from a climate which is both temperate and oceanic, there are no great seasonal variations: the mean temperature is 49°F in January and February and 36°F in July.

Owing to the strong winds and cool climate, the islands are almost bare of trees. In a few sheltered valleys, I was shown small copses, mostly of conifers, carefully cherished, and known to their proud owners as "forests." Thick gorse hedges surround the paddocks on many of the farms, but the natural vegetation is grassland, of greater or lesser nutritional value, interspersed with dwarf or creeping shrubs, such as *Empetrum rubrum* (diddle dee) and *Gunnera magellanica* (pig vine). Many of the smaller islands are covered with tussock grass (*Poa flabellata*), which throws up its narrow leaves to a height of seven or eight feet from a central boss and provides a nesting place for many of the birds which breed in the islands. In the early summer there are many attractive wild flowers—dog orchids, oxalis, primula, and so on—but unfortunately I arrived too late in the year to see them.

The population of the islands, almost

entirely of British descent, is just under 2,000, of whom rather more than half live in Stanley and the rest in the "Camp," a word of Spanish origin, which is applied to all land outside the capital. Stanley is a large village, masquerading as a capital city: it contains a large government building, an impressive post office, and three churches, including an Anglican cathedral. On the other hand, its largest hotel, the Upland Goose, where I stayed, has room for no more than about twenty guests and in the streets only a few Land Rovers and half-a-dozen cars are to be seen. The arrival of a cruise liner almost doubled the population for a few hours and gave the town an unusual appearance of activity.

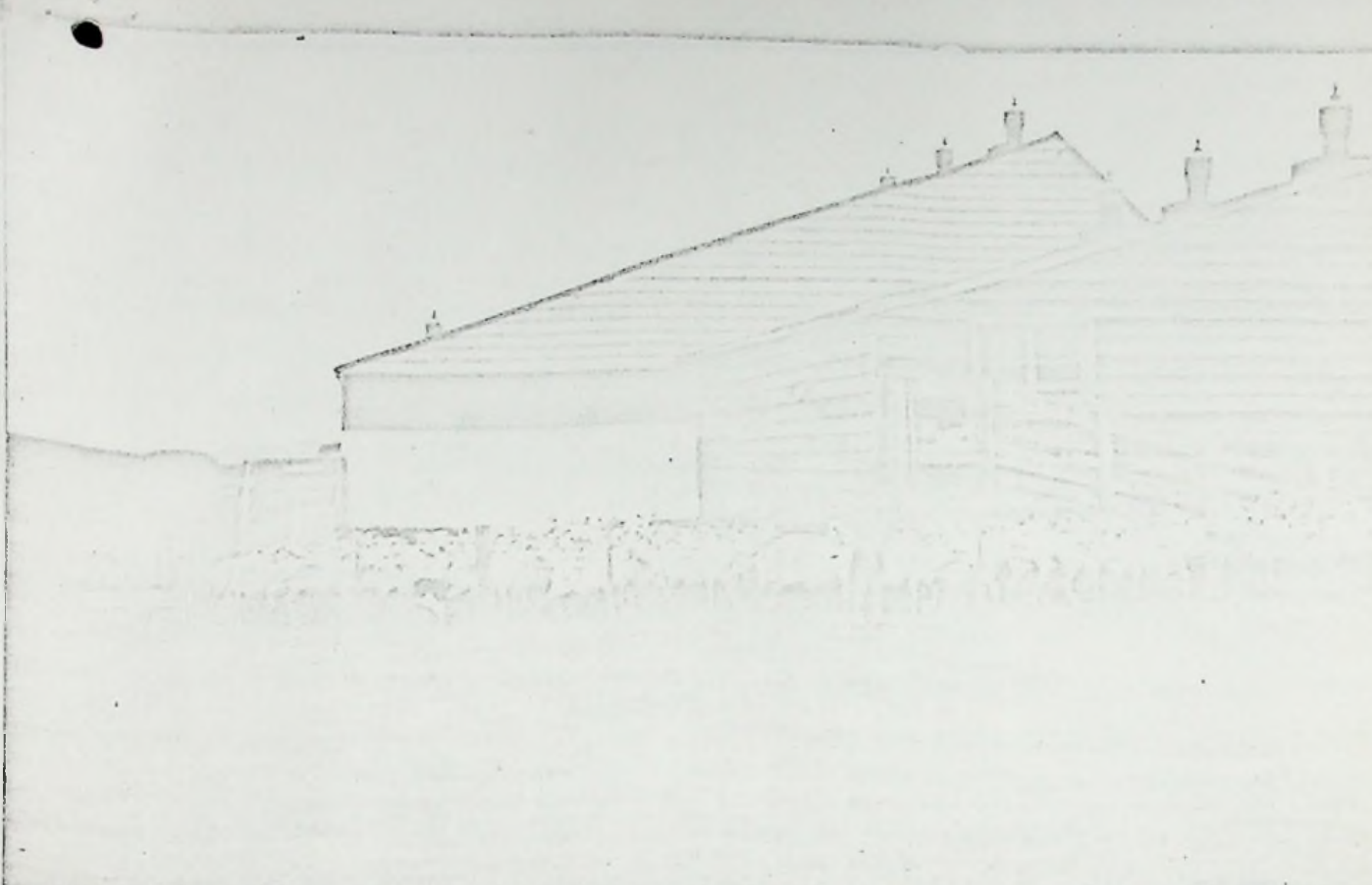
Almost everyone in the Camp is engaged in sheep farming, which is virtually the only industry. The farmers live in "settlements," which are the headquarters of the farms, and in isolated "houses" occupied by the shepherd in charge of outlying areas. The settlements vary in size from about a hundred and twenty people at Goose Green on East Falkland to less than ten on some of the smaller islands.

There are about 650,000 sheep in the Falklands, that is, about one sheep to

every four acres, but large areas carry no sheep at all as much of the grass is useless for grazing. Some progressive farmers have begun to improve the natural pasture, and several thousand acres of *Holcus lanatus* have been sown. Although the number of sheep has tended to decrease since the turn of the century, the wool crop has gradually increased to about 4¾ million pounds a year at the present time. Following a period of depression, the price of wool has risen steeply over the past two years and for the time being farmers are enjoying a period of prosperity.

Many attempts have been made to find alternative sources of revenue for the islands, but with very limited success. There is a small algal industry based on the kelp which grows in profusion in the creeks and inlets. Improved relations with Argentina have made it possible to export sheep on the hoof to the coast and, since the introduction of the air service, a trickle of tourists are finding the islands in summer a restful place for a holiday, with fishing and bird-watching to occupy them. Several cruise ships have recently paid short visits to Port Stanley.

The European Space Research Orga-



Sheared sheep—their wool, the wealth of the Falkland islanders, whom the animals outnumber 365 to one.

nisation (ESPO) is responsible for a satellite tracking station and the British Antarctic Survey (BAS) has a small advance base at Stanley, but the prosperity of the islands depends so uncompromisingly on the price of wool, that it—and the weather—are the standard topics of conversation.

I was able to visit several of the farm settlements, traveling from Stanley in one of the Beaver floatplanes which carry passengers, mail, and light freight. These planes follow no set timetable, but zigzag from settlement to settlement as the need arises, notifying intending passengers through the local radio station on the previous evening. One disembarks onto a jetty or into a dinghy according to the state of the tide and weather and in a high wind this can be quite a hazardous undertaking. Usually these planes fly very low, climbing through the passes between the hills with only two or three hundred feet to spare. I became quite familiar with the Wickham Heights, the backbone of East Falkland, which rise to over 2,300 feet in Mount Osborne at their western end and sharply divide the flat expanse of Lafonia to the south from the rolling hills and the myriad of creeks and inlets to the north. Across Falkland

Sound, Mt. Adam, the highest point of the coastal range, is only a few feet lower. Although it is now generally agreed that the Falklands remained ice-free during the Tertiary period, the corries on the higher mountains suggest glaciation at that level and the "stone-runs," large accumulations of boulders on the hill-sides, seem likely to have been caused by the alternate action of frost and thaw in a near-glacial climate.

The foothills and low-lying land are largely covered with peat, varying in depth from an inch or two to fifteen feet or more. Until recently this peat provided the only source of fuel and even now almost all householders have their "peat-banks" from which the peat must be cut and stacked for drying in early summer and transported home in the autumn.

The settlements keep in touch with Stanley and with each other by means of an R/T link, which operates throughout the working day from Monday to Friday and carries news, notices, medical consultations, weather records, and gossip; it chattered away in the background in most of the houses in which I stayed and is known as Radio Edith, the first name of the compere. In addition to the Beavers, small freighters make occa-

sional calls at the settlements to deliver stores and collect the wool crop, but journeys overland are difficult—on horseback or by Land Rover. Except in Stanley, there are no roads worthy of the name and the traveler must ride or drive over rough tracks winding between the peat bogs.

As far as my own assignment was concerned, the scattered population and poor communications presented me with an intriguing problem. There are only about 360 children of school age in the islands: half of them live in Stanley and attend school there; another sixty, most of them boarders from the Camp, go to Darwin School, at Geose Green, near the western coast of East Falkland; there are a few settlement schools with a dozen children or less; some older children have been awarded scholarships to enable them to attend secondary schools in Uruguay or Argentina; but the rest, a hundred or so boys and girls of all ages, living in isolated homesteads or the smaller settlements, have to depend on traveling teachers who can spend, at best, two weeks with them in every two months.

It seemed to me that the boarding wing of the school at Darwin should be moved



Southern sea lions on the tip of Cape Dolphin, northernmost point of East Falkland Island. The area is a wildlife sanctuary.

to Stanley so that a single larger, more economical and efficient unit could be established, that better facilities for practical crafts for both boys and girls should be provided, and that taped programs should be prepared for those children who live at home and have to depend on itinerant teachers.

The waters of the South Atlantic abound in krill, that shrimp-like organism which provides food for fish, seals, and innumerable seabirds. Whales, which were once plentiful, have been virtually exterminated from the surrounding seas. The nineteenth-century sealers killed off almost all the fur seals and this attractive animal can now only be seen in a few remote places. The southern sea lion and the elephant seal, however, breed in the Falklands and are still numerous; the leopard seal is an occasional visitor.

But for me, as a newcomer, the most exciting feature of the islands was the variety of birdlife. Three kinds of penguins breed in the Falklands and can be seen in their rookeries in countless thousands. These are the gentoo penguin (*Pygoscelis papua*), the rockhopper (*Eudyptes crestatus*), and the Magellan (*Spheniscus magellanicus*), known locally as the jackass penguin. The giant

king penguin, which had been almost exterminated, is now slowly reestablishing itself.

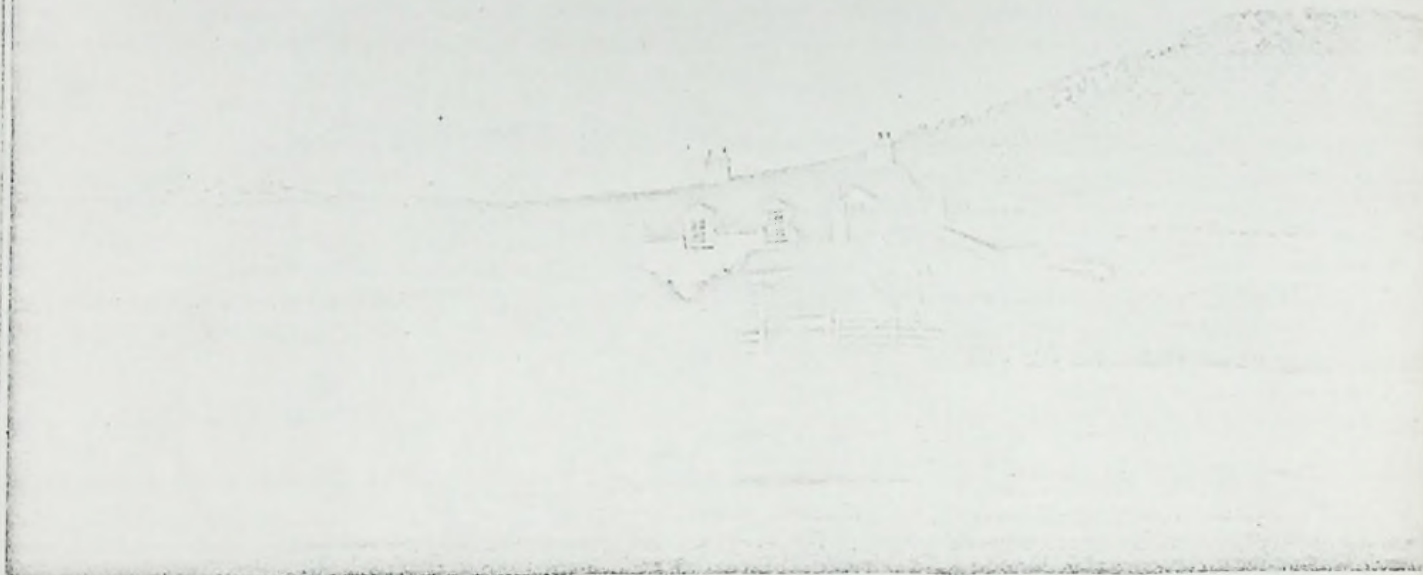
Other species of seabirds that I saw included the black-browed albatross (*Diomedea melanophrys*), the sooty shearwater (*Procellaria griseus*), petrels, shags, oyster catchers, night herons, and several kinds of gull. The flightless logger-duck (*Tachyeres brachypterus*) and the kelp goose (*Chloephaga hybrida*) can be seen everywhere, even on the waterfront at Stanley, while inland the upland goose (*Chloephaga picta leucoptera*) is to be found in such numbers that farmers offer a bounty for its destruction, on the grounds that it destroys the grazing for the sheep.

Inland lakes, known to the islanders as "ponds," whatever their size, offer a home to black-necked swans, grebe, teal, and widgeon, which were often so tame that when we flew low over them, they took not the slightest notice. There is also a wide variety of less exotic land birds, many of which nest in the tussock grass on the offshore islands.

Although I did see several hares, there are now no indigenous mammals. The "warrah," a kind of wild fox, became extinct about a hundred years ago.

For the past twenty years or so the Republic of the Argentine has laid claim to the Falklands and protracted negotiations have been taking place between the Governments of Argentina, Britain, and the Falkland Islands. The basis of the Argentinians' claim is that, when they achieved independence from Spain in the early nineteenth century, they fell heir to all Spanish possessions in the area and that, at that time, the Falkland Islands belonged to Spain. The islanders themselves say that they are of British descent and wish to keep their links with Britain. The British Government is only willing to recognize the Argentinian claim if the Falkland Islanders themselves accept it. As the following outline of the islands' history will show, not only Britain and Spain, but the French and, on one occasion, the United States, have been involved there.

In August 1592, the British mariner John Davis, separated in a storm, from his parent expedition, recorded the first sighting of the islands. Two years later, Sir Richard Hawkins also passed nearby and named them Hawkins' Maidenland (after himself and Queen Elizabeth I), a name which has, fortunately, failed to survive. Though other mariners sighted



The manager's house at Hill Cove.

the islands, it was not until 1690 that John Strong in *Welfare* made the first known landing. It was he who gave the group its present name in honor of Viscount Falkland, the then Treasurer of the Royal Navy.

The French were the first to show more than a passing interest in the islands and indeed the first to try to establish a permanent settlement. This was on the initiative of the explorer and botanist, Antoine de Bougainville, after whom the colorful South American climbing plant was named. In 1764, after the loss of the French colonies in Canada, he organized an expedition to the South Atlantic and founded a settlement at Fort Louis on Berkeley Sound, a site which, under the name of Port Louis, is still occupied. The French called the islands "Les Malouines," because many of the first settlers were fishermen from the port of St. Malo. From this is derived the Spanish name of "Las Islas Malvinas," which the Argentinians now use.

Meanwhile the British Admiralty had recognized the strategic value of the islands. In the days of sail, long before the opening of the Panama Canal, they

could with some justice be called the key to the Pacific. In 1764, Commodore Byron was dispatched to claim them and early in 1765 he hoisted the British flag at Port Egmont, on an island off the north coast of West Falkland; a small fort was built the following year.

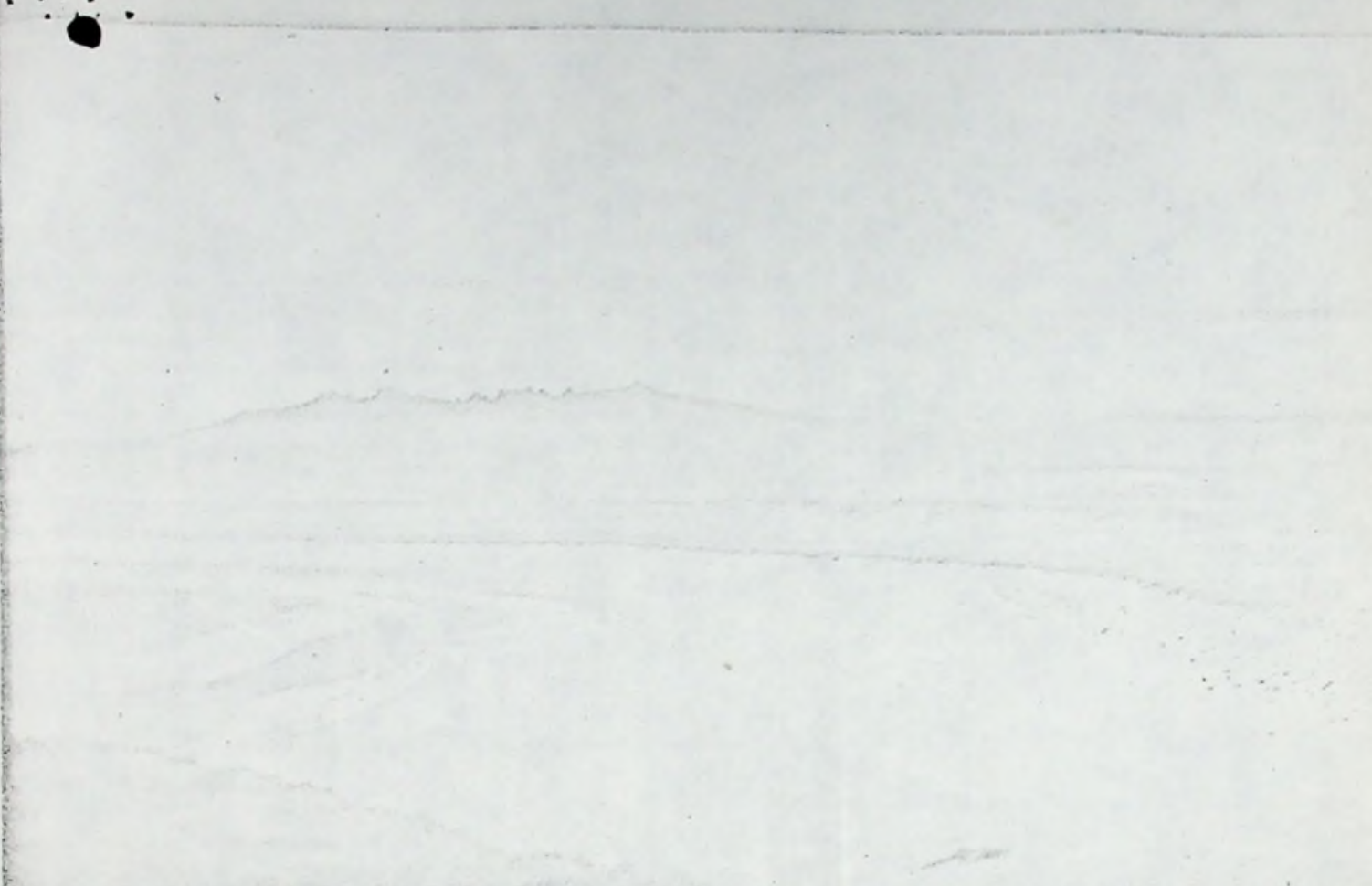
It was only then that the existence of the French settlement was discovered, and while the British Government discussed what action to take, it was learned that the French had sold their rights in Les Malouines to Spain and that Port St. Louis had become Puerto de la Soledad. In 1770 a Spanish frigate appeared at Port Egmont and forced the British party, protected only by a mud fort and a small sloop, to withdraw. This action almost led to war between Britain and Spain but, after a long argument, Port Egmont was restored to Britain and the settlement was reoccupied. Three years later, however, the establishment was closed as "an unnecessary naval extravagance."

The Spanish settlement at Soledad remained until 1806, when unrest in South America caused it to be abandoned. The United Provinces of Rio de la Plata, the embryo Republic of the Argentine,

claimed sovereignty over the Falklands as the heir of Spain, but were too fully occupied elsewhere to do more than visit them until 1828, when they appointed one Louis Vernet, a German merchant of French descent, their representative there. Vernet, who had lived in the islands for some years and had developed a considerable business as a chandler and provisioner for ships sailing round the Horn, saw fit to seize three American schooners, bringing on his head reprisals in the person of Captain Duncan of the *Lexington*, who destroyed the fort at Soledad. Vernet had already left the islands by that time and did not return.

At this point the British Government decided to reestablish its sovereignty and an expedition under Captain Onslow in *Clio* was sent to Soledad. A small party of Argentine soldiers who were then occupying the fort were given notice to quit. The British flag was once more hoisted on January 5, 1833, from which date the permanent British occupation of the islands can be reckoned.

For the first few years, the settlement at Port Louis remained the responsibility of the Navy, but in 1841 a civil adminis-



Smylie Cove, East Falkland—its namesake a sometime pirate in Falkland waters. Large numbers of penguins live here.

tration was established and Lieutenant Moody of the Royal Engineers was appointed Governor. In the eighteen thirties the inhabitants of Port Louis, apart from the naval contingent, had consisted of sealers and whalers of various nationalities and Indians and gauchos who had been left behind by their Spanish and South American employers. A handful of settlers lived on the proceeds of the hides and meat of the wild cattle, introduced originally by de Bougainville and now running free in large herds over the upland pastures.

It had long been recognized that the Falklands were a convenient port of call for ships on the Cape Horn route and it was this which prompted Governor Moody in 1843 to move the capital to its present site at Port Stanley. The long beat up Berkeley Sound against the prevailing westerlies had often proved awkward for men and ships, frequently in poor condition, and Port Stanley, an almost landlocked harbor approached through the Narrows from Port William, was both easier of access and more sheltered. This move encouraged the growth of a repair industry for ships which had

met heavy weather in southern latitudes; nevertheless, the islands were and continued to be the graveyard of ships and almost a hundred wrecks have been identified on the shores of the islands or the many reefs which surround them. This count does not include the hulks of vessels abandoned in and around Port Stanley, of which the most famous is the *Great Britain*, the first metal-hulled, screw-driven ship ever to cross the Atlantic: after lying in the harbor for over eighty years, she was recently towed back to her home port at Bristol.*

At first, the hard life in this remote colony attracted few settlers, but in the middle of the century two events proved the turning point in the fortunes of the islanders. The year 1851 saw the birth of the Falkland Island Company, now not only the largest landowners, but also shipping agents and the most important general merchants. This infusion of capital enabled farmers to follow the example of the brothers Whittington who, in 1860, introduced the first flock of sheep. The lesson of their success was quickly

*See "The Great Britain Comes Home," *Oceans*, No. 3, 1971.

learned and by the turn of the century almost all suitable land had been taken up, most of the wild cattle had been killed off, and the islands had assumed the appearance which they have retained to this day—a small but flourishing capital at Stanley, sparsely inhabited ranches in the Camp, and a population of around 2,000 people and well above half a million sheep.

If, as seems possible, the Argentinians continue to press their claims, the political future of the Falkland Islands must hang in the balance. Over the past two or three years, the Republic has set itself to woo the islanders, by the construction of the airstrip, the provision of a weekly air service, and the award of scholarships to children of secondary school age. This policy is clearly intended to show the Republic in the best possible light and, if it is pursued by the Peronistas, might in the long run lead to a peaceful and agreed transfer of power. The attitude of the new regime will be watched with interest in the Falklands and much may depend on the degree of political and economic stability which it can achieve in Argentina itself.

UNIVERSITÄT HAMBURG

Zoologisches Institut und Zoologisches Museum

Dep. of Ornithology
2 Hamburg 13, Papendamm 3

Dr. Heinrich Hoerschelmann

Fernsprecher: 41 23-
Behördennetz: 9.09(") } Durchwahl

To the
GOVERNOR of the
FALKLAND ISLANDS
Port Stanley

Hamburg, den 20. Sept. 1974

Dear Mister Governor!

VISIT TO THE FALKLAND ISLANDS FOR BIRDS INVESTIGATION

The British Consul in Hamburg, Mister J. Betts, told us, that he has informed you, that I and my colleagues Dr. Jürgen Jacob and Dr. Karl Figge intend to visit the Falkland Islands in January 1975 and that you was so kind to approve it.

Thank you very much.

Our main purpose is to become acquainted with the nature and in special with the birdlife of the Falkland Islands. We also want to learn something about the problems of nature conservation and bird preservation.

Beside this we want to collect some glands of birds, mainly penguins and tubenoses for biochemical investigation. One problem thereby is to investigate the pesticide residues. For this it will be necessary to get a few specimens of common seabirds.

We would be much obliged to you for supporting our project.

Yours sincerely

H. Hoerschelmann
(Dr. H. Hoerschelmann)

WILD LIFE FILE

308

302

Stanley
Falkland Islands

29th September 1974

Christopher Cadbury Esq
Beaconwood
Rednal
Nr Birmingham
ENGLAND.

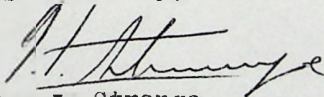
Dear Mr Cadbury,

At a recent meeting of the SPNR which my wife attended, I understand you mentioned that you had heard of recent trawling activities about Falkland waters and that you were quite disturbed about these.

Research trawling has been carried out in these regions by Russian vessels for some years now, it is also correct that in recent months a Japanese vessel has made two commercial survey trips, and I understand is perhaps making further survey presently. These surveys are being made on behalf of British concerns.

The prospects of any large trawling activities close inshore to these Islands concern me greatly, especially if they work through some of the important "food fields" used by our bird and animal life. However, I am quite sure the Falkland Islands Government is aware of the dangers and will take the required steps to ensure that our wild life is protected. Some time ago, I put forward suggestions that the Falklands should have some "sea reserves". Taking into consideration that fifty percent of our bird life and all our endemic species of mammal rely solely on this source for food, it is an important question and I am confident that such steps would be taken.

Yours sincerely,


Ian J. Strange

cc. His Excellency the Governor,
Government House,
Stanley, F.I.

WILD LIFE FILE

309

B/w

HE:

8/10/74

Message from Ian Strange

He has had news from Don Meyer

The visit will take place
(provisionally) from 15 Nov
until 15 December.

Dr Perkins will be arriving
on 1 December.

He will keep us informed
nearer the time of this
planned visit.

PS

Blind Copies: BAS
Mr I Strange

308

FLE/10/1 Vol. 2

10 October 1974

Dr Heinrich Hoerschelmann
Universität Hamburg
Zoologisches Institut und Zoologisches Museum
2 Hamburg 13
Papendamm 3
Hamburg
GERMANY

Dear Dr Hoerschelmann

Thank you for your letter of 20 September, and if I can be of any further help please let me know. Might I suggest that if you want assistance here from someone well up in the wildlife field, then you could contact Mr Ian Strange in Stanley. Mr Strange acts as the Government's adviser on these matters.

Also, as you may know, the British Antarctic Survey has done a lot of work in this field both in the Antarctic and South Georgia, and their scientists could be of help to you. The address of their headquarters in London is as follows:-

British Antarctic Survey
30 Gillingham Street
London SW1V 1NY

Yours ever

R G Lewis

Carcass Island

311
30th Oct. 1974

Dear Sir,

I have been asked by Dr. Janet Kean, of The Wildfowl Trust at Slimbridge, Gloucestershire, to obtain some eggs of the kelp goose (*Chloephaga hybrida melanotus*) and the flying skimmer ducks (*Tachyeres patagonicus*) for the Slimbridge Collection.

Although no mention of the eggs of birds is made I assume that the Wild Animals and Birds Protection Ordinance, 1964, prohibits me from doing this unlicensed. Similarly the Wild Animals and Birds (Export) Regulations, 1966 and 1968, require licences to be obtained for the export of these birds, but again their eggs are not mentioned.

I am requesting, therefore, that if I need to be licenced either to collect these eggs and/or to export them, that I may be so licenced under the provision of Section 5 (b) of the Ordinance and Section 2 (2) of the Regulations.

I do not know how many eggs are required

yet but as soon as I hear if such licencing
will be granted then I shall find out the
necessary details and inform you of them.
In turn I would be grateful if you could
inform me of any other details which might
be required before such licencing can be effected

Yours sincerely

John Haradine

11/11
N/S / Mink M

11/11/74

R
B/V on file

11/11/74

CONFIDENTIAL
EXECUTIVE COUNCIL

NO INF/4/74

FALKLAND ISLANDS DEPENDENCIES CONSERVATION ORDINANCE
1974

Attached hereto is the Falkland Islands Dependencies Conservation Ordinance 1974.

2. The legislation has been cleared by experts in London and His Excellency intends that it shall be brought into force in the Dependencies before the end of 1974.

3. Honourable Members will wish to note that this Legislation may well act as a model for amendments which could be introduced into the Colony's Legislation.

Secretariat,
Stanley.

9th October 1974

REF: FIS/10/1

CMCD

CONFIDENTIAL

EXECUTIVE COUNCIL

No. INF 8/74

Visit by Don Meier Productions

1. Don Meier Productions are a television company in the United States of America with a record of having one of the most popular programmes covering wildlife. They produce a television documentary called "Mutual of Omaha's Wild Kingdom", which is a programme about natural history, specialising in the life history of animals.

2. The programme is syndicated throughout the United States of America, and is now very popular in Europe. As a result of correspondence between His Excellency the Governor and Don Meier Productions, a television team is scheduled to arrive in the Islands at the beginning of December to film in the West Falklands. The programme will be introduced by Dr. Marlin Perkins, Director Emeritus of the St. Louis, Missouri Zoo. Dr. Perkins will also be visiting the Islands.

The Secretariat,
STANLEY.

5th November 1974.

316

~~210~~

INFORMATION MEMORANDUM

FIS/10/1

21. FAKLAND ISLANDS DEPENDENCIES CONSERVATION

ORDINANCE 1974 (Memo INF 4/74)

Honourable Members noted that His Excellency intended to enact the Falkland Islands Dependencies Conservation Ordinance 1974 for the Dependencies before the end of the year, and that the Ordinance might well act as a model for amendments which could be introduced into the Colony's legislation.

22nd November,

74

NTF.FIS/10/1 Vol.2.

Mr. J. Harradine,
Caracas Island,
Falkland Islands.

Dear Sir,

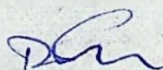
Please refer to your letter of 30th October, 1974,
regarding the collection of eggs for the Wildfowl Trust
at Slimbridge.

The eggs of wild birds are not protected except those
of penguins and albatrosses, and eggs in the places declared
as Nature Reserves under the Nature Reserves Ordinance.
These Reserves are Kidney Island, Coochey Island, Bird Island
and the Crown Jason Islands.

Approval in principle is given for you to collect from
areas other than Nature Reserves, the eggs required by
Slimbridge, free of charge, on the understanding that the
eggs are not sold to any other person or organisation.

No licence to collect or export the eggs will be
required by you, but you should advise me of the quantities
required and supplied to Slimbridge.

Yours faithfully,



D. Morrison.
For Chief Secretary.

cc. Collector of Customs.

313

MB

SECRETARY
23 NOV 1974
ISLANDS

BRITISH ANTARCTIC SURVEY
27 NOV 1974
RAKLAND ISLANDS

NR 57 R 26/11/74 1215
FM JOHN EISCOE
TO STANLEY

JE/315/74 FROM BONNER

TO CHIEF SECRETARY STANLEY

WOULD GREATLY APPRECIATE ~~DISCUSS~~ DISCUSSION WITH YOU ON MY ARRIVAL IN
STANLEY WITH ENDURANCE ETA 7TH DECEMBER AS I HAVE RESERVATIONS
ON WORDING OF PROPOSED ORDINANCE FOR CONSERVATION OF WILDLIFE
IN SOUTH GEORGIA.

NE/RW

314

B/n

R.H.

29/11/74

NR70 PRIORITY 29/11/74 1150
FM JOHN BISCOE (BONNER)
TO STANLEY OFFICE



JB/328/74

REFERENCE YOUR BAT 29. ORDINANCE AS DRAFTED PROHIBITS DESTRUCTION OF NATIVE PLANTS (SECT 3D) EXCEPT BY PERMIT (6(2)). THERE IS NO PROVISION FOR ISSUING PERMITS TO ALLOW INCIDENTAL DESTRUCTION OF PLANTS IN THE COURSE OF FOR EXAMPLE THE BUILDING OF AN AIRSTRIP OR FIELD HUT. SUGGEST CLAUSE BE INSERTED QUOTE NOTWITHSTANDING ANYTHING IN SECTION 3CA) OR 3CB) IT SHALL NOT BE AN OFFENCE UNDER THIS ORDINANCE TO KILL OR WOUND ANY NATIVE MAMMAL OR NATIVE BIRD OR DESTROY ANY NATIVE PLANT WHERE SUCH KILLING OR WOUNDING OR DESTROYING IS ON A LIMITED SCALE AND IS THE INCIDENTAL RESULT OF AN OTHERWISE LAWFUL ACT UNQUOTE. SIMILAR CLAUSE IN UK CONSERVATION OF SEALS ACT 1970. SUGGEST WORDS QUOTE SHALL BE DRAWN IN TERMS AS SPECIFIC AS POSSIBLE AND UNQUOTE BE DELETED FROM SECTION 5.

NE/RW

8.01
12/11/74

(315)

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FKLY BY GBLH 095

LONDO LH 95/93 12 0115 PAGE 1/50

ETATPRIORITE

GOVERNOR

FALKLAND ISLANDS

Entand PS

FM FCO 111540Z UNCLASSIFIED TO ROUTINE FALKLAND ISLANDS

TELEGRAM NUMBER 322 OF 11 DECEMBER 1974 FALKLAND

ISLANDS DEPEND NCIES CONSERVATION LAWS AND ROBERTS

HAVE DISCUSSED MESSAGE NO JB/328/74 FROM BONNER

✓ 2 THEY THINK THE SITUATION ENVISAGED BY BONNER CAN BE TAKEN
CARE OF IN PERMITS ISSUED FOR ACTIONS

COL ETATPTY 111540Z 322 11 1974 JB/328/74 2

LHC964 XLH009 ETATPTY GOVERNOR PAGE 2/43

OF THIS KIND, IF LEGISLATIVE COUNCIL HAS NOT YET CONSIDERED
THE DRAFT THEY SEE NO OBJECTION TO THE PROPOSED ADDITION
THEY CONSIDER HOWEVER THAT THE WORDS QUOTE THE PERMITS SHOULD
BE DRAWN IN TERMS AS SPECIFIC AS POSSIBLE UNQUOTE SHOULD
BE RETAINED

CALLAGHAN

UNCLASSIFIED

FIS/10/1

317

WILDLIFE IN THE FALKLANDS

Would you please refer to your letter 4/24 of the 14th December, 1973, about Mutual of Omaha and the television nature series produced by Don Meier Productions.

2. I thought you would like to know that a three man team headed by Dr Perkins has been in the Falklands for the past ten days and have shot a series based on the birds of the Falklands and I understand the show will appear in the USA probably in the second half of 1975. We enjoyed meeting Dr Perkins and I think his team was pleased with the reception that they received in the Islands.

Yours ever,

R C Lewis

D C Walker, Esq.,
British Embassy,
Washington.

c.c. Dr BB Roberts, Polar Regions Section
IAB, FCO
S. Helton, Esq., IAB, FCO
Chancery, Buenos Aires

RR121 R 171739Z DEC
FM SOUTH GEORGIA - RONNER
TO STANLEY
INFO LONDON

W/1240/74. FOLLOWING FOR CHIEF SECRETARY. REGARDING CONSERVATION
ORDINANCE SUGGEST APPROPRIATE WORDING FOR POSSIBLE EXTRA SUBSECT-
IONS TO SECTION 4 COULD BE ADAPTED FROM SECTION 5 (2) B COMMA C AND
D OF ORDINANCE 15 OF 1964.

PAWLEY+



Specially Protected Areas Order 1974

No. of 1974.

E. G. LEWIS,
Governor.

In exercise of the powers conferred on him by section ~~14~~¹² of the Falkland Islands Dependencies Conservation Ordinance 1974, the Governor in Council has been pleased to declare the following area in South Georgia to be a Specially Protected Area for inclusion in Schedule A of that Ordinance —

This Order may be cited as the Specially Protected Areas Order 1974.

Made by the Governor in Council this day of 1974.

Chief Secretary.

Sites of Special Scientific Interest Order 1974

No. of 1974.

E. G. LEWIS,
Governor.

In exercise of the powers conferred on him by section ~~15~~¹³ of the Falkland Islands Dependencies Conservation Ordinance 1974, the Governor in Council has been pleased to declare the following area in South Georgia to be a Site of Special Scientific Interest for inclusion in Schedule B of that Ordinance —

This Order may be cited as the Sites of Special Scientific Interest Order 1974.

Made by the Governor in Council this day of 1974.

Chief Secretary.

Areas of Special Tourist Interest Order 1974

No. of 1974.

E. G. LEWIS,
Governor.

In exercise of the powers conferred on him by section ~~16~~¹⁴ of the Falkland Islands Dependencies Conservation Ordinance 1974, the Governor in Council has been pleased to declare the following to be an Area of Special Tourist Interest for inclusion in Schedule C of that Ordinance —

This Order may be cited as the Areas of Special Tourist Interest Order 1974.

Made by the Governor in Council this day of 1974.

Chief Secretary.



WILDLIFE MANAGEMENT CONSULTANTS

10A Redcliffe Square, London SW10 9JZ.

Telephone: 01-373 0473

Cables: ALLGAME LONDON SW10

Your ref:

Our ref: ISM/PGT



25/2/75

Dear Sir

Following our recent meeting with Dr. David Hall of the Overseas Development Ministry and our application for inclusion on the Ministry's official register of consultants, we would like to tell you something about Wildlife Management Consultants.

We enclose copies of our brochure for your information and feel that we have a great deal to offer in scientific research and development of wildlife and natural resources.

The company has been carefully put together and we have the services of world acknowledged specialists in several fields.

At this time of growing awareness of the need to develop natural resources and increase food supplies, we feel that as a British consultancy we can do a lot to help.

We would be most grateful for any information of ways in which you think our services could be used in your country.

Yours faithfully,

Ian S Macphail

Ian S. Macphail



W M C

W I L D L I F E
M A N A G E M E N T
C O N S U L T A N T S



W M C

HOW MUCH DOES WMC COST?

This is a difficult question to answer because every project is different, but as our services fall into two basic categories we will try to give you an idea of how our fees are structured in each case.

(1) Specialised Survey and Short Term Consultancy

Fees are based on executive time net of all expenses and costs, including specialised reports. They are individually negotiable and payable 50% in advance and 50% on presentation of the Report to you.

(2) Long-Term Development and Project Management

Fees for each individual project are based on the number of specialised personnel, necessary expenses, etc. Contract fees are payable one year in advance.

WILDLIFE MANAGEMENT CONSULTANTS

ADDRESS

10A Redcliffe Square, London SW10 9JZ.

TELEPHONE

01-373 0473

CABLES

ALLGAME London SW10

BANKERS

Barclays Bank Ltd.,
15 Langham Place, London W1A 4NX.

DIRECTORS

P. G. SLESINGER, I. S. MACPHAIL FIPR

B. G. KINLOCH MC, A. G. WILLIAMS

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Company Registered in England No. 1033346
Registered Office: 97 Essex Road, London N1 2SJ

WILDLIFE MANAGEMENT CONSULTANTS



W M C

WILDLIFE MANAGEMENT CONSULTANTS



W M C

WHAT IS WMC?

A consultancy — but with a difference.

We are a small team of specialists in the wildlife and leisure industry, who have a great deal of experience; what we do not know we find out. There are many world-renowned consultants available to us.

HOW DOES WMC WORK?

We examine each project individually, rather than as an auditor looks at a client's finances, and we give an independent assessment of the potential of a project, together with practical advice.

Our recommendations will be based on such factors as environmental or ecological impact, soil and water resources, winds and tides, wildlife density, organisation, and, of course, economic feasibility.

We have a policy of associating ourselves only with projects where the needs of wildlife are of prime importance.

Naturally, economic success is also extremely important, and with our knowledge and management this would follow, thus creating the means of maintaining an establishment in perfect order.

WHO IS BEHIND WMC?

We are a closely-knit band of specialists with complementary skills. We have amongst us:

A lawyer, very necessary to ensure that contracts are in order and agreements effective.

A public relations man, but one with a very special knowledge and understanding of wildlife, one of his successful projects being the World Wildlife Fund, which he helped launch, and of which he was first International Campaigns Director — an achievement which speaks for itself, and illustrates how useful such a man could be to your project.

Then, of course, we have our wildlife specialists:

One of our directors has spent most of his working life in Africa, where he held some very senior appointments, including that of Chief Game Warden of Uganda, during which time he pioneered the establishment of National Parks, as well as founding Africa's first Wild Animal Orphanage at Entebbe. As Chief Warden of Tanzania, he conceived and founded the now famous College of African Wildlife Management at Mweka.

Our projects manager also has many years of practical experience in the field, with animals, as well as a sound business training, another very necessary prerequisite of a successful project.

We could go on telling you about our cetacea trainers, botanists, fisheries experts, etc., but suffice it to say — we have the best, and if they are not on our staff full-time we have contact with them.

WHAT DOES WMC OFFER?

We offer a truly comprehensive service, more like a commando than a consortium — we act quickly and remove all the problems of administration and co-ordination from you.

Among the specialist services we offer are: Design & Construction, Education, Field & Feasibility Studies, Horticulture, Land & Marine Use, Public Relations, Staff Selection & Training, and Wildlife Resources.

We would like to place particular emphasis on two of the above, where our thinking is, we believe, ahead of others, namely, Education and Staff Selection & Training.

Firstly, Education. Our policy is to promote knowledge from primary school level to University degree courses. Wherever possible, we will be delighted to run courses for graduate study within either a commercial or a government project, where students can gain practical knowledge of the fauna and flora on display. All the staff we provide for any contract are fully conversant with their subject, and able to assist any seeker of knowledge.

Secondly, Staff Selection & Training. It is our policy to encourage local people to train with us, so that when they attain a high enough degree of proficiency our job is done, and we are happy to hand over the management of the project to them. This will be of particular help in some countries where there is a low rate of employment. In all cases, however, we prefer to establish a project, get it running smoothly and efficiently, and then withdraw, leaving trained local staff to run it. Of course, in cases where this is difficult, we have a staff register, and can provide you with trained men and women.

F.I. ref:

FIS/10/1

C.O. ref:

328

SAVING DESPATCH.

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

To: The Secretary of State for Foreign and Commonwealth Affairs.

Date: 10th April 1975

No. 19 SAVING. Colony

LEGISLATION

Wild Mammals and Birds (Export) Regulations 1975

Six copies of the above mentioned Regulations are being forwarded to you under separate cover.

GOVERNOR

CFFJ

PUBLIC NOTICE

Shooting of Penguins and other Wild Life

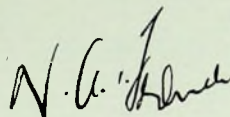
The attention of the public is drawn to the fact that it is an offence to kill penguins and other protected wild life. The public must therefore take every precaution when destroying vermin and/or wild geese that no protected wild life is injured, or killed. In the event that penguins or other protected wild life are inadvertently injured they should be despatched in as humane a manner as possible.

FALKLAND ISLANDS DEPENDENCIES CONSERVATION ORDINANCE 1975

(No. 1 of 1975)

Wild Mammals and Birds (Export) Regulations 1975

No. 1 of 1975.


Governor.

In exercise of the powers conferred by section 19 of the Falkland Islands Dependencies Conservation Ordinance 1975, the Governor has made the following Regulations — 1 of 1975.

1. These Regulations may be cited as the Wild Mammals and Birds (Export) Regulations, 1975. Citation.

2. (1) The fees payable in respect of the exportation of living wild animals and birds shall be as follows — Fees payable for export.

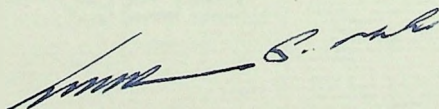
	£
Elephant Seals <i>Mirounga leonina</i> ...	150 each
Fur Seals <i>Arctocephalus gazella</i> ...	70 „
All other seals	50 „
King Penguins <i>Aptenodytes patagonica</i> ...	50 „
All other birds and mammals ...	10 „

(2) 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.

(3) The Governor may waive the fees payable under these Regulations in circumstances which require special exceptions for scientific or other reasons.

3. The Wild Animals and Birds (Export) Regulations 1968 are revoked in so far as they apply to the Falkland Islands Dependencies. Revocation. 3 of 1968.

By Command,



Chief Secretary.

19th February 1975.

Government House,
Stanley,
Falkland Islands.
11th, April, 1975.

FALKLAND ISLANDS
SOUTH GEORGIA
No. 2 of 1975

Sir,

I have the honour to forward herewith for the
signification of Her Majesty's pleasure, two authenticated
and ten printed copies of Ordinance No. 281 of 1975 entitled
'An Ordinance To amend the law with regard to the conservation
of wild animals and birds in the Falkland Islands Dependencies'.

2. The Ordinance is based on a draft prepared in the
Foreign and Commonwealth Office and approved by the Colony's
Legal Adviser in Britain.

3. The object of this piece of legislation is to set aside
South Georgia primarily as a place for scientific research by
restricting disturbance to known areas (thus making it possible
to monitor the extent to which human activities are upsetting
the natural ecological balance). It is felt that this aim is
not incompatible with any future development of economic re-
sources except within or close to certain designated areas. For
instance, the Governor's authority to lease sites for a shore
fishing station or a base for exploiting other marine resources
is not precluded except within the said special areas.

I have the Honour to be

Sir,

Your Obedient Servant



GOVERNOR

The Right Honourable
James Callaghan Esq., P.C., M.P.,
Foreign and Commonwealth Office,
London S.W.1.

Assented to in Her Majesty's name this 19th day of February 1975.

N. A. Irwin French
Governor.



No. DS 1



1975

Falkland Islands Dependencies

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

NEVILLE ARTHUR IRWIN FRENCH, M.V.O.
Governor.

An Ordinance

To amend the law with regard to the conservation of wild animals and birds in the Falkland Islands Dependencies.

Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands by the Governor of the Colony of the Falkland Islands and the Dependencies thereof, as follows—

Enacting clause.

1. This Ordinance may be cited as the Falkland Islands Dependencies Conservation Ordinance 1975 and shall come into force on the 19th day of February 1975.

Short title and commencement.

2. In this Ordinance, unless the context otherwise requires—

Interpretation.

“animal” means any vertebrate or invertebrate including birds, reptiles, fish and insects and the young and eggs thereof.

“native mammal” means any member, at any stage of its life cycle, of any species belonging to the Class Mammalia indigenous to the Dependencies or occurring there through natural agencies of dispersal, as well as reindeer *Rangifer tarandus*, but not including whales and dolphins of the Order Cetacea.

“native bird” means any member, at any stage of its life cycle (including eggs), of any species of the Class Aves indigenous to the Dependencies or occurring there through natural agencies of dispersal.

“native plant” means any kind of vegetation at any stage of its life cycle (including seeds) indigenous to the Dependencies or occurring there through natural agencies of dispersal.

“permit” means a formal permission in writing issued under the authority of the Governor.

3. No person shall wilfully, except as permitted under this Ordinance —

- (a) kill, wound, capture, molest or export any native mammal or native bird; or
- (b) collect or destroy any native plant; or
- (c) enter any Specially Protected Area or Site of Special Scientific Interest; or
- (d) bring into the Falkland Islands Dependencies any living animal, plant, virus, bacteria, yeast or fungus of species which are not indigenous to the region; or
- (e) visit or travel on land in any part of the Falkland Islands Dependencies, as a tourist or for any other purpose of recreation, other than in an area for the time being designated under section 14 as an area of Special Tourist Interest.

Exemptions from section 3.

4. (1) Section 3 of this Ordinance shall not be taken to be contravened by anything done, or attempted to be done, by any person in accordance with a permit issued in respect of him under this Ordinance if it is done or attempted to be done when that permit is in force and in compliance with any conditions or limitations to which the permit is subject.

(2) Without prejudice to the preceding subsection, where a person is charged with an offence under section 3 of this Ordinance, it shall be a defence to prove that the act in question was done or attempted in a case of extreme emergency involving possible loss of human life.

Issue of permits.

5. The Governor may issue to any person a permit authorising him to do such of the things mentioned in section 3 of this Ordinance as are specified in the permit. Such a permit shall be drawn in terms as specific as possible and may be issued subject to such conditions and limitations as the Governor considers appropriate.

Permits to collect mammals, birds or plants.

6. (1) Permits authorising persons to do such of the things mentioned in section 3 (a) and (b) of this Ordinance shall be limited so as to ensure as far as possible that —

- (a) the variety of species and the balance of the natural ecological systems are maintained; and
- (b) no more native mammals or birds are killed or taken in any one year than can normally be replaced by natural reproduction in the following breeding season.

(2) A permit authorising any person to do such of the things mentioned in section 3 (a) and (b) of this Ordinance shall only be issued for the following purposes —

- (a) to provide indispensable food for local use in limited quantities, and in conformity with the purposes and principles of this Ordinance;
- (b) to provide specimens for scientific study or scientific information;
- (c) to provide specimens for museums, zoological gardens, or for other educational or cultural institutions or uses;
- (d) to provide for regulating the management and use of living resources.

Permits to enter Specially Protected Areas or Sites of Special Scientific Interest.

7. A permit authorising any person to enter any Specially Protected Area or Site of Special Scientific Interest shall only be issued in accordance with sections 12 or 13, as appropriate, of this Ordinance.

8. A permit authorising any person to bring into the Falkland Islands Dependencies any living animal, plant, virus, bacteria, yeast or fungus of species not indigenous to the region shall only be issued for purposes, and, where necessary under such controlled conditions, as will not cause harmful interference with the natural ecological system of the region.

Permit to bring into the Dependencies animals, plants, etc.

9. The Governor may delegate his powers under section 5 to any person who for the time being —

Delegation of power to issue permits.

- (a) holds office as Director of the British Antarctic Survey or holds an appointment (by whatever name called) having functions similar to those which at the passing of this Ordinance are performed by that Director; or
- (b) is the resident Magistrate in South Georgia.

10. In connection with the matters authorised by any permit, the permit may require the person in respect of whom it is issued to make to the Governor or other person issuing the permit a report, at such times and in such manner as may be specified in the permit, as to the occurrence of such acts and events as may be so specified.

Reporting of action in accordance with permits.

11. (1) Any person to whom the power to issue permits is delegated under section 9 shall, in respect of each year, send to the Governor a report in accordance with subsection (2) of this section, and every such report shall be sent to the Governor as soon as practicable after the end of the year to which it relates.

Report by person issuing permits.

(2) A report made by any person under subsection (1) of this section in respect of any year shall contain such particulars of permits under this section issued by him relating to that year, and of information received by him relating to that year in pursuance of section 10, as the Governor may require.

(3) In subsection (1) and (2) of this section "year" means a period of twelve months ending on 30th June.

12. (1) The areas defined in Schedule A are hereby designated "Specially Protected Areas" and shall be accorded protection in order to preserve their ecological systems.

Specially Protected Areas.

(2) The Governor may, by Order, designate any additional area as a Specially Protected Area which is —

- (a) a representative example of a major land, freshwater, or coastal marine ecological system;
- (b) an area with a unique complex of species;
- (c) an area which is the type locality or only known habitat of any native plant or invertebrate species;
- (d) an area which should be kept inviolate so that in the future it may be used for purposes of comparison with localities that have been disturbed by man.

(3) A permit issued in accordance with section 5 of this Ordinance shall not have effect within a Specially Protected Area except in accordance with subsection (4) of this section.

(4) A permit to enter a Specially Protected Area shall be issued only for a compelling scientific purpose which cannot be served elsewhere, and provided that the actions permitted thereunder will not jeopardise the natural ecological system existing in the designated area.

13. (1) The areas defined in Schedule B are hereby designated "Sites of Special Scientific Interest", and shall be accorded protection in accordance with subsection 4 of this section in order to prevent interference with scientific investigations.

Sites of Special Scientific Interest.

(2) The Governor may, by Order, designate any additional area as a site of Special Scientific Interest which is being maintained exclusively for scientific investigations in a locality where such investigations may be jeopardized by accidental or wilful disturbance.

(3) A permit issued in accordance with section 5 of this Ordinance shall not have effect within a Site of Special Scientific Interest except in accordance with subsection (4) of this section.

(4) A permit to enter a Site of Special Scientific Interest shall be issued only for a compelling scientific purpose which cannot be served elsewhere, and provided that the actions permitted thereunder will not interfere with the scientific investigations for which the Site was designated.

Areas of Special Tourist Interest.

14. (1) The areas defined in Schedule C are hereby designated "Areas of Special Tourist Interest", which shall be open for tourism and recreation.

(2) Subject to the next subsection of this section the Governor may, by Order, designate additional areas representative of wildlife and scenic beauty.

(3) In designating additional areas the Governor shall have regard to the need to monitor the effects of tourists on the natural ecological systems within these areas.

Amendment of Schedules.

15. The Governor may, by Order, amend the definition, or revoke the designation of any area defined in Schedules A, B, or C of this Ordinance.

Penalties.

16. (1) Any person who knowingly contravenes section 3 (a) of this Ordinance, by wilfully killing, wounding, capturing or molesting any native mammal or bird, except as permitted under this Ordinance, shall be liable to a fine not exceeding £150.

(2) Any person who wilfully contravenes sections 3 (b), (c), (d) or (e), except as permitted under this Ordinance, shall be liable to a fine not exceeding £150.

(3) Any person who fails to comply with a requirement imposed on him by a permit issued in accordance with sections 6, 7, 8 and 10, or who in any report made by him in pursuance of such a requirement knowingly and recklessly makes a statement which is false in a material particular, shall be liable to a fine not exceeding £150.

Venue.

17. For all purposes of and incidental to the trial of any person accused of any offence under this Ordinance and the proceedings and 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.

Incidental destruction of native plants and animals.

18. Notwithstanding anything in section 3 (a) or 3 (b) it shall not be an offence under this Ordinance to kill or wound any native mammal or native bird or destroy any native plant where such killing or wounding or destroying is on a limited scale and is the incidental result of an otherwise lawful act.

Governor may make Regulations.

19. The Governor may, from time to time, make Regulations for the better carrying out of the provisions of this Ordinance and the intent and object thereof.

Repeal. (DS2/69).

20. The Application of Colony Laws (No. 2) Ordinance 1969 is hereby repealed.

SCHEDULE A.

Section 12.

SPECIALLY PROTECTED AREAS

Cooper Island lat. 54° 49' S., long. 35° 47' W.

SCHEDULE B

Section 13.

SITES OF SPECIAL SCIENTIFIC INTEREST

Bird Island lat. 54° 00' S., long. 38° 03' W.

Annenkov Island lat. 54° 29' S., long. 37° 05' W.

SCHEDULE C

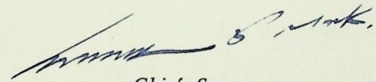
Section 14.

AREAS OF SPECIAL TOURIST INTEREST

GRYTVIKEN. The area bounded by Moraine Fjord, Hamberg Glacier, Mount Sugartop and Lyell Glacier.

BAY OF ISLES. The area between Cape Buller and Cape Wilson inland to the height of land, together with all the islands and rocks in this bay.

Promulgated by the Governor on the 19th day of February 1975.


Chief Secretary.

Ref. FIS/10/1.

NOTE

In re 90

I discussed with Mr Hills. He says he is leasing this land from FIC and plans to raise a very high-quality sheep for sale as meat in Stanley. A lot of the animals will be nervous because he intends keeping the ewes and lambs there for some time before and after lambing. He thinks it inadvisable that they be disturbed.

2. He makes the additional point that he wants to use the area to fatten calves which he will bring in from Camp. Many of these will be frisky and would not be approachable by the ordinary public.

3. He does not, of course, rule out the occasional visit by the genuine wild-life enthusiast, and is even prepared to turn it into a tourist attraction once (as he puts it) tourism becomes more profitable than sheep farming.

23-4-75

GOVERNMENT TELEGRAPH SERVICE

327

FALKLAND ISLANDS

SENT

Number	Office of Origin	Words	Handed In at	Date
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2.5.75

To

Magistrate South Georgia

No. 5

Falkland Islands Dependencies Conservation Ordinance
No DS1/75 promulgated by the Governor on 19th February.
Notification of non-disallowance still awaited from
London. Copy of Ordinance and Regulations made there-
under being forwarded you first opportunity.

Chiefsec.

cfej

Time