



FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 January 2013

No. 1

Appointment

Stephen Robert Anderson, Evening Security Officer, Health Services Department, 01.12.12.

Anya Deirdre Smith, Assistant Taxation Officer, Treasury Department, 02.01.13.

Laura Louise Toulson, Pharmacist, Health Services Department, 14.01.13.

Steven Gill, Special Needs Teacher, Education Department, 21.01.13.

David Jenkins, Director, Health Services Department, 22.01.13.

Completion of contract

David Beynon, Pharmacist, Health and Education Department, 18.01.13.

David Jenkins, Director, Health and Education Department, 21.01.13.

Resignation

Phillipa Christie, Principal Policy Officer, Policy Unit, 28.11.12.

Tansie Rebecca Bonner, Clerk, Training Unit, Health and Education Department, 04.01.13.

Timothy Bonner, Agricultural Assistant, Department of Natural Resources, 03.01.13.

Alison Dodd, Customer Services Officer, Falkland Islands Government Air Service, 11.01.13.

Benjamin Lovett, History Teacher, Health and Education Department, 18.01.13.

Madeleine Jane Evans, Special Needs Teacher, Health and Education Department, 18.01.13.

Transfer

Derek George MacDonald, from Plant Operator/Handyman, Property and Municipal Section to Plant Operator/Handyman, Highways Section, Public Works Department, 02.01.13.

Bonnie Curtis, from Customs and Immigration Officer, Customs and Immigration Department to Housing Officer, Public Works Department, 14.01.13.

NOTICES

No. 1

1 November 2012

Marriage Ordinance section 25

Appointment of Registrars

1. Section 25(1) of the Marriage Ordinance provides that the Governor may appoint any person to be a Registrar, either generally or for the purposes of a particular marriage or marriages.

2. In exercise of my powers under section 25, I appoint the following to be Registrars:

Rosalind Catriona Check; Allison Clara Carter; Alison Anne Mackenzie Inglis; Mark David Lewis; Ronald John MacLennan Baird

3. This appointment continues in effect for so long as the individuals are employed in their current role (or in a similar role) in the Attorney General's Directorate; unless their appointment as a Registrar is terminated sooner.

Dated 1 November 2012

N. R. HAYWOOD C.V.O.,
Governor.

No. 2

28 November 2012

Referendum (Falkland Islands Political Status) Ordinance
section 11

Appointment of Referendum Officers

In exercise of my power under section 11 of the Referendum (Falkland Islands Political Status) Ordinance I appoint **Elizabeth Jayne Reid** the Registrar General to be a Referendum Officer in connection with the Referendum to be held on 10 and 11 March 2013, in respect of the following tasks:

- administrative tasks
- recruitment of polling clerks and counting officers
- organisation of logistics throughout referendum

I appoint **Rosalind Catriona Cheek** the Head of Legal Services to be a Referendum Officer in connection with the Referendum to be held on 10 and 11 March 2013, in respect of the following tasks:

- oversee the Registrar General
- provide legal support as required
- administrative support to the referendum generally

I appoint **Mark Lewis** the Attorney General to be a Referendum Officer in connection with the Referendum to be held on 10 and 11 March 2013, in respect of the following tasks:

- oversee the Registrar General
- provide legal support as required
- administrative support to the referendum generally

I appoint **Nicola Granger** the Financial Secretary to be a Referendum Officer in connection with the Referendum to be held on 10 and 11 March 2013, in respect of the following tasks:

- oversee financial implications
- assist in supervision of count
- administrative support to the referendum generally

I appoint **Tiphonie May** the Graduate Trainee to be a Referendum Officer in connection with the Referendum to be held on 10 and 11 March 2013, in respect of the following tasks:

- assist Registrar General with administrative tasks

Dated 28 November 2012

K. PADGETT,
Chief Referendum Officer.

No. 3

24 December 2012

Public Accounts Committee
Register of Members' Interests

The information contained in this Register is provided by members of the Public Accounts Committee in accordance with section 7(4)(c) of the Public Accounts Committee Ordinance.

The information is current to 24 December 2012.

Particulars of Interests:

1. Remunerated directorships and whether or not in companies incorporated in the Falkland Islands, including directorships which are unremunerated, but where remuneration is paid through another company in the same group.

Andrea Clausen:
Falkland Islands Tours & Travel Ltd
Falkland Islands Tourist Board

Mike Summers:
Quark Fishing Ltd
Pioneer Seafoods Ltd
Concordia Ltd

Simon Hardcastle:
None

Sharon Halford:
None

2. Remunerated employment, office or profession

Andrea Clausen:
None

Mike Summers:
Director of Quark Fishing Ltd
Director of Pioneer Seafoods Ltd
Director of Concordia Ltd

Simon Hardcastle:
Part time employee of Falklands Fresh Ltd and FIC Ltd

Sharon Halford:
MLA - FIG

3. Clients in respect of whom the member holds a general retainer or in respect of whom he has in the last 12 months, or expects in the next 12 months, to provide services for payment where a member of the public might reasonably think that the member's conduct in or in relation to the business of the Public Accounts Committee might have been or might be influenced by the client's interests

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

4. Sponsorships. Any form of sponsorship or financial or material support of a member which involves any payment, benefit or advantage whether to the member or any other person with whom the member is closely connected

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

5. Gifts, benefits and hospitality

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

6. Overseas visits relating to or arising out of membership of the Public Accounts Committee where the cost of any such visit has not been borne wholly by the member or out of the Falkland Islands public funds

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

7. Any gifts or material benefits or advantages received by the member of the member's spouse from or on behalf of overseas Governments, organisations or persons

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

8. Land or property of a substantial value or from which a substantial income is gained

Andrea Clausen:
3 St Mary's Walk (jointly with spouse)

Mike Summers:
11 Pioneer Row
12 Pioneer Row
Mount Maria House, Port Howard

Simon Hardcastle:
None

Sharon Halford:
Casa Verde, San Carlos, Falkland Islands

9. The names of companies or other bodies in which the member has, to his knowledge either with or on behalf of his spouse and children under the age of 18 years, a beneficial interest in shareholding of a nominal value greater than one percent of the issued share capital or less than one percent and more than £25,000.00

Andrea Clausen:
Falkland Islands Tours & Travel Ltd

Mike Summers:
Quark Fishing Ltd (25.1%)
Pioneer Seafoods Ltd (50% plus 50% spouse)
Concordia Ltd (50% plus 50% spouse)

Simon Hardcastle:
None

Sharon Halford:
None

10. Any relevant interest not covered by one of the main categories which falls within the purpose of the Register (which is to provide information on any pecuniary benefit which a member receives and which might reasonably be thought by others to influence his or her actions, speeches or votes in the Public Accounts Committee OR which the member considers might be thought by others to influence his or her actions in a similar manner, even though the member receives no financial benefit

Andrea Clausen:
None

Mike Summers:
Chairman FIOGA
Trustee FI YMCA
Trustee Stanley Golf Club
Director FIFCA
Director Port Howard Farm Ltd

Simon Hardcastle:
None

Sharon Halford:
None

Medical Practitioners, Midwives and Dentists Ordinance
section 4

Registered Medical Practitioners, Midwives and Dentists

In accordance with section 4 of the Medical Practitioners, Midwives and Dentists Ordinance the names and qualifications of registered medical practitioners, midwives and dentists are published:-

Doctors

Dr Barry Elsby MBBS, BSc, DRCOG, MRCGP
Dr Rob Queenborough, MBChB, DRCOG, MRCGP
Prof David Rocke MBBCh, MRCP, FCA(SA), FRCA
Mr Ahmad Cheema MBBS, FRCS
Dr Rebecca Edwards MBBS, DRCOGP, DFFP
Dr Bernadette Paver MBBS, MRCGP
Dr Peter D'Ambrumenil MBBS, MRCS, LRCP
Dr Angela Rowlands MBBS, BSC, FPCert., DOM
Dr Bruce Chipps MBChB, BSc
Dr Mattius Weinig State German Medicine
Dr Narendra Dave MBBS, MRCGP, DRCOG
Dr Christine Bradshaw MBBS, MRCP, MRCGP, MRCA, BSc, DipEd
Dr Mohamed Ali Jamous MD, MSc
Dr Timothy McInerney MBBS, BA, MRC Psych
Mr Peter Richard Sill MBChB MRCOG
Mr Norman Binnie MB ChB, BSc, MD, FRCSEA
Dr Vanessa Lawton MBChB
Dr Mike Rogers MBBS, MBA, Phd, FRCS
Dr Paul Rosen FRCS
Dr Vincent Argent BChir, MB
Dr Ian Gibson MBE, MBChB, DRCOG
Dr John Scott MBChB, FRCA, FFARCSI
Dr Eamon Staunton MB, BS, DCH, MRCGP, DMM
Dr Andrew Hothersall MBChB, FRCA
Dr Ahmad Risk MBBCh
Dr Steven Bick MBChB, MRCGP
Dr C Shreeve MRCS, LRCP, MBBS
Mr Michels
Mr Ahmad Mageed MBBS, FRCS

Dentists

Dr Sally Owen BChD
Dr Benjamin Walters BDS, CPE, LL.M
Dr Daniel Archer BDS, MBBS(Lond), LRCP, MRCS, FDSRCS(Eng), FRSC

Midwives

Mrs Mandy Heathman SRN, SCM
Miss Jacqueline Earnshaw SRN, SCM
Mr Carl Evans BSc, ENB346 Ophth, RM
Mrs Claire Evans BSc, RGN, RM
Ms Vimbainashe Doherty RGN, BSc, Hons Midwifery

Dated 3 January 2013

A. CHEEMA,
Acting Chief Medical Officer.

Meredith Fishing Company Limited
Company number: 8626

Notice is hereby given that the above named company was struck-off the Register of Companies pursuant to section 652A of the Companies Act 1985 on 30 December 2012.

Dated 4 January 2013

E. J. REID,
Registrar of Companies.

Notice made by the Governor pursuant to articles 41, 152 and 155 of the Air Navigation (Overseas Territories) Order 2007

(a) This Notice is given pursuant to articles 41, 152 and 155 of the Air Navigation (Overseas Territories) Order 2007, as amended ('the Order').

(b) Article 41 provides for the Governor to give instructions in respect of the operation and safety of aircraft and the safety of persons and property carried therein and in respect of the instruments and equipment to be installed therein or carried thereon.

(c) Article 152 provides for the Governor to publish requirements which he considers relevant to determining his satisfaction in respect of certain matters before granting a certificate, licence or other document issued under the provisions of the Order.

(d) Article 155 provides, inter alia, for the Governor to issue such instructions as are necessary, requisite or expedient for carrying out the Chicago Convention and implementing any Annex thereto and any amendment to the Convention, or any such Annex made in accordance with the Convention, or generally for regulating and securing the safety of international air navigation.

(e) The following documents as published, amended or updated from time to time on the website of Air Safety Support International Ltd at www.airsafety.aero shall constitute those instructions and requirements as aforesaid in relation to the matters specified:

OTAR Part 1: Definitions, Abbreviations and Units of Measurement;

OTAR Part 13: Occurrence Reporting;

OTAR Part 21: Certification of Aircraft;

OTAR Part 36: Aircraft Environmental Standards;

OTAR Part 39: Continued Airworthiness Requirements;

OTAR Part 43: General Maintenance Requirements;

OTAR Part 47: Aircraft Registration and Marking;

OTAR Part 61: Pilot Licences and Ratings;

OTAR Part 63: Flight Engineer Licences and Ratings;

OTAR Part 65: Air Traffic Service Personnel Licences and Ratings;

OTAR Part 66: Aircraft Maintenance Personnel Licensing;

OTAR Part 67: Medical Standards and Recognition of Medical Examiners;

OTAR Part 77: Activities Affecting Airspace;

OTAR Part 91: General Operating Instructions;

OTAR Part 92: Carriage of Dangerous Goods;

OTAR Part 119: Air Operator Certification;

OTAR Part 121: Commercial Air Transport Operations – Large Aeroplanes;

OTAR Part 125: Complex General Aviation including Corporate Operations;

OTAR Part 135: Commercial Air Transport Operations – Helicopters and Small Aeroplanes;

OTAR Part 139: Certification of Aerodromes;

OTAR Part 140: Rescue and Fire Fighting Services Requirements;

OTAR Part 145: Aircraft Maintenance Organisation Approval;

OTAR Part 171: Aeronautical Telecommunication Services;

OTAR Part 172: Air Traffic Service Organisation Approval;

OTAR Part 173: Flight Checking Organisation Approval;

OTAR Part 174: Meteorological Services for Aviation;

OTAR Part 175: Aeronautical Information Service;

OTAR Part 176: Instrument Flight Procedures Approval;

OTAR Part 177: Aeronautical Charts.

(f) This Notice supersedes any previous Notice in relation to the matters specified.

Dated 4 January 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 7

8 January 2013

Administration of Justice Ordinance
section 26
Appointment of Locum Senior Magistrate

1. I appoint **Amanda Rippon** as Locum Senior Magistrate under section 26 of the Administration of Justice Ordinance (Title 22.1).

2. This appointment is to have effect from 8 January 2013 for the purpose of hearing and adjudicating upon the criminal trial of David Thomas, and any subsequent sentence in the event of a conviction, and shall remain in force for that purpose and until the conclusion of that matter, unless terminated sooner.

3. This appointment is without prejudice to the right of the Senior Magistrate, Carl Gumsley:

(i) to hear any matters relating to the above said case should it be in the interests of justice for him to do so,

(ii) to act as Senior Magistrate in all other matters.

Dated 8 January 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 8

18 January 2013

Index of Retail Prices

The calculation of the Index for the quarter ended 31 December 2012 has now been completed. A summary of the Index for the last four quarters is shown below:-

Date	Index	Annual % Increase/ (Decrease)	Quarter % Increase/ (Decrease)
31.03.12	159.08	7.6	1.7
30.06.12	161.36	5.4	1.4
30.09.12	162.29	5.4	0.6
31.12.12	165.56	5.9	2.0

Dated 18 January 2013

L. LYSE,
for Financial Secretary.

No. 9

28 January 2013

Application for Naturalisation

Notice is hereby given that **Ralyn Ruiz Rupil** and **Julio Antonio Ubeda Hernandez** are applying to His Excellency the Governor for naturalisation. Any person who knows of any reason why naturalisation should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 February 2013.

Dated 28 January 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 10

31 January 2013

Register of Members' Interests

The information contained in this Register is provided by every member of the Legislative Assembly and the Attorney General in accordance with clause 22 of the Falkland Islands Legislative Assembly Standing Rules and Orders.

The information is current to 31 January 2013.

Information to be provided

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

1. Remunerated directorships, whether or not in companies incorporated in the Falkland Islands, including directorships which are unremunerated, but where remuneration is paid through another company in the same group.
2. Remunerated employment, office or profession.
3. Clients in respect of whom the Member holds a general retainer or in respect of whom he has in the last 12 months, or expects in the next 12 months, to provide services for payment where a Member of the public might reasonably think that the Member's conduct in or in relation to the business of the Legislative Assembly might have been or might be influenced by the client's interests.
4. Sponsorships. Any form of sponsorship or financial or material support of a Member which involves any payment, benefit or advantage whether to the Member or any other person with whom the Member is closely connected.
5. Gifts, benefits and hospitality.
6. Overseas visits relating to or arising out of membership of the Legislative Assembly where the cost of any such visit has not been borne wholly by the Member or out of the Falkland Islands public funds.
7. Any gifts or material benefits or advantages received by the Member or the Member's spouse from or on behalf of overseas Governments, organisations or persons.
8. Land or property of a substantial value or from which a substantial income is gained.
9. The names of companies or other bodies in which the Member, or his spouse or partner has, to his knowledge, either solely, or with or on behalf of his spouse, partner or children under the age of 18 years, a beneficial interest in shareholdings of a nominal value greater than one percent of the issued share capital, or if less than one percent of more than £25,000.
10. Any relevant interest not covered by one of the main categories which falls within the main purpose of the Register, which is to provide information on any pecuniary benefit which a Member receives and which might reasonably be thought by others to influence his or her actions, speeches or votes in the Legislative Assembly or actions taken in his or her capacity as a Member of the Legislative Assembly OR which the Member considers might be thought by others to influence his or her actions in a similar manner, (even though the Member receives no financial benefit).

Notification of registrable interests

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

Janet Lynda Check

1. Director Consolidated Fisheries Ltd incorporated in the Falkland Islands
2. Member of the Legislative Assembly
3. Nil

6

4. Nil
5. Nil
6. Nil
7. Nil
8. House and Land 35 Ross Road East
Johnsons Harbour Farm
Joint ownership of land on San Carlos River
9. Kelper Stores Ltd
Consolidated Fisheries Ltd
Unicorn Adventure Ltd
10. Director/Trustee Falklands Conservation (UK charitable company)
Trustee South Georgia Heritage Trust
Trustee Falkland Islands Museum and National Trust

Roger Anthony Edwards

1. Nil
2. Owner Lake Sullivan Farm
Member of Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Travel and daily rates paid by EU for attendance at Overseas Countries and Territories Association
7. Travel and daily rates paid by EU for attendance at Overseas Countries and Territories Association
8. Owner Lake Sullivan Farm
8 Sullivan Street
9. Royal Navy Pension, UK Paymaster General
10. Nil

Barry Elsby

1. Unpaid Director of a non trading dormant FI Company
2. Doctor employed by the Falkland Islands Government
Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Various books placed in Gilbert House library
8. House and land in the Falkland Islands owned jointly with my wife
9. Nil
10. I retain 800 shares in Argos Ltd and 550 in Borders and Southern for my children

Sharon Halford

1. Nil
2. Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Travel and daily rates paid by EU for attendance at Overseas Countries and Territories Association
Travel cost paid by CPA for attendance at CPA Conference Sri Lanka
7. Nil
8. Casaverde, San Carlos
9. Nil
10. Nil

Ian Hansen

1. Nil
2. Member of the Legislative Assembly
Income from Main Point Farm as Owner
3. Nil
4. Nil

5. Nil
6. Nil
7. Nil
8. Main Point Farm
9. Nil
10. Nil

Richard Sawle

1. Nil
2. Member of the Legislative Assembly
Sale of Falkland ties (in the near future)
3. Nil
4. Nil
5. Nil
6. Travel cost relating to SSL Board and CPA Conference
7. Travel cost relating to SSL Board and CPA Conference
8. Seaview Cottage
House in the UK
9. Nil
10. I hold one ordinary share in Seaview Ltd with a nominal value of £1.00 which is therefore no significant financial interest
I have an annual amount of £6,000 per annum paid by Seaview Logistics Ltd into a pension on my behalf until age 65
I am caveator on the ITQ of Seaview Ltd under the Fisheries Ordinance 2005 sec. 68

Gavin Phillip Short

1. Nil
2. Cable & Wireless - Employee
Falkland Islands Security Services – Security Officer
Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Travel cost paid by CPA for attendance at CPA Conference Sri Lanka
7. T-Shirt CPA Sri Lanka and set of cufflinks South African CPA delegation
8. Nil
9. Nil
10. General Employees Union
Tenant of Falkland Islands Government Housing

Michael Victor Summers OBE

1. Quark Fishing Ltd
Pioneer Seafood Ltd
Concordia Ltd
Port Howard Farm (not remunerated)
2. Managing Director – Quark Fishing Ltd, Pioneer Seafoods Ltd and Concordia Ltd
Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. 11 Pioneer Row
12 Pioneer Row
Mount Maria House, Port Howard
9. Quark Fishing Ltd
Pioneer Seafood Ltd
Concordia Ltd
10. Trustee, FI YMCA
Trustee, Stanley Golf Club
Chairman, Falkland Islands Overseas Games Association

Keith Padgett

1. Nil
2. Chief Executive, FIG
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Apartment in UK jointly owned with spouse
9. Nil
10. Nil

Nicola Granger

1. Nil
2. Financial Secretary, FIG
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. 3 Biggs Road, Stanley
House, UK
10. Nil

Mark David Lewis

1. Nil
2. Attorney General, FIG
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. Nil
10. Nil

Keith Biles

1. Nil
2. Speaker of the House, Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Pensioner – Standard Chartered Bank Overseas Staff Pension Fund
Pensioner – UK State Pension Scheme
8. Joint Owner – House and Land 14 Kent Road
Joint Owner – House and Land New House Farm, East Falklands
9. Nil
10. Unremunerated:
Company Secretary – Energise Group Ltd
Company Secretary – Falkland Islands Chamber of Commerce (Ltd)
Director (Trustee) Falklands Conservation (a UK Limited Company and Registered Charity)
Share Holdings:
Minority share holder: Energise Group Ltd,
Falkland Islands Holdings Ltd (a quoted UK Limited Company)
Pecuniary Interest:
Décor Services Ltd

Anton Livermore

1. Nil
2. Deputy Speaker of the House
Unremunerated appointment as Justice of the Peace
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. Nil
10. Nil

Dated 31 January 2013

C. PRIOR,
Clerk of the Legislative Assembly.

No. 11

31 January 2013

Education Ordinance (Title 29.1)
section 57

Academic Year 2013 – 2014

Term Dates

Term One will begin in September

Term Two will begin in January

Term Three will begin in May

Term One

Wednesday 4 September – Friday 20 December 2013

Half Term

Monday 28 October – Friday 1 November 2013 (inclusive)

Term Two

Monday 27 January – Thursday 17 April 2014

Half Term

Monday 3 March – Friday 7 March 2014 (inclusive)

Term Three

Monday 5 May – Friday 8 August 2014

Half Term

Monday 16 June – Friday 20 June 2014 (inclusive)

Public Holidays (schools closed)

Monday 7 October 2013 Peat Cutting Monday

Monday 9 December 2013 Battle Day (in lieu of)

Professional Development Training Days for Teaching and Non-Teaching Staff

Monday 2 September 2013

Tuesday 3 September 2013

The equivalent of three Professional Development days to be organised at the discretion of the Headteachers.

Camp Schools

Term dates for Camp Schools may be modified to suit the convenience of farms provided that children receive 190 days schooling and the Education Office is notified in advance.

Dated 31 January 2013

D. TONGUE,
Acting Director of Education.



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

25 February 2013

No. 2

The following are published in this Extraordinary Gazette —

Register of Electors for Camp Constituency; and

Register of Electors for Stanley Constituency.

Register of Electors for Camp Constituency at 25 February 2013

East Falkland - Polling Place - Mobile Team 1

271	Watson	Glenda Joyce	Long Island, E.F.I
272	Watson	Neil	Long Island, E.F.I
199	Mitchell	Leon John	Mount Kent Farm, E.F.I
274	Whitney	Daniela Grace	Mount Kent Farm, E.F.I
278	Whitney	Zoe Jane	Mount Kent Farm, E.F.I
46	Dickson	Charles George	Brookfield, E.F.I
185	McPhee	Mark	Brookfield, E.F.I
188	McPhee	Trudi Lynette	Brookfield, E.F.I
76	Goss	Kimberley Rose	Horseshoe Bay, E.F.I
77	Goss	Margaret Rose	Horseshoe Bay, E.F.I
78	Goss	Michael Peter	Horseshoe Bay, E.F.I
79	Goss	Peter	Horseshoe Bay, E.F.I
190	Middleton	Charlotte Anne	Horseshoe Bay, E.F.I
244	Smith	Derek	Rincon Grande, E.F.I
245	Smith	Julia Trinidad	Rincon Grande, E.F.I
264	Turner	Arthur Leonard Pitaluga	Rincon Grande, E.F.I
265	Turner	Elaine Ellen	Rincon Grande, E.F.I
66	Ford	David	Port Louis, E.F.I
233	Ross	Marie	Port Louis, E.F.I
68	Gilding	Amy Heather	Port Louis, E.F.I
69	Gilding	Melanie Carol	Port Louis, E.F.I
70	Gilding	Peter Bernard	Port Louis, E.F.I
71	Gilding	Petra Sophie	Port Louis, E.F.I
268	Velasquez	Arleen	Johnsons Harbour E.F.I
269	Velasquez	Oscar Hernan	Johnsons Harbour E.F.I

East Falkland - Polling Place - Mobile Team 2

97	Heathman	Ailsa	Estancia, E.F.I
98	Heathman	Ewart Tony	Estancia, E.F.I
12	Bagley	Darren Clive	Riverview Farm, E.F.I
13	Bagley	Jacqueline Elizabeth	Riverview Farm, E.F.I
42	Davis	Aase	Evelyn Station, E.F.I
43	Davis	Ian John	Evelyn Station, E.F.I
3	Alazia	Hazel	Teal Inlet, E.F.I
261	Thorsen	Gloria Penelope	Teal Inlet, E.F.I
262	Thorsen	Kristiane Annergret Helena	Teal Inlet, E.F.I
209	Phillips	Carol Joan	Hope Cottage, E.F.I
210	Phillips	Paul David	Hope Cottage, E.F.I
211	Phillips	Shula Louise	Hope Cottage, E.F.I
212	Phillips	Terence	Hope Cottage, E.F.I
276	Whitney	Sara Marie	Home Farm Douglas, E.F.I
277	Whitney	Tyrone	Home Farm, Douglas, E.F.I
32	Clarke	Jan Michael	Lorenzo Farm, E.F.I
35	Clarke	Tanya	Lorenzo Farm, E.F.I
18	Bendyshe	Angela Geraldine Mary	Gibraltar Station, Salvador
19	Bendyshe Pitaluga	Antoinette Margaretha Mary	Gibraltar Station, E.F.I
213	Pitaluga	Nicholas Alexander Robinson	Gibraltar Station, E.F.I
214	Pitaluga	Robin Andreas McIntosh	Gibraltar Station, E.F.I
182	McLeod	John (1)	Dunvegan Cabin, E.F.I
183	McLeod	Madeline Jean	Dunvegan Cabin, E.F.I
59	Ellis	Louise	Dunvegan Cabin, E.F.I

21	Berntsen	Benjamin John	Elephant Beach, E.F.I
23	Berntsen	Maggie Kayanja	Elephant Beach Farm
257	Summers	Nichola Jane	Cape Dolphin E.F.I
189	McRae	David Michael	Cape Dolphin, E.F.I
195	Miller	Philip Charles	Cape Dolphin, E.F.I
73	Goodwin	Kenton John Douglas Benjamin	Moss Side Farm
196	Minnell	Donna Marie	Moss Side, E.F.I
197	Minnell	Michael Robert	Moss Side, E.F.I
120	Jones	John Hugh	Race Point Farm, E.F.I
124	Jones	Michelle	Race Point Farm, E.F.I

East Falkland - Polling Places - Mobile Team 3

128	Kilmartin	Kevin Seaton	Bluff Cove Farm
129	Kilmartin	Nicola Ruth	Bluff Cove Farm
275	Whitney	Dennis	Arkvilla MPA Plot, E.F.I
15	Battersby	Jon Alan	Hawksbit, Fitzroy
16	Battersby	Margaret	Hawksbit, Fitzroy
255	Street	David Charles	Plot 13A Fitzroy Ridge, E.F.I
256	Street	Edith Mary	Plot 13A Fitzroy Ridge, E.F.I
83	Grimmer	Keith	The Dunes Fitzroy River
84	Grimmer	Marilyn	The Dunes Fitzroy River
181	McLeod	Isabella Frances Diana	Fitzroy E.F.I
235	Sackett	Pauline	Fitzroy Farm, E.F.I
242	Sinclair	Simon Keith	Fitzroy Farm, E.F.I
260	Thom	John Currie	Fitzroy Farm, E.F.I
55	Eagle	Alan William	Fitzroy Farm, E.F.I
142	Livermore	Darren	Fitzroy Farm, E.F.I
243	Smith	Caroline	Fitzroy Farm, E.F.I
10	Ashworth	Glennis	Fitzroy Ridge, E.F.I
11	Ashworth	Malcolm	Fitzroy Ridge, E.F.I
198	Minto	Alistair Daen	Swan Inlet, E.F.I
237	Short	Andrez Peter	Swan Inlet, E.F.I
37	Clifton	Leonard	Walker Creek, E.F.I
38	Clifton	Thora Janeene	Walker Creek, E.F.I
72	Gleadell	Marklyn John	Walker Creek, E.F.I
234	Ross	William Henry	Walker Creek, E.F.I
49	Dickson	Steven Charles	North Arm, E.F.I
74	Goodwin	Matthew Gerald	North Arm, E.F.I
75	Goodwin	Neil Alexander William	North Arm, E.F.I
138	Lee	Mervyn Richard	North Arm, E.F.I
14	Barrientos	Jose Sixto Ruiz	North Arm, E.F.I
17	Beattie	Ian Robert Ewen	North Arm, E.F.I
65	Finlayson	Neil Roderick	North Arm, E.F.I
114	Jaffray	Eileen	North Arm, E.F.I
116	Jaffray	Ian	North Arm, E.F.I
192	Miller	Betty Larsen	North Arm, E.F.I
227	Reid	Emily Margaret	North Arm, E.F.I
247	Smith	Terence George	North Arm, E.F.I

East Falkland - Polling Place - Mobile Team 4

127	Jordan	Ian Phillip	4 Letsbey Avenue M.P.A.
141	Leo	Brenda May	NAAFI, MPA, E.F.I
180	McLeod	Albert John	Camilla Creek, E.F.I
184	McLeod	Sarah Rose	Camilla Creek, E.F.I
250	Stevens	Liam Bodie	Port Sussex, E.F.I

251	Stevens	Richard James	Port Sussex, E.F.I
252	Stevens	Toni Donna	Port Sussex, E.F.I
123	Jones	Michael David	Head Of Bay, E.F.I
125	Jones	Sheila Janice	Head Of Bay, E.F.I
47	Dickson	Doreen	Wreck Point, E.F.I
48	Dickson	Gerald William	Wreck Point, E.F.I
186	McPhee	Sheila Margaret	Kingsford Valley Farm, E.F. I
187	McPhee	Terence Owen	Kingsford Valley Farm, E.F.I
82	Grierson	Hew McInnes	Blue Beach San Carlos, E.F.I
85	Halford	Rodney John	Casa Verde San Carlos, E.F.I
86	Halford	Sara Jayne	Casa Verde San Carlos, E.F.I
87	Halford	Sharon	Casa Verde San Carlos, E.F.I

West Falkland - Polling Place - Mobile Team A

241	Sinclair	Serena Samantha	Bold Cove Farm, W.F.I
63	Evans	Richard Gregory	Bold Cove, W.F.I
219	Pole-Evans	Shirley Helen	Manybranch, W.F.I
221	Pole-Evans	William Reginald	Manybranch, W.F.I
54	Dunford	David Philip	Saddle Farm, W.F.I
176	McKay	Josephine Ann	Greenhill Farm Chartres
177	McKay	Kenneth Andrew	Greenhill Farm Chartres
179	McKay	Roy Derek	Greenhill Farm Chartres
41	Cockwell	Grizelda Susan	Chartres, W.F.I
149	Luxton	William Robert	Chartres, W.F.I
280	Woodward	James Gregory	Little Chartres Farm, W.F.I
281	Woodward	Lesley Ann	Little Chartres Farm, W.F.I
24	Betts	Bernard Keith	Boundary Farm, W.F.I
52	Donnelly	Daniel	Crooked Inlet, W.F.I
53	Donnelly	Joyce Elizabeth	Crooked Inlet, W.F.I
111	Innes	Gordon	Hill Cove, W.F.I
112	Innes	Isabella Alice	Hill Cove, W.F.I
162	Maskell-Bott	John Malcolm	Hill Cove, W.F.I
163	Maskell-Bott	Sarah	Hill Cove, W.F.I
91	Hansen	Lionel Raymond	Hill Cove, W.F.I
92	Hansen	Rose Idina	Hill Cove, W.F.I
94	Harvey	Jen	Hill Cove, W.F.I
95	Harvey	Valerie Ann	Hill Cove, W.F.I
100	Hirtle	Anthony	Peaks Farm, W.F.I
102	Hirtle	Samantha Lee	Peaks Farm, W.F.I
103	Hirtle	Susan Mary	Peaks Farm, W.F.I
90	Hansen	Ian	Main Point, W.F.I
93	Hansen	Susan Ann	Main Point, W.F.I
167	McGhie	Benjamin	Port North, W.F.I
169	McGhie	Jodie Kim	Port North, W.F.I
170	McGhie	Roy	Port North, W.F.I
207	Peck	Paul	Shallow Bay, W.F.I
208	Peck	Rebekah Roxanne	Shallow Bay, W.F.I
22	Berntsen	Iain Kenneth	Sheffield Farm, W.F.I
109	Hoy	Dawn	Sheffield Farm, W.F.I
174	McKay	Fraser Roderick	Teal River, W.F.I
175	McKay	Glyn Ronald	Teal River, W.F.I
205	Nightingale	Charlene	West Lagoons, W.F.I
206	Nightingale	Peter Richard	West Lagoons, W.F.I
107	Hobman	Juan Jose Eleuterio	Westley Farm, W.F.I

178	McKay	Penelope Rose	Westley Farm, W.F.I
Fox Bay - Polling Place - Static			
25	Betts	Diane Joan	Fox Bay East, W.F.I
121	Jones	Karen Diana	Fox Bay East, W.F.I
122	Jones	Mark Henry	Fox Bay East, W.F.I
39	Cockwell	Benjamin William	Fox Bay Village, W.F.I
40	Cockwell	Clare Marie	Fox Bay Village, W.F.I
44	Decroliere	Carrie Madeline Helen	Fox Bay Village, W.F.I
45	Decroliere	Eric Ernest Albert	Fox Bay Village, W.F.I
88	Halliday	Joyce Isabella Patience	Fox Bay Village, W.F.I
89	Halliday	Kenneth William	Fox Bay Village, W.F.I
160	Marsh	Rachel Mandy	Fox Bay Village, W.F.I
193	Miller	Catherine McLeod	Fox Bay Village, W.F.I
194	Miller	James Albert	Fox Bay Village, W.F.I
215	Platt	Claire	Lakelands Farm, W.F.I
246	Smith	Kaylee Simone	Lakelands Farm, W.F.I
56	Edwards	Norma	Lake Sullivan, W.F.I
58	Edwards	Roger Anthony	Lake Sullivan, W.F.I
159	Marsh	Patricia Ann	Lakelands, W.F.I
161	Marsh	Robin Frank	Lakelands, W.F.I
130	Knight	Justin Robert Campbell	Coast Ridge, W.F.I
131	Knight	Keith Andrew	Coast Ridge, W.F.I
132	Knight	Nigel Arthur	Coast Ridge, W.F.I
154	Marsh	Helen Rose	Rincon Ridge, W.F.I
155	Marsh	June Helen	Rincon Ridge, W.F.I
157	Marsh	Leon Peter	Rincon Ridge, W.F.I
60	Evans	Donna Newell	Spring Point Farm, W.F.I
61	Evans	Michael David	Spring Point Farm, W.F.I
99	Hill	Jennifer Eileen	Stoney Ridge, W.F.I
168	McGhie	James	Stoney Ridge, W.F.I
152	Marsh	Anna Deirdre	Philomel Farm, W.F.I
153	Marsh	Gavin Nicholas	Philomel Farm, W.F.I

Goose Green - Polling Place - Static

1	Aguila Aguilar	Jeanette del Carmen	Goose Green, E.F.I
4	Alazia	Keith	Goose Green, E.F.I
30	Castro Barrientos	Gilberto Enrique	Goose Green E.F.I
96	Harwood	Reuben Joseph	Goose Green E.F.I
106	Hobman	John Malcolm	Goose Green E.F.I
108	Hobman	Vivien	Goose Green E.F.I
150	MacDonald	Alexander Colin	Goose Green E.F.I
191	Middleton	Kerry Ann	Goose Green E.F.I
203	Newman	Glynnis Karen	Goose Green E.F.I
259	Tellez	Rodolfo	Goose Green E.F.I
126	Jonson	Amy Elizabeth	Goose Green E.F.I.
133	Lee	Beverley Christina	Galley Café Goose Green
135	Lee	Elizabeth	Goose Green, E.F.I
136	Lee	John Alfred	Goose Green, E.F.I
137	Lee	Leslie James	Galley Café Goose Green
140	Lee	Trudi Dale	Galley Café Goose Green
143	Lloyd	Melvyn John	Point View Goose Green
144	Lloyd	Valerie Ann	Point View Goose Green
200	Morrison	Gerald	Goose Green, E.F.I
201	Morrison	Kathleen Iris	Goose Green, E.F.I

236	Shepherd	Colin David	Goose Green, E.F.I
258	Taylor	Christopher John	19 Goose Green, E.F.I
50	Didlick	Fiona Margaret	Darwin House, Darwin
51	Didlick	Graham John	Darwin House, Darwin
80	Greenland	Bonita Doreen	Valkyrie House, Darwin, E.F.I
81	Greenland	Kenneth David	Valkyrie House, Darwin, E.F.I
282	Young	Julie	Pond House, Darwin
248	Steen	Gail	Paragon House Lafonia, E.F.I
249	Steen	Vernon Robert	Paragon House Lafonia, E.F.I

Port Howard - Polling Place - Static

8	Anderson	Rupert William	Port Howard, W.F.I
9	Anderson	Tony James	Port Howard Farm
27	Bonner	Katie Jean	Port Howard, W.F.I
28	Bonner	Simon	Port Howard, W.F.I
29	Bonner	Susan Anne	Port Howard, W.F.I
31	Clark	Alan Neil	Port Howard, W.F.I
36	Clausen	Sophie Marina	Port Howard, W.F.I
57	Edwards	Rebecca Elizabeth	Port Howard Farm, W.F.I
101	Hirtle	Doris Linda	Port Howard, W.F.I
104	Hobman	Anola Zoey	Port Howard, W.F.I
134	Lee	Christopher	Port Howard, W.F.I
139	Lee	Myles	Port Howard W.F.I
147	Lowe	Susan Elizabeth	Port Howard Lodge, W.F.I
202	Murphy	Roy David	Port Howard, W.F.I
226	Reeves	Ronald James	Port Howard, W.F.I
239	Short	John Mark	Port Howard, W.F.I

Islands

238	Short	Elaine Elizabeth	Bleaker Island
240	Short	Robert Charles	Bleaker Island
172	McGill	Lorraine Iris	Carcass Island
173	McGill	Robin Perry	Carcass Island
62	Evans	Raymond	Pebble Island
64	Evans	Tracy	Pebble Island
20	Berntsen	Arina Janis	Pebble Island
119	Jennings	Jacqueline	Pebble Island
273	White	Allan Paul George	Pebble Island
266	Tuson	Michael Anthony	Saunders Island
267	Tuson	Olwen Carol	Saunders Island
216	Pole-Evans	Carole Suzan	Saunders Island
217	Pole-Evans	David Llewellyn	Saunders Island
218	Pole-Evans	Louise Suzan	Saunders Island
220	Pole-Evans	Suzan	Saunders Island
171	McGhie	Thomas Forsyth	Saunders Island
26	Blackley	Maurice	Sea Lion Island
110	Humphreys	Nina Elizabeth	Sea Lion Island
148	Luxton	Jennifer Mary	Sea Lion Island
67	Ford	Tanya Louise	Speedwell Island
164	May	Christopher Raymond	Speedwell Island
165	May	Lindsey Olga	Speedwell Island
166	May	Shaun Christopher	Speedwell Island
105	Hobman	Gonzalo David	Albemarle Station
270	Wallace	Helen Jean	Albemarle Station
2	Alazia	Fayan Pamela Jane	Port Edgar Farm

5	Alazia	Mandy Gwyneth	Port Edgar Farm
6	Alazia	Michael Robert	Port Edgar Farm
7	Anderson	Felicity Nikita	Port Edgar Farm
228	Robertson	Ann	Port Stephens
229	Robertson	Dion Sebastian	Port Stephens
230	Robertson	Drew Alexander	Port Stephens
231	Robertson	Paul Jonathan	Port Stephens
232	Robertson	Peter Charles	Port Stephens
263	Towersey	Diane Katherine	Port Stephens
117	Jamieson	Brian Neil	South Harbour
118	Jamieson	Kerri Yeoman	South Harbour
33	Clarke	Jeanette	West Point Island
34	Clarke	Michael Jan	West Point Island
113	Jaffray	Alexander	Lively Island
115	Jaffray	Elliott Jessie	Lively Island
222	Poncet	Dion Michael	Beaver Island
223	Poncet	Jerome Pierre	Beaver Island
224	Poncet	Leiv Sigismond	Beaver Island
253	Strange	Georgina	New Island
254	Strange	Ian John	New Island
279	Wilkinson	Rosemary	Dunnose Head, W.F.I
151	Marsh	Alastair Roy	Shallow Harbour, W.F.I
156	Marsh	Kevin Roy	Shallow Harbour, W.F.I
158	Marsh	Marlane Rose	Shallow Harbour, WFI
204	Newman	Lisa Jeraine	Shallow Harbour, W.F.I
225	Porter	Joan	Shallow Harbour, W.F.I
145	Lowe	Adrian Stewart	Murrell Farm, E.F.I
146	Lowe	Lisa Helen	Murrell Farm, E.F.I

Register of Electors for Stanley Constituency at 25 February 2013

Stanley - Polling Place - Static

1	Adams	John Harvey	21 Ross Road East
2	Adams	Marjorie Rose	21 Ross Road East
3	Adams-Leach	Shirley	4 Moody Street
4	Adeoye	Anneliese Rose	25 Shackleton Drive
5	Alazia	Andrew	36 Callaghan Road
8	Alazia	Jason Neville	5 Villiers Street
9	Alazia	Sandra Marie	36 Callaghan Road
10	Alazia	Yvonne	Flat 2, 6 Jersey Road
11	Alazia-McLaughlin	Colleen	3 Narrows View
12	Aldridge	Brian George	17 James Street
13	Aldridge	Caroline Mary	2 McKay Close
14	Aldridge	Diana Mary	17 James Street
15	Aldridge	Kenneth John	2 McKay Close
16	Aldridge	Nina Ann	2 Mountain View
17	Aldridge	Stephen John	13 Hansen Hill
18	Allan	Joyce Ena	39 Ross Road
19	Allan	Valerie Anne	6A Jeremy Moore Avenue
20	Allen	Jacqueline Esther	26 Callaghan Road
21	Almonacid	Orlando	1 Villiers Street
22	Almond	Adrian Arthur James	4 Allardyce Street
23	Anderson	Carol Anne	22 Endurance Avenue
24	Anderson	Eddie	22 Endurance Avenue
25	Anderson	Jamie Falkland	18 Murray Heights
26	Anderson	Jenny	8 Goss Road
27	Anderson	Margaret Kathleen	18 Murray Heights
28	Anderson	Paul James	9 Fieldhouse Close
29	Anderson	Reginald Stanford	18 Murray Heights
31	Anderson	Stephen Robert	25 Callaghan Road
32	Anderson	Tony James	8 Goss Road
33	Anderson	William John Stanley	6B St Mary's Walk
34	Anderson-Smith	Georgina Carol	4 Philomel Street
35	Anthony	Enid Elizabeth	6 Dairy Paddock Road
36	Appleby	Amelia	15 Fieldhouse Close
37	Arkipkin	Alexander Ivanovich	13 Biggs Road
38	Arkipkina	Nadezhda	13 Biggs Road
39	Armstrong-Ford	Karen Jane	2 Sullivan Street
40	Arthur-Almond	Daphne Margaret	4 Allardyce Street
41	Arthur-Almond	Hannah Rachael	4 Allardyce Street
42	Arthur-Almond	Rebecca Kathryn	4 Allardyce Street
43	Ashbridge	Corina Rose	1 Fieldhouse Close
44	Ashworth	Iain	5A Kent Road
45	Bagley	Corey Darren	YMCA
46	Bahamonde Salazar	Luis Alberto	Flat 2 Hebe Street
47	Baker	Alison Margaret	12 Endurance Avenue
48	Barker	Jane Elizabeth Diana	5 Pitaluga Place
49	Barker	Philip Craig	5 Pitaluga Place
50	Barkman	Kirsty Michelle	40 Eliza Crescent
51	Barkman	Teslyn Siobhan	6 Watson Way
52	Barlow	Andrea Joanna Ampuero	Mullet Creek
53	Barlow	Martyn Liam	Mullet Creek

54	Barnes	Dierdre	8 Discovery Close
55	Barnes	Karen Rose	26 Ross Road West
56	Barnes	Marlene Estela	Malvina Flat Ross Road
57	Barnes	Marshall	8 Discovery Close
58	Barnes	Paul	26 Ross Road West
59	Barnes Acevedo	Melisa Beverley	40 Ross Road West
60	Barton	Alison Mary	6 Villiers Street
61	Barton	Arthur John	6 Villiers Street
62	Barton	David Arthur	6 Villiers Street
63	Barton	John David	41 Fitzroy Road
64	Barton	Julian George	6 Villiers Street
65	Bates	Barbara	8 Watson Way
66	Bates	James William	8 Watson Way
67	Beckett	Vivien Delia	2 Discovery Close
68	Bedford	Kita Muriel	13 Jersey Road
69	Benjamin	Sheena Marie	No 1 Church House Flats
70	Berntsen	Brenda Diann Joanna	6 McKay Close
71	Berntsen	Cecilia Del Rosario	14 St Marys Walk
72	Berntsen	Christian Olaf Alexander	15A James Street
73	Berntsen	Erica Dawn	7 Biggs Road
74	Berntsen	Falkland	10 Fitzroy Road
75	Berntsen	Gene Stanley	8 Fieldhouse Close
76	Berntsen	Harley-Dee	3D Jersey Road
77	Berntsen	John Alexander	Flat1 7 Jeremy Moore Ave
78	Berntsen	Kenneth Frederick	1 Racecourse Road East
79	Berntsen	Lucas Delhi John	YMCA
80	Berntsen	Matthew John	5 Murray Heights
81	Berntsen	Olaf Christian Alexander	35 Eliza Crescent
82	Berntsen	Patrick	10 A James Street
83	Berntsen	Rachel Ena	15A James Street
84	Berntsen	Robyn Chanelle	5 Fieldhouse Close
85	Berntsen	Saphena Anya Jane	4 Police Cottages
86	Berntsen	Sarah Jane	11 Fitzroy Road
87	Berntsen	Trevor John	6 McKay Close
88	Berntsen	Trina Mary Shirlene	2 Capricorn Road
89	Berntsen	Valdamar Lars	14 St. Marys Walk
90	Besley-Clark	Barbara June	16 Ross Road West
91	Besley-Clark	Norman	16 Ross Road West
92	Betts	Arlette	Lafone House Ross Road
93	Betts	Boonruam Phisil	7 Short Street
94	Betts	Coral Elizabeth	15 Pioneer Row
95	Betts	Daniel William	Flat 3, 3 Jeremy Moore Ave
96	Betts	Dion James	7 Jeremy Moore Avenue
97	Betts	Donald William	7 Jeremy Moore Avenue
98	Betts	George Winston Charles	35 Ross Road West
99	Betts	Ian	1 Villiers Street
100	Betts	Lucia Elizabeth	35 Ross Road West
101	Betts	Michael George	35 Ross Road West
102	Betts	Owen	9B Sullivan Street
103	Betts	Peter James	50A Davis Street
104	Betts	Priscilla Violet Morrison	9B Sullivan Street
105	Betts	Severine	15 Pioneer Row
106	Betts	Shirley Rose	7 Jeremy Moore Avenue

107	Betts	Stephen	7 Jeremy Moore Avenue
108	Betts	Trudi Ann	50A Davis Street
109	Betts	Tyrone Trevor	7 Short Street
110	Biggs	Ailie Christine	34 John Street
111	Biggs	Alastair Gordon	Trehayle 50 John Street
112	Biggs	Althea Maria	3 Dairy Paddock Road
113	Biggs	Christopher David	Harbour View Knott
114	Biggs	Coleen Margot	9 Moody Street
115	Biggs	Daniel Craig	16 Endurance Avenue
116	Biggs	Edith Joan	Trehayle 50 John Street
117	Biggs	Frances	16 Endurance Avenue
118	Biggs	Kyle Alexander	16 Endurance Avenue
119	Biggs	Lucas Sebastian	16 Endurance Avenue
120	Biggs	Michael Elfed	21 Fitzroy Road
121	Biggs	Patrick	30 Ross Road East
122	Biggs	Peter Julian Basil	16 Endurance Avenue
124	Biles	Kathleen Anne	14 Kent Road
125	Biles	Keith Robert	14 Kent Road
126	Binnie	Linda Rose	6 Fieldhouse Close
127	Binnie	Ronald Eric	6 Fieldhouse Close
128	Binnie	Susana	3 Brandon Road
129	Birmingham	Alexandra Sally	4 Drury Street
130	Birmingham	John	4 Drury Street
131	Birmingham	Joseph John	4 Drury Street
132	Bishop	Nigel Ian	5 Jersey Road
133	Bishop	Tansy Fiona	5 Jersey Road
134	Blackley	Candy Joy	4 Barrack Street
135	Blackley	Shane David	4 Barrack Street
136	Blake	Alexander Charles	38 Eliza Crescent
137	Blake	Anthony Thomas	14 Watson Way
138	Blake	Larissa Celly	12 Ross Road West
139	Blake	Lionel Geoffrey	1 Ross Road
140	Blake	Mariela	14 Watson Way
141	Blake	Sally Gwynfa	1 Ross Road
142	Blake	Thomas Patrick	12 Ross Road West
143	Blizard	Malvina Mary	51 Fitzroy Road
144	Blyth	Paz Neri	4A Jeremy Moore Avenue
145	Bolt	Dennis John	4 Watson Way
146	Bonner	Alan Paul	8 Pioneer Row
147	Bonner	Avril Margaret Rose	4 Felton Court
148	Bonner	Cheryl Anne	10 Racecourse Road
149	Bonner	Donald William	Chauffeurs Cottage
150	Bonner	Ewen Shane	Flat 5, 1 Jeremy Moore Avenue
151	Bonner	Hayley Trina	41 Ross Road West
152	Bonner	Linda Jane	4A Ross Road West
153	Bonner	Lindsay Jane	6 Ian Campbell Drive
154	Bonner	Nicholas	4A Ross Road West
155	Bonner	Odette Ellen May	1A Capricorn Road
156	Bonner	Paul Roderick	5 John Street
157	Bonner	Richard James	8 Murray Heights
158	Bonner	Stevie Coppel	33 Callaghan Road
159	Bonner	Tansie Rebecca	4 Felton Court
160	Bonner	Terence Leslie	1A Capricorn Road

161	Bonner	Timothy	41 Ross Road West
162	Bonner	Vera Ann	5 John Street
163	Bonner	Vera Joan	Chauffeurs Cottage
164	Booth	Jessie	Racecourse Cottage
165	Booth	Myriam Margaret Lucia	7 Philomel Street
166	Booth	Stuart Alfred	Racecourse Cottage
167	Bound	Joan	Occupation Road
168	Bowles	Norma Evangeline	1A Villiers Street
169	Bowles	Sarah	9 Drury Street
170	Bowles	William Edward	1A Villiers Street
171	Bowles	William George Troyd	9 Drury Street
172	Bragger	Edward Laurence	14 Jeremy Moore Avenue
173	Bragger	Stacy John	19 Davis Street
174	Brickle	Paul	32 Fitzroy Road
175	Brock	Juanita Lois	20 Drury Street
176	Brook	Emma Jane	41 Ross Road East
177	Brooks	Cheryl Rose	The Flat 29 Fitzroy Road
178	Browning	Anita Jayne	29 Brandon Road
179	Browning	Edwina	96 Davis Street
180	Browning	Gavin	29 Brandon Road
181	Browning	Henry Stanbury	Lookout Lodge
182	Browning	Joan Lucy Ann	5 Villiers Street
183	Browning	Nathan David	3 Dairy Paddock Road
184	Browning	Rex	35 Davis Street
185	Browning	Richard William	96 Davis Street
186	Browning	Terence Irving	YMCA
187	Browning	Trevor Osneht	5 Villiers Street
188	Brownlee	Andrew Samuel	19 Ross Road East
189	Brownlee	Lynn Frances	19 Ross Road East
190	Brownlee	Michael Stewart	19 Ross Road East
191	Brownlee	Samantha Louise	19 Ross Road East
192	Bryson	Robert John	66 Davis Street
193	Buckett	Kimberley Louise	49 Fitzroy Road
194	Buckett	Ronald Peter	49 Fitzroy Road
195	Buckett	Roy Peter	22 James Street
196	Buckett	Ryan Peter	Flat 3, 7 Jeremy Moore Avenue
197	Buckett	Susan Vera	Mullet Creek, House
198	Buckland	Carole Lynda Jane	8 Moody Street
199	Buckland	Darlene Joanna	5 James Street
200	Buckland	Kristy Lesley Anne	1B Capricorn Road
201	Buckley-Whitney	Helena Jane	2 Pioneer Row
202	Budd	Dennis Raymond	5 Ian Campbell Drive
203	Budd	Grant William	1 Ian Campbell Drive
204	Budd	Pamela Joan	5 Ian Campbell Drive
205	Budd	Stacey Louise Steen	1 Ian Campbell Drive
206	Burston	Caitlin Laura	91 Davis Street
207	Burston	Catherine	91 Davis Street
208	Burston	Stephen Leslie	91 Davis Street
209	Burston	Thomas Stephen	91 Davis Street
210	Bury	Ian Thomas	63 Davis Street
211	Butcher	Michael George	3A Dairy Paddock Road
212	Butcher	Trudi	3A Dairy Paddock Road
213	Butler	Charmaine Sarah	Jersey Flats

215	Butler	George Joseph	1A Moody Street
216	Butler	Laurence Jonathan	2 Davis Street East
217	Butler	Lucy Mary Rose Ellen Doreen	1A Moody Street
218	Butler	Margaret Orlanda	5 Short Street
219	Butler	Orlanda Betty	2 Davis Street East
220	Buxton	Nicole Gabrielle	9 Ian Campbell Drive
221	Campos Guala	Jessica Paola	9A Sullivan Street
222	Cant	Carol Rosina	24 Goss Road
223	Carey	Anthony Michael	19 Ross Road West
224	Carey	Gladys	19 Ross Road West
225	Carey	Martin Rex	4 Hansen Hill
226	Carey	Mary Ann Margaret	18 Ross Road West
227	Carey	Terence James	18 Ross Road West
228	Cartwright	Stephen	39 Ross Road West
229	Castle	David Peter	26 John Street
230	Castle	Isobel	26 John Street
231	Ceballos	Eulogio Gabriel	28 Endurance Avenue
232	Ceballos	Isabel	12 Brisbane Road
233	Ceballos-Anderson	Alastair Jaime	40 Ross Road
234	Chaloner	Anthony Ross	8 Endurance Avenue
235	Chaloner	Karl Iain Roderick	8 Endurance Avenue
236	Chaloner	Sheila Catherine	25 Ross Road East
237	Chapman	Elsie Mary	23 Fitzroy Road
238	Chapman	Paul	27 Fitzroy Road
239	Chapman	Samantha Helen	27 Fitzroy Road
240	Chater	Anthony Richard	33 Fitzroy Road
241	Chater	Kim Andrea	33 Ross Road
242	Chater	Victoria	37 Ross Road East
243	Chater	William John	37 Ross Road East
244	Cheek	Gerald Winston	9 Biggs Road
245	Cheek	Janet Lynda	35 Ross Road East
246	Cheek	Marie	9 Biggs Road
247	Cheek	Rosalind Catriona	32 Goss Road
248	Cheema	Ahmad Masood	17 Callaghan Road
249	Christie	Darren James	3 Narrows View
250	Christie	Phillippa Josephine	3 Narrows View
251	Clapp	Kevin Christopher	1 Murray Heights
252	Clark	Douglas James	112 Davis Street
253	Clark	Hector	27 Eliza Crescent
254	Clarke	Aaron Charles	13 Davis Street
255	Clarke	Angela Sindy	Flat 9, 6 Jersey Road
256	Clarke	Camilla Marie	8 Drury Street
257	Clarke	Christopher	5 Discovery Close
258	Clarke	David James	17 Ross Road West
259	Clarke	Derek Simon	23 Jeremy Moore Avenue
260	Clarke	Doreen	17 Ross Road West
261	Clarke	Felicity Marie	5 Brandon Road
262	Clarke	Gwynne Edwina	17 Jeremy Moore Avenue
263	Clarke	Ian	3A Ross Road West
264	Clarke	Isabel Joan	12 Fieldhouse Close
266	Clarke	Jane Rebecca	12 Fieldhouse Close
267	Clarke	Jeremy Ian Thomas	11 Fitzroy Road
268	Clarke	Joan Patricia Marion	Cemetery Cottage

269	Clarke	Jonathan Terence	Lookout Lodge
270	Clarke	Joseph Gwyn	14a Brandon Road
271	Clarke	Julie Ann	9 Hansen Hill
272	Clarke	Luke Anthony	39 Fitzroy Road
273	Clarke	Margaret Ann	3 'H' Jones Road
274	Clarke	Mari-Ann Lucille	12 Fieldhouse Close
275	Clarke	Marvin Thomas	13 Davis Street
276	Clarke	Ronald John	17 Ross Road West
277	Clarke	Rudy Thomas	8 Drury Street
278	Clarke	Shane Adrian	36 John Street
279	Clarke	Stefen Michael	36 John Street
280	Clarke	Stephen Boyd	12 Fieldhouse Close
281	Clarke	Terence John	17 Jeremy Moore Avenue
282	Clarke	Tracey Clare	23 Jeremy Moore Avenue
283	Clarke	Trudi Ann	13 Davis Street
284	Clarke	Violet Rose	23 Murray Heights
285	Clasen	Donna Monica	15 Davis Street
286	Clasen	Wayne Ian Summers James	15 Davis Street
287	Clausen	Andrea Patricia	13 Jeremy Moore Avenue
288	Clausen	Denzil	24 Murray Heights
289	Clausen	Denzil George Gustavius	13 Jeremy Moore Avenue
290	Clausen	Melanie	54 Davis Street
291	Clayton	Jade Anne	16 St Mary's Walk
292	Clayton	Joshua Jordon	16 St Mary's Walk
293	Clement	Gary	9 Snake Street
294	Clement	Jacqueline Ann	25 Hansen Hill
295	Clement	Jane	Gift Shop Flat, Villiers St
296	Clement	Lee	25 Hansen Hill
297	Clement	Sarah Jane	10 Snake Street
298	Clement	Wayne	10 Snake Street
299	Clifford	Cherie Yvonne	6 Capricorn Road
300	Clifford	John Owen	6 Capricorn Road
301	Clifford	Rhys John David	6 Capricorn Road
302	Clifford	Terri-Sue	Harbour View Knott
303	Clifton	Darwin Lewis	53 Davis Street
304	Clifton	Heidi Monica	10 Pioneer Row
305	Clifton	Marie	16 Fieldhouse Close
306	Clifton	Melvyn	2 Murray Heights
307	Clifton	Neil	11 Hansen Hill
308	Clifton	Stephen Peter	61 Fitzroy Road
309	Clifton	Teresa Ann	12 Callaghan Road
310	Clifton	Valerie Ann	10 Pioneer Row
311	Cockwell	Jennifer Marie	90 Davis Street
312	Cockwell	John Richard	14 Ross Road West
313	Cockwell	Maurice Adam	90 Davis Street
314	Cockwell	Samuel George	14 Ross Road West
315	Cofre	Anya Evelyn	37 Eliza Crescent
316	Cofre	Ashton Laura	9 Eliza Crescent
317	Cofre	Elvio Miguel	37 Eliza Crescent
318	Cofre	Reuben Patrick	37 Eliza Crescent
319	Collier	Victoria Louise	11 Ian Campbell Drive
320	Collins	Brian Richard	41 Davis Street
321	Collins	Christopher Allan	7 John Street

322	Collins	Hazel	41 Davis Street
323	Collins	Michael William Archibald	7 John Street
324	Collins	Steven Paul	7 John Street
325	Collins Finlay	Shiralee	9 Rowlands Rise
326	Connolly	Kevin Barry	1 King Street
327	Cordeiro Otero	Jose Antonio	1 Narrows View
328	Cotter	Caroline Jane	36 Eliza Crescent
329	Cotter	Gillian Naomi	9 Jeremy Moore Avenue
330	Cotter	Jacqueline Ann	28 Ross Road East
331	Cotter	Mary Jane	9 Jeremy Moore Avenue
332	Cotter	Timothy Stewart	9 Jeremy Moore Avenue
333	Courtney	Anthony Clive	30 Goss Road
334	Courtney	Julie Doris	30 Goss Road
335	Courtney	Marc Anthony	30 Goss Road
336	Coutts	John	36 Ross Road West
337	Coutts	Marie Anne	36 Ross Road West
338	Coutts	Olga	33 Ross Road
339	Crabb	Elizabeth Ann	34A Davis Street
340	Crowie	Alan John	17 Ian Campbell Drive
341	Crowie	Ana Bonita	72 Davis Street
342	Crowie	Bradley Rhys	72 Davis Street
343	Crowie	Chester Robert	35 Callaghan Road
344	Crowie	Clare Frances	8 Jersey Road
345	Crowie	Dave Mark	10 James Street
346	Crowie	David Martin	Lookout Lodge
347	Crowie	David Sean	51 Callaghan Road
348	Crowie	Layla Alicia	19 James Street
349	Crowie	Michelle	1 Discovery Close
350	Crowie	Nicola Jane	35 Callaghan Road
351	Crowie	Peter James	21 Murray Heights
352	Crowie	Rachael	10 James Street
353	Crowie	Robert John	35 Callaghan Road
354	Curtis	Alfred William Hamilton	6 Brandon Road West
355	Curtis	Bonnie Elizabeth Hamilton	22 Mink Park
356	Curtis	James Earl Hamilton	5 Fieldhouse Close
357	Curtis	James William Hamilton	19A Mink Park
358	Curtis	Tanya	19A Mink Park
359	Davies	Anthony Warren	7 Callaghan Road
360	Davies	Colin George	15 Ross Road West
361	Davies	Eileen Wynne	15 Ross Road West
362	Davies	Helen Louise	15 Ross Road West
363	Davies	Jacqueline Nancy	7 Callaghan Road
364	Davies	Samantha	7 Callaghan Road
365	Davies	Sian Karen	7 Callaghan Road
366	D'Avino	Damaris Priscila	14 Jersey Road
367	D'Avino	Pamela Martha	14 Jersey Road
368	Davis	Doreen Susan	11 Callaghan Road
369	Davis	Ellen Rose	55 Davis Street
370	Davis	Maurice	39 Davis Street
371	Davis	Nicholas	11 Callaghan Road
372	Davis	Roy George Victor	6 Narrows View
373	Davis	Samantha Jane	19 Murray Heights
374	Davis	Stacey Elizabeth	2 Rowlands Rise

376	Davis	Yona	37 Davis Street
377	Dent	Janice Vanessa	19 Hansen Hill
378	Dent	Stephen John	4 Fieldhouse Close
379	Dickson	Iris	2 Dairy Paddock Road
380	Dickson	Jason Edward	YMCA
381	Dickson	Michael Keith	12 Dairy Paddock Road
382	Dickson	Ronald Edward	2 Dairy Paddock Road
383	Didlick	Imogen Fiona	Flat 10, 6 Jersey Road
384	Didlick	John Charles Hilson	Lookout Lodge
385	Dobbyns	Kathleen Gay	60 Davis Street
386	Dodd	Alison	1 Pioneer Row
387	Dodd	Mark Thomas	1 Pioneer Row
388	Dodd	Nigel Keith	1 Pioneer Row
389	Dodd	Samantha Jane	1 Pioneer Row
390	Drysdale	Karen	1 Watson Way
392	Duncan	Robert Alfred	11 Callaghan Road
393	Duvall	Kenneth William	9 Murray Heights
394	Eagle	Rex Edward	13 Eliza Crescent
395	Earnshaw	Jacqueline Elizabeth	37 Ross Road West
396	East	Justin Clive Richard	1 Fieldhouse Close
397	Eccles	Bernard Leslie	18 Jeremy Moore Avenue
398	Eccles	Matthew James	9 Eliza Crescent
399	Eccles	Mhairi-Anne	18 Jeremy Moore Avenue
400	Eccles	Moira Cameron	18 Jeremy Moore Avenue
401	Elbakidze	Natasha Bonita	10 Mink Park
402	Elbakidze	Zaza	10 Mink Park
403	Ellick	Joanne Marie	11 McKay Close
404	Elliot	Elizabeth Rose	15 Callaghan Road
405	Elliot	Henry James	15 Callaghan Road
406	Elliot	Nathan James	15 Callaghan Road
407	Elliot	Samuel Robert	15 Callaghan Road
408	Ellis	Cyril	24 Ross Road East
409	Ellis	Lucy	11 James Street
410	Ellis	Paul	43 John Street
411	Ellis	Sally Jean	43 John Street
412	Ellis	Valerie	24 Ross Road East
413	Elsby	Barry	Moody Brook House
414	Elsby	Rosalind Alice	14A Brandon Road
415	Elsby	Thomas	14a Brandon Road
416	Eriksen	Fiona Alison	5 Racecourse Road
417	Evans	Duane Richard	Murray Heights
418	Evans	Michelle Paula	Murray Heights
419	Ewing	Gordon	4 Jeremy Moore Avenue
420	Ewing	Irene	4 Jeremy Moore Avenue
421	Eynon	Carol	8 Villiers Street
422	Eynon	David John	8 Villiers Street
423	Faria	April Marie	3A Brisbane Road
424	Faria	Basil Harry	3A Brisbane Road
425	Faria	Maria Anne	3A Brisbane Road
426	Faria	Mary Ann	2A St Mary's Walk
427	Faria	Paul	22 Hansen Hill
428	Faria	Sarah Louise	22 Hansen Hill
429	Faria	Susana Caroline Bermtsen	22 Hansen Hill

430	Felton	Faith Dilys	8 Murray Heights
431	Felton	Scott Daniel	41 Callaghan Road
432	Felton	Sonia Ellen	Gardner's Cottage
433	Felton-Eagle	Trudi Eileen	13 Eliza Crescent
434	Ferguson	Ellen Rose	51 Callaghan Road
435	Ferguson	Finlay James	Flat 2, Moody Street
436	Ferguson	John William	47 Ross Road East
437	Ferguson	Robert John Andrew	47 Ross Road East
439	Ferguson	Sian Yvonne	1 Sullivan Street
440	Ferguson	Stephanie Janet	47 Ross Road East
441	Ferguson	Thelma	4A St Mary's Walk
442	Ferriby	Debora Susana	56 Davis Street
443	Ferriby	Lee Robert	56 Davis Street
444	Fiddes	Douglas Graham	Stables Moody Brook
445	Fiddes	Gardner Walker	3 Watson Way
446	Fiddes	Julia Bertrand	6 Rowlands Rise
447	Fiddes	Kelly Melody	YMCA
448	Fiddes	Melody Christine	3 Watson Way
449	Finlay	Andrew John	9 Rowlands Rise
450	Finlayson	Iris Heather	3 Capricorn Road
451	Finlayson	Kimberly Elizabeth	26 Ross Road East
452	Finlayson	Marc Ian	19 James Street
453	Finlayson	Marilyn Christine	24 James Street
454	Finlayson	Peter	24 James Street
455	Finlayson	Phyllis	6 Brandon Road
456	Fisher-Smith	Julie Anne	8 Fieldhouse Close
457	Floyd	Michael	7 Pitaluga Place
458	Floyd	Michael Anthony	7 Pitaluga Place
459	Floyd	Steven Paul	26 Hansen Hill
460	Floyd	Tracy	26 Hansen Hill
461	Fogerty	Richard Edwin John	Stone Cottage Airport Road
462	Ford	Alison Jane Marie	9 Jersey Road
463	Ford	Arthur Henry	6 Drury Street
464	Ford	Cara Michelle	5A Kent Road
465	Ford	Chloe Elizabeth	Y.M.C.A
466	Ford	Christine	6 Drury Street
467	Ford	Christopher James	6 Felton Court
468	Ford	Colin Stewart	15 Kent Road
469	Ford	Colleen Mary	12 Davis Street
470	Ford	Daniel Timothy	15 Kent Road
471	Ford	Darrel Michael	54 Davis Street
472	Ford	Debbi Louisa	6 Felton Court
473	Ford	Donna Marie	22 Murray Heights
474	Ford	Gerard Allan	12 Hansen Hill
475	Ford	Jonathan	3 Pitaluga Place
476	Ford	Julie Ann	3 Pitaluga Place
477	Ford	Leann Caroline	15 Kent Road
478	Ford	Leonard	9 Jersey Road
479	Ford	Mandy	1 James Street
480	Ford	Marvyn Neil	68 Davis Street
481	Ford	Mikaela Jayne	15 Kent Road
482	Ford	Neil Frazer	6 Drury Street
483	Ford	Paul Edward	2 Sullivan Street

484	Ford	Simon	1 James Street
485	Forrest	Jennifer Carol	6 Fitzroy Road East
486	Forrest	Michael John	6 Fitzroy Road East
487	Forster	Amanda	9 Fieldhouse Close
488	Forster	Gwyneth May	10 Drury Street
489	Forster	James	10 Drury Street
490	Forster	Lynne	19 Biggs Road
491	Fowler	Alan Claude	34 Fitzroy Road
492	Fowler	Daniel Martin	2 Glasgow Road
493	Fowler	John Andrew Thomas	2 Glasgow Road
494	Fowler	Vanessa Kay	34 Fitzroy Road
495	Fowler	Veronica Mary	1 Narrows View
496	France	Graham Brian	7 Snake Hill
497	France	Ian Peter	4 Sullivan Street
498	Freeman	Carl Francis	Maiden Haven Cottage
499	Freeman	Dianne May	Maiden Haven Cottage
500	Freer	Edward Craig	7 Fitzroy Road East
501	Freer	Matthew Paul	7 Fitzroy Road East
502	Freer	Pamela Jane	7 Fitzroy Road East
503	Freer	Stephen Paul James	7 Fitzroy Road East
504	French	Breda Marie	12 Narrows View
505	French	Robert Alan	12 Narrows View
506	George	Kevin Charles	26 Ross Road East
507	George	Robert Ziggy	26 Ross Road East
508	Gilbert	Christopher Paul	11 Ian Campbell Drive
509	Gilbert	Mark Ian	22 Jeremy Moore Avenue
510	Gilbert	Neil Robert	22 Jeremy Moore Avenue
511	Gilbert	Robert Ernest	22 Jeremy Moore Avenue
512	Gilbert	Sharon	11 Ian Campbell Drive
513	Gilson-Clarke	Martyn Ian	11a Racecourse Road
514	Glanville	Adam James	12 James Street
516	Goodwin	Bonita Colleen	21 Eliza Crescent
517	Goodwin	Catherine Dawn	8 Hansen Hill
518	Goodwin	Cheveze John Douglas	YMCA
519	Goodwin	Colin Valentine	86 Davis Street
520	Goodwin	Derek Samuel	21 Eliza Crescent
521	Goodwin	Emily Rose	7 Brisbane Road
522	Goodwin	Gareth Kevin	15 Hansen Hill
524	Goodwin	June Elizabeth	86 Davis Street
525	Goodwin	Mandy Hazel Minnell	31 Ross Road West
526	Goodwin	Margaret Ann	3H Jones Road
527	Goodwin	Margo Jane	5C Hansen Hill
528	Goodwin	Marie-Bernard Therese	15 Hansen Hill
529	Goodwin	Rachel Karen	31 Ross Road West
530	Goodwin	Robin	31 Ross Road West
531	Goodwin	Robin Christopher	27 Callaghan Road
532	Goodwin	Simon James	8 Hansen Hill
533	Goodwin	Una	27 Callaghan Road
534	Goodwin	William John Maurice	7 Brisbane Road
535	Gordon	Robert James Alexander	16 Hansen Hill
536	Goss	Annagret	16 Jeremy Moore Avenue
537	Goss	Carole-ann	2A Capricorn Road
538	Goss	Dorothy Ellen	1A Hansen Hill

539	Goss	Eric Miller	2 Fitzroy Road East
540	Goss	Ian Ernest Earle	98 Davis Street
541	Goss	Jane Alexander	98 Davis Street
542	Goss	Morgan Edmund	16 Jeremy Moore Avenue
543	Goss	Sandra Kathleen	11 Kent Road
544	Goss	Sherilee Christine	98 Davis Street
545	Goss	Shirley Ann	2 Fitzroy Road East
546	Goss	Simon Peter Miller	11 Kent Road
547	Goss	Susan Diann	98 Davis Street
548	Goss	William Henry (jnr)	7 Brandon Road
549	Gough	Ivan Carl	8 John Street
550	Gough	Phyllis Candy	8 John Street
551	Gough	Tanzy Jayne	8 John Street
552	Gray	Patricia May	22 Ross Road West
553	Green	David William	4 Discovery Close
554	Greenland	James Andrew William	21 St Mary's Walk
555	Greenough	Brandon	6 Murray Heights
556	Greenough	Geoffrey	14 Endurance Avenue
557	Greenough	Wanda Rose	14 Endurance Avenue
558	Grimmer	Edward	21 Hansen Hill
559	Hadden	Alexander Burnett	8A St Mary's Walk
560	Hadden	Sheila Peggy	8A St Mary's Walk
561	Halliday	Bethan Rosina	5 Drury Street
562	Halliday	Cathy Anne	5 Drury Street
563	Halliday	Jeffrey James	9A Philomel Street
564	Halliday	Julie Ann	9A Philomel Street
565	Halliday	Raynor	9 Brisbane Road
566	Hancox	Alice Fiona	5 McKay Close
567	Hancox	Emily Clare	5 McKay Close
568	Hansen	Douglas John	6 Fitzroy Road
569	Hansen	Keva Elizabeth	1 Dairy Paddock Road
570	Hansen	Terence Joseph	41 Eliza Crescent
571	Hardcastle	Eileen Beryl	7 Ross Road East
572	Hardcastle	Simon Brook	7 Ross Road East
573	Harris	Angela Jane	10 Haskard Rise
574	Harris	Brian Frederick	Felton Stream
575	Harris	Christopher James	5 Ross Road East
576	Harris	Dennis Sefton	19 Callaghan Road
577	Harris	Heather	3 Ross Road East
578	Harris	Jill Yolanda Miller	19 Fitzroy Road
579	Harris	Karl Henry	10 Haskard Rise
580	Harris	Leeann Watson	10 Dairy Paddock Road
581	Harris	Leslie Sidney	19 Fitzroy Road
582	Harris	Michael Ronald	3 Ross Road East
583	Harris	Ralph Aaron	10 Dairy Paddock Road
584	Harris	Wendy Ann	19 Callaghan Road
585	Harvey	Sheila	8 Barrack Street
586	Hawksworth	Christopher	6B Gleadell Close
587	Hawksworth	David	25 Eliza Crescent
588	Hawksworth	Elane Maria	14 Scoresby Close
589	Hawksworth	Mary Catherine	5A Brisbane Road
590	Hawksworth	Ryan	6B Gleadell Close
591	Hayward	Marjorie	4b St Mary's Walk

592	Hayward	Neville	29 Fitzroy Road
593	Hayward	Pauline May	29 Fitzroy Road
594	Heathcock	Andrew James	7 Drury Street
595	Heathman	Abbie Louise	15 Eliza Cove Road
596	Heathman	Malcolm Keith	15 Eliza Cove Road
597	Heathman	Mandy Gail	15 Eliza Cove Road
598	Heathman	Nyree	7 Allardyce Street
599	Heathman	Sally Hermione	15 Eliza Cove Road
600	Hemming	Graeme John	10 Murray Heights
601	Henry	Adam Robert	8 Beaver Road
602	Henry	Alan Richard	8 Beaver Road
603	Henry	Donna Louise	14A Brandon Road
604	Henry	Patricia Denise	8 Beaver Road
605	Henry-Roberts	Dominic Patrick Alexander	5 Narrows View
606	Hernandez Manterola	Miguel Angel	3 Murray Heights
607	Hernandez Trevello	Maria Elena	3 Murray Heights
608	Hewitt	Bernice Marilyn Sarah	7 Moody Street
609	Hewitt	Charles David James Murdo	YMCA
610	Hewitt	Christine Alison Elizabeth	12A Brandon Road
612	Hewitt	Gary George	3 Hebe Place
613	Hewitt	Margaret Ann	3 Hebe Place
614	Hewitt	Tara Marie	3 Hebe Place
615	Hills	David John	19 Scoresby Close
616	Hirtle	Christine	5 Capricorn Road
617	Hirtle	Debbie Ann	2B Capricorn Road
618	Hirtle	Leonard Lloyd	2 Ian Campbell Drive
619	Hirtle	Michael Barry	2 Ian Campbell Drive
620	Hirtle	Odette Susan	15 Brandon Road
621	Hirtle	Rose Ann Shirley	4 Villiers Street
622	Hirtle	Zane Eric	12 Drury Street
623	Hobman	Anilda Marilu	5 Police Cottages
624	Hobman	Kyle John	Y.M.C.A
625	Hobman	Luis Alfonzo	5 Police Cottages
626	Howatt	Derek Frank	4 Racecourse Road
627	Howatt	Suzanna Margaret	4 Racecourse Road
628	Howe	Adam Marcus Timothy	36 Davis Street
629	Howe	Alexander Luke Desmond	36 Davis Street
630	Howe	Alison Delia	36 Davis Street
631	Howe	Paul Anthony	36 Davis Street
632	Howe	Thomas Craig Samuel	36 Davis Street
633	Howells	Roger	112A Davis Street
634	Hoy	Gabriella Daisy	7 Biggs Road
635	Humphreys	Bruce Adam	7 Dean Street
636	Humphreys	Dennis James	7 Dean Street
637	Humphreys	Hannah Elaine	12 Mink Park
638	Hutton	Elizabeth Isabella	3 John Street
639	Hutton	Philip	3 John Street
640	Igao	Alejandro Neri	Flat 3, 6 Racecourse Road
641	Igao	Noel Neri	10 Goss Road
642	Igao	Pauline Lynx	10 Goss Road
643	Inglis	Alison Anne MacKenzie	9 Short Street
644	Irvine	Andrew Grant McKenzie	9 McKay Close
645	Jackson	Kathleen	7 Drury Street

646	Jackson	Malcolm	7 Drury Street
647	Jackson	Mark Malcolm	5 Drury Street
648	Jacobsen	Alistair	1A Philomel Street
649	Jacobsen	Catherine Joan	1A Philomel Street
650	Jacobsen	Cathy	8 Fitzroy Road
651	Jacobsen	Tanzi	19 Scoresby Close
652	Jacobsen	Toni Rhona	1A Philomel Street
653	Jaffray	Anika Doreen	2 Arch Green
654	Jaffray	Arlette Sharon	7 Jersey Road
655	Jaffray	Ashley Dereck	17 Ross Road East
656	Jaffray	Catriona Mhairi	24 Hansen Hill
657	Jaffray	Dereck Charles	2 Arch Green
658	Jaffray	Estelle Anita	11 Snake Hill
659	Jaffray	Eva Lynn	47 Callaghan Road
660	Jaffray	Frank Alexander	1 Gleadell Close
661	Jaffray	Gerard Alan	47 Callaghan Road
662	Jaffray	Helen Rose	84 Davis Street
663	Jaffray	Ingrid Joyce	9 Fitzroy Road
664	Jaffray	Janet	3 Fitzroy Road East
665	Jaffray	John	3 Fitzroy Road East
666	Jaffray	John Summers	84A Davis Street
667	Jaffray	John Willie	21 Watson Way
668	Jaffray	June Elizabeth	17 Ross Road East
669	Jaffray	Kenneth Ian	7 Jersey Road
670	Jaffray	Lisa Jane	7 Hebe Street
671	Jaffray	Nicole Dawn	5 Hebe Street
672	Jaffray	Phyllis	21 Watson Way
673	Jaffray	Shaun Melvin	24 Endurance Avenue
674	Jaffray	Stephen James	5 James Street
675	Jaffray	Tanya Fiona	21 Hansen Hill
676	Jaffray	Terrence Roy	5 Hebe Street
677	Jaffray	Terri-Ann	24 Endurance Avenue
678	Jaffray	Tony	84 Davis Street
679	Jaffray	Tracy	James Street
680	Jaffray Bryson	Joanna Phyllis	66 Davis Street
681	Jamieson	Malcolm William	5 Nutt Cartmell Close
682	Jamieson	Patricia Anne	5 Nutt Cartmell Close
683	Jennings	Hamish Warren	9 Davis Street
684	Jennings	Leeanne Kate	9 Davis Street
685	Jennings	Nancy Elizabeth	7 Philomel Street
686	Jennings	Roy	9 Davis Street
687	Jennings	Stephen	5 Fitzroy Road
688	Johnson	Christopher David	11 Rowlands Rise
689	Johnson	Lily Ann	5A Hebe Street
690	Johnson	Michael Neil	30 Jersey Road
691	Johnston	Lisa Marie	33 Davis Street
692	Jones	Deena Marie	7 Discovery Close
693	Jones	Evan Glynn	19 Biggs Road
694	Jones	Kevin Richard	3A Brandon Road
695	Jones	Yvonne Malvina	Flat 1, 6 Racecourse Road
696	Jonson	Nicole Frances	30 Endurance Avenue
697	Jordan	Cara Jane	12 Goss Road
698	Joshua	Angeline Gloria	36 John Street

699	Joshua	Josephine Mary	7 Gleadell Close
700	Joshua	Paul Alan	36 John Street
701	Joshua	Rosemond Patricia	3 Felton Stream
702	Keane	Alva Rose Marie	18 Davis Street
703	Keane	Olaf James	18 Davis Street
704	Keane	Thomas James	18 Davis Street
705	Keenleyside	Charles Desmond	3 Pioneer Row
706	Keenleyside	Manfred Michael Ian	2 Snake Hill
707	Keenleyside	Nanette Barbara	2 Snake Hill
708	Kelly	Phillip Sean	13 Nutt Cartmell Close
709	Kelly	Sandy Bridget	13 Nutt Cartmell Close
710	Kenny	Erling	20 James Street
711	Kidd	John Nathan	7 Ross Road West
712	Kidd	Lillian Rose Orissa	7 Ross Road West
713	Kiddle	Robert Karl	Flat 2, 1 Moody Street
714	Kilmartin	Clovis Sebastian	3 Davis Street East
715	King	Anna Constance Eve	34 Ross Road
716	King	Glynis Margaret	Stanley Arms Flat
717	King	Michelle Beverly	51 Ross Road East
718	King	Peter Thomas	10 Jeremy Moore Avenue
719	King	Robert John	22/24 Davis Street
720	King	Rosemarie	10 Jeremy Moore Avenue
721	King	Roxanne McCarthy	39 Fitzroy Road
722	Kirkham	Campbell Joseph	5 Capricorn Road
724	Kultschar	John William	4 Davis Street East
725	Kultschar	Richard Paul	5 Brisbane Road
726	Kultschar	Yvonne Rosina	4 Davis Street East
727	Ladron De Guevara Barnes	Jeremy Marshall	22/24 Davis Street
728	Ladron De Guevara Vilches	Carmen Benilda	22/24 Davis Street
729	Ladron Guevara	Simon	22/24 Davis Street
730	Laffi	Atilio Segundo	3 Brisbane Road
731	Laffi	Kathleen Mary	3 Brisbane Road
732	Lang	Colin David	2 Brisbane Road
733	Lang	David Geoffrey	28 Goss Road
734	Lang	James Patrick	2 Davis Street
735	Lang	Leah Falalimpa	2 Davis Street
737	Lang	Theresa Margaret	28 Goss Road
738	Lang	Valma Emily	8A Moody Street
739	Lang	Wendy Diane	2 Brisbane Road
740	Lapham	Stephen William	18 Hansen Hill
741	Lapham	Suzanna	18 Hansen Hill
742	Larsen	Ellen	6A Moody Street
743	Larsen	Ronald Ivan	2 Anderson Drive
744	Larsen	Yvonne	2 Anderson Drive
745	Lazo	Javier Waldemar Sanchez	80 Davis Street
746	Lazo	Joanna Rose	80 Davis Street
747	Leach	Nigel Jon	4 Moody Street
748	Lee	Carole	15 Ian Campbell Drive
749	Lee	Gladys	11 Drury Street
750	Lee	Karen Jane	14 Davis Street
751	Lee	Mandy John	15 James Street
752	Lee	Owen Henry	4 Pioneer Row
753	Lee	Rodney William	15 Ian Campbell Drive

754	Lee	Victoria Jane	Flat 4 Church House
755	Lennie	Gordon Carnie	9 Narrows View
756	Lewis	David James	3 Ian Campbell Drive
757	Lewis	Jason	9 Short Street
758	Lewis	Pamela Irene	3 Ian Campbell Drive
759	Leyland	Frank	10 Brandon Road
760	Leyland	Vera	10 Brandon Road
761	Liddle	Alison Catherine	3A Hebe Street
762	Limburn	Monica	2 Brandon Road
763	Limburn	Sean Roderick	2 Brandon Road
764	Livermore	Anton	82 Davis Street
765	Livermore	Doreen Emily	82 Davis Street
766	Livermore	Isla Karen	Flat 3, 30 Jersey Road
767	Livermore	Kirsty Nicole	Flat 4, 6 Jersey Road
768	Livermore	Verity Anne	YMCA
769	Lloyd	Christopher Sturdee	12 McKay Close
770	Lloyd	Natalie Anne	12 McKay Close
771	Loftus	Geoffrey	15 Biggs Road
772	Loftus	Sara	15 Biggs Road
773	Lowe	Katrina Louise	5 McKay Close
774	Luxton	Anna	4 Biggs Road
775	Luxton	Michael	1A Pioneer Row
776	Luxton	Nicola	1A Pioneer Row
777	Luxton	Robin	1 Jersey Road
778	Luxton	Stephen Charles	Mullet Creek House
779	Luxton	Wendy Jennifer	1 Jersey Road
780	Luxton	Winifred Ellen	15 Fitzroy Road
781	Luxton	Zoe	2 Glasgow Road
782	Lyse	Linda Margaret	65 Fitzroy Road
783	Macaskill	Angus Lindsay	8 Jeremy Moore Avenue
784	Macaskill	Jeanette May	8 Jeremy Moore Avenue
785	Macaskill	John	34 Ross Road West
786	Macaskill	Robert John	1A Brisbane Road
787	Macaskill	Tracey Jayne	1A Brisbane Road
788	MacDonald	Andrew James	29 Callaghan Road
789	MacDonald	Derek George	30 Endurance Avenue
790	MacDonald	Irene	Flat 3, 5 Jeremy Moore Avenue
791	Maciello	Jorge Diego	33 Ross Road
792	Maciello	Susan Ovedia Franz	33 Ross Road
793	Maddocks	Robert Charles	11 Murray Heights
794	Marsh	Samantha Ann	7 Jersey Road
795	Martin	Lee Anthony	7 McKay Close
796	Martin	Lisa Maria	7 McKay Close
797	May	Angela Jane	11 Sullivan Street
798	May	Brian Roy	21 Jeremy Moore Avenue
799	May	Bruce Raymond	9 Kent Road
800	May	Connie	9 Kent Road
801	May	Heather	1 Glasgow Road
802	May	Jonathan Roy	12 Jeremy Moore Avenue
803	May	Lucinda Vikki	12 Jeremy Moore Avenue
804	May	Monica	21 Jeremy Moore Avenue
805	May	Roger	11 Sullivan Street
806	May	Tiphonie	9 Callaghan Road

807	May	William Albert	1 Glasgow Road
808	McBain	Arthur	29 Goss Road
809	McBain	Rhoda Margaret	29 Goss Road
810	McCallum	Bettina Kay	14 Drury Street
811	McCallum	Christopher John	8A Jeremy Moore Avenue
812	McCallum	Rampai	14A Drury Street
813	McCallum	Shanice	YMCA
814	McCallum	Timothy Andrew	14A Drury Street
815	McCormick	Dale Ronald	24 Eliza Crescent
816	McCormick	Pauline Margaret Ruth	29 Callaghan Road
817	McCormick	Richard Paul	29 Callaghan Road
818	McCormick	Samantha Laura	3 Jeremy Moore Avenue
819	McCormick	Tamara Ann	Flat 8, 6 Jersey Road
820	McCormick	Wayne Stanley James	12 Endurance Avenue
821	McCrea	Robert Thomas	25 Ross Road West
822	McDade	Priscilla Alison	12 St Marys Walk
823	McGill	Cara Jane	25 Shackleton Drive
824	McGill	Daniel Stanford	2 James Street
825	McGill	Darrel Ian	20 Jeremy Moore Avenue
826	McGill	David William	Gardeners Cottage South
827	McGill	Diane Beverley	2 James Street
828	McGill	Doris Mary	32 Davis Street
829	McGill	Gary	15 Brandon Road
830	McGill	Glenda	1C Capricorn Road
831	McGill	Heather Margaret	Gardeners Cottage South
832	McGill	Ian Peter	1C Capricorn Road
833	McGill	Len Stanford	2 James Street
834	McGill	Teresa Rose	26 Ross Road East
835	McKay	Bono John	21 Ross Road West
836	McKay	Clara Mary	20 Ross Road West
837	McKay	Heather Valerie	16 Eliza Crescent
838	McKay	Jeannie Paullina	2 Allardyce Street
839	McKay	Jennifer Coral	24 Eliza Crescent
840	McKay	John David Toby	51 Callaghan Road
841	McKay	Leona Ann	30 Jersey Road
842	McKay	Mandy Rose	51 Callaghan Road
843	McKay	Melvyn Andrew	55 Davis Street
844	McKay	Michael John	64 Davis Street
845	McKay	Michelle Jane	64 Davis Street
846	McKay	Neil	60 Davis Street
847	McKay	Paul Anthony	Flat 1, Moody Street
848	McKay	Peter John	21 Ross Road West
849	McKay	Rex	16 Eliza Crescent
850	McKay	Stacey Jane	7 Biggs Road
851	McKee	Miranda	12 Watson Way
852	McKee	Richard Buick	12 Watson Way
855	McLaren	Caroline Mary	51 Callaghan Road
856	McLaren	Kevin Derek Charles	3D Jersey Road
857	McLaren	Tony Eugene Terence	10 Moody Street
858	McLeod	David	49 Callaghan Road
859	McLeod	Glenda Otadoy	49 Callaghan Road
860	McLeod	Henry Donald Alexander	16 Fieldhouse Close
861	McLeod	Ian	17 Davis Street

862	McLeod	Ian James	7 Ian Campbell Drive
863	McLeod	Janet Wensley	75 Davis Street
864	McLeod	Janice	2 Ross Road West
865	McLeod	Joan May	13 Murray Heights
866	McLeod	John (2)	23 Hansen Hill
867	McLeod	Mally	17 Davis Street
868	McLeod	Margaret Ann	13 Fitzroy Road East
869	McLeod	Michael William	5 Short Street
870	McLeod	Pearl Mary Ann	18 Brandon Road
871	McLeod	Robert	75 Davis Street
872	McLeod	Robert John	2 Ross Road West
873	McLeod	Valorie Marcela	7 Ian Campbell Drive
874	McMullen	June	8 Brandon Road
875	McMullen	Lucille Anne	6A John Street
876	McMullen	Matthew John	5 Fieldhouse Close
877	McMullen	Tony	8 Brandon Road
878	McPhee	Denise	4 Brandon Road West
880	McPhee	Justin Owen	4 Brandon Road West
881	McPhee	Kenneth John	8B St Marys Walk
882	McRae	Charlotte Melize	28 Jersey Road
883	McRae	Elvis Richard	Lookout Lodge
884	McRae	Gloria Linda	9 Snake Hill
885	McRae	Kerry Jane	32 Ross Road West
886	McRae	Michael	2A 'H' Jones Road
887	Middleton	Callum William	13 McKay Close
888	Middleton	Caren	4 Rowlands Rise
889	Middleton	Caroline Ann	7 James Street
890	Middleton	Dennis Michael	Dolphin Cottage
891	Middleton	Joan Eliza	8 James Street
892	Middleton	Leif Miles Prindle	5 St Mary's Walk
893	Middleton	Leonard	67 Fitzroy Road
894	Middleton	Megan Shirley Rebecca	7 James Street
895	Middleton	Nevin Alexander	4 Rowlands Rise
896	Middleton	Phillip John	5 St Marys Walk
897	Middleton	Sharon Elizabeth	Dolphin Cottage
898	Middleton	Stephanie Anne	13 McKay Close
899	Middleton	Yvonne Allison	50 Davis Street
900	Miller	Andrew Nigel	7 Villiers Street
901	Miller	Bruce Graham	46 John Street
902	Miller	Carol	Marine Cottage
903	Miller	Gail Marie	6A Brisbane Road
904	Miller	Janet Mary	Market Garden, Airport Rd
905	Miller	Jayne Elizabeth	27 Davis Street
906	Miller	Jeanette	46 John Street
907	Miller	Samuel Andrew	27 Davis Street
908	Miller	Simon Roy	Marine Cottage
909	Miller	Steven Geoffrey	4 Beaver Road
910	Miller	Timothy John Durose	Market Garden, Airport Rd
911	Miller	Warren Joseph	46 John Street
913	Minnell	Adrian James	8 Moody Street
914	Minnell	Ella Josephine	17 Ian Campbell Drive
916	Minnell	Michelle Rose	1 Brandon Road
917	Minnell	Tamara Rose	1 Brandon Road

918	Minnell Goodwin	Joanne Hazel Rose	9 Murray Heights
919	Minto	Barbara Pennisi	9 Fitzroy Road
920	Minto	Christian Ian	18 Endurance Avenue
921	Minto	Dilys Rose	18 Endurance Avenue
922	Minto	Graham Stewart	12 Brisbane Road
923	Minto	Karen Joleen	12 Brisbane Road
924	Minto	Laura Jayne	7 Villiers Street
925	Minto	Patrick Andrew	3B Jersey Road
926	Minto	Sally Ann	12 Brisbane Road
927	Minto	Sean Daem	18 Endurance Avenue
928	Minto	Timothy Ian	18 Endurance Avenue
929	Minto	Ximena Ida	Flat 1 Moody Street
930	Miranda	Augusto	3 Thatcher Drive
931	Miranda	Carmen	11 Hansen Hill
932	Miranda	Ramon	3 Drury Street
933	Miranda	Winifred Dorothy	3 Drury Street
934	Mitchell	Paige	16 Fieldhouse Close
935	Mitchell	Shane Leon	16 Fieldhouse Close
936	Moffatt	Angela	20 Ross Road East
937	Moffatt	James	20 Ross Road East
938	Moffatt	Jay	5 Gleadell Close
939	Moffatt	Sean	20 Ross Road East
940	Molkenbuhr	Lee Charles	19 Sullivan Street
941	Molkenbuhr-Smith	Sara Jayne	1 Callaghan Road
942	Montgomerie	Delen Ann Nicola	1 McKay Close
943	Morris	Alana Marie	4 Callaghan Road
944	Morris	David	4 Callaghan Road
945	Morris	Jason Paul	59 Fitzroy Road
946	Morris	Trevor Alan	1 Moody Street
947	Morrison	Dana Justine	2 Brandon Road West
948	Morrison	Edgar Ewen	5 Racecourse Road
949	Morrison	Fayan	54 John Street
950	Morrison	Graham Stewart	34A Davis Street
951	Morrison	Guy Damian	15 Brandon Road
952	Morrison	Jacqueline Denise Anita	13 Ian Campbell Drive
953	Morrison	Joan Margaret	3 Felton Court
954	Morrison	John	14 Scoresby Close
955	Morrison	Joleen Coleen	3 Felton Court
956	Morrison	Keiran Kenneth	Police Cottages
957	Morrison	Kenneth	13 Ian Campbell Drive
958	Morrison	Lena	108 Davis Street
959	Morrison	Leslie Theodore Norman	108 Davis Street
960	Morrison	Lewis Ronald	55 Davis Street
961	Morrison	Marcus Lewis	2A Capricorn Road
962	Morrison	Michael John	10 Fitzroy Road East
963	Morrison	Nanette Rose	46 Davis Street
964	Morrison	Nigel Peter	3 Felton Court
965	Morrison	Paul Roderick	3 Racecourse Road East
966	Morrison	Richard Lowry	1 Biggs Road
967	Morrison	Roxanne	13 Ian Campbell Drive
968	Morrison	Russell John Allan	9 Discovery Close
969	Morrison	Stewart	46 Davis Street
970	Morrison	Susan Margaret	10 Fitzroy Road East

971	Morrison	Tamara	2A' H' Jones Road
972	Morrison	Violet Sarah	6B St Mary's Walk
973	Morrison	William Roderick Halliday	54 John Street
974	Munro	Grant Mackintosh	69 Fitzroy Road
975	Murphy	Andrew Paul	2 King Street
976	Murphy	Ann Susan	2 King Street
977	Nannig Vargas	Robert Richard	Tigh Na Mara Moody Brook
978	Napier	Lily	2 Racecourse Road
979	Napier	Roderick Bertrand	2 Racecourse Road
980	Neilson	Barry Marwood	23 Ross Road
981	Neilson	Edward Sydney	23 Ross Road
982	Neilson	Harold Ian	74 Davis Street
983	Neilson	Margaret	23 Ross Road
984	Newell	Joseph Orr	3 Villiers Street
985	Newman	Andrew Raymond	51 Ross Road East
986	Newman	Marlene	11 Jeremy Moore Avenue
987	Newman	Terence	24 Endurance Avenue
988	Newton	Elizabeth Eleanor	8 Murray Heights
989	Nightingale	Karl Richard	1 Sullivan Street
990	Norman	Heather Thelma	6A Pioneer Row
991	Nutter	Arthur Albert	9 Brandon Road
992	Nutter	Josephine Lesley	9 Brandon Road
993	Ojeda Gallardo	Roberto Miguel Alejandro	9A Sullivan Street
994	Olmedo	Alex	4 Biggs Road
995	Ormond	Christina Helen	6 Goss Road
996	Ormond	Kevin Michael Patrick J	6 Goss Road
997	Ormond	Krysteen Alison	6 Goss Road
998	Ormond	Terrienne Helen	2 Gleadell Close
999	Owen	Sally	1 Biggs Road
1000	Oyarzo	Henry Hernan Guala	Flat 2 Jeremy Moore Avenue
1001	Padgett	Keith	3 Biggs Road
1002	Padgett	Valerie Janet	3 Biggs Road
1003	Paice	Corrinne	3 Racecourse Road
1004	Paice	Craig Arthur	3 Racecourse Road
1005	Parke	James Fred	25 Ross Road West
1006	Parke	Janet Margaret	25 Ross Road West
1007	Paver	Bernadette Marguerite	Moody Brook House
1008	Payne	Dilys Agnes	2 Racecourse Road East
1009	Payne	Samantha Jane	2 Racecourse Road East
1010	Payne	St. John Peter	2 Racecourse Road East
1012	Peck	Carol Margaret	9 Rowlands Rise
1013	Peck	Christine	21 Jersey Road
1014	Peck	David John	15 Villiers Street
1015	Peck	David Patrick	5 Sullivan Street
1016	Peck	Davina Margaret	Lady Hunt House
1017	Peck	Eleanor Margaret	10 Davis Street
1018	Peck	Farrah Louise	5 Moody Street
1019	Peck	Gordon Pedro James	34 Eliza Crescent
1020	Peck	Harwood John Charles	26 Eliza Crescent
1021	Peck	James	2 Barrack Street
1022	Peck	Joshua Dolan	9 Rowlands Rise
1023	PED		6 Beaver Road
1024	Ped	Mila Boybanting	33 Eliza Crescent

1025	Ped	Remelia Anastasia	Y.M.C.A.
1026	Peirega	Naomi Renee	1 Hebe Street
1027	Perkins	Vivienne Esther Mary	33 John Street
1028	Perry	Hilda Blanche	6A St Marys Walk
1029	Peters	Patricia Ann	30 Eliza Crescent
1030	Pettersson	April Samantha	8 Moody Street
1031	Pettersson	Derek Richard	3 Anderson Drive
1032	Pettersson	Trudi Ann	3 Anderson Drive
1033	Phillips	David Albert	35 Fitzroy Road
1034	Phillips	David Dawson	35 Fitzroy Road
1035	Phillips	Elisa	35 Fitzroy Road
1036	Phillips	Lynda	16 Brandon Road
1037	Pitt	Myra May	6A Pioneer Row
1038	Plato	Darren Richard	Tenacres Flat
1039	Plato	Martin Neil	2 Hebe Place
1040	Plato	Wendy Ann	2 Hebe Place
1041	Plunkett	Mark Penson	22 Endurance Avenue
1042	Pole-Evans	Amy Rose	4 McKay Close
1043	Pole-Evans	John	16 Ross Road East
1044	Pole-Evans	Lisa	74 Davis Street
1045	Pole-Evans	Marcus Samuel	4 McKay Close
1046	Pole-Evans	Martin	12 Murray Heights
1047	Pole-Evans	Michael Anthony	4 McKay Close
1048	Pollard	Andrew Keith	2 Hansen Hill
1049	Pollard	Elizabeth Eve	23 Ross Road East
1050	Pollard	John	23 Ross Road East
1051	Pollard	Mark John	4 Hebe Place
1052	Pompert	Joost Herman Willem	11 Ross Road West
1053	Poncet	Jeremy Nigel	2 Brandon Road West
1054	Poncet	Sally Elizabeth	2 Brandon Road West
1055	Poole	Christopher William	37 Fitzroy Road
1056	Poole	Evelyn May	31 Fitzroy Road
1057	Poole	Jody May	13 Hansen Hill
1058	Poole	Juliet Hazel	8 Anderson Drive
1059	Poole	Michael James	19 Davis Street
1060	Poole	Nancy Margaret	52 John Street
1061	Poole	Raymond John	52 John Street
1062	Poole	Ross William	52 John Street
1063	Poole	Steven Charles	11 Hansen Hill
1064	Poole	Toby Raymond	19 Davis Street
1065	Poole	William John	31 Fitzroy Road
1066	Porter	Marcus James	5 Jeremy Moore Avenue
1067	Pratlett	Patricia Carol Ann	10 A James Street
1068	Prindle-Middleton	Stella Margaret	5 St Mary's Walk
1069	Pring	Bernadette Jane Spencer	5A Ross Road West
1070	Pring	Geoffrey Alan	5A Ross Road West
1071	Prior	Claudette	1 Goss Road
1072	Prior	Malcolm	1 Goss Road
1073	Quinto Salluca	Luis Alberto	88 Davis Street
1074	Reddick	Keith John	By-Pass Road
1075	Reeves	Jill Edith	3 Jeremy Moore Avenue
1076	Reeves	Michael	8 Jersey Road
1077	Regalado	Roxanne	Flat 7, 6 Jersey Road

1078	Reid	Ann	3A Hansen Hill
1079	Reid	Beverley Rose	12 James Street
1080	Reid	Colleen Rose	9 Fitzroy Road East
1081	Reid	Elizabeth Jayne	4 Fieldhouse Close
1082	Reid	John Alexander	7 Fitzroy Road
1083	Reid	Joseph Reynold Benjamin	41 Eliza Crescent
1084	Reid	Pamela Ruth	14 Jersey Road
1085	Reid	Paula	5 Biggs Road
1086	Reid	Reynold Gus	5 Biggs Road
1087	Reid	Simon Gus	9 Fitzroy Road East
1088	Rendell	Michael	8 Ross Road West
1089	Rendell	Nicholas Simon Oliver	5 Moody Street
1090	Rendell	Phyllis Mary	8 Ross Road West
1091	Richards	Shirley	8A James Street
1092	Riddell	Jacob David	33 Davis Street
1093	Roberts	Bradley Gerard	49 Ross Road East
1094	Roberts	Cheryl Ann Spencer	49 Ross Road East
1095	Roberts	David Anthony	1 Mountain View
1096	Roberts	Laura May	4 Kent Road
1097	Roberts	Lynn	3 Gleadell Close
1098	Roberts	Peter James	49 Ross Road East
1099	Roberts	Simon Theodore Nathaniel	5 Narrows View
1100	Robertson	Janet	11 Ross Road West
1101	Robson	Alison Emily	15 Villiers Street
1102	Robson	Cherry Rose	5 Philomel Street
1103	Robson	Jodie	1 Philomel Place
1104	Robson	Miranda Gaye	10 Hansen Hill
1105	Robson	Patricia Jayne	18 Ross Road East
1106	Robson	Phyllis Ann	1 Philomel Place
1107	Robson	Raymond Nigel	10 Hansen Hill
1108	Robson	William Charles	18 Ross Road East
1109	Ross	Allan John	1 Short Street
1110	Ross	Christine Aislinn	Flat 5, 1 Jeremy Moore Avenue
1111	Ross	Claudio Javier Ampeuro	7 Narrows View
1112	Ross	Glenn Stephen	23 Watson's Way
1113	Ross	Janet	23 Watson Way
1114	Ross	Kerri-Anne	23 Watson Way
1115	Ross	Kevin John	12 Snake Hill
1116	Ross	Lachlan Neil	14 Fieldhouse Close
1117	Ross	Rebecca Jane	6 Jersey Road, Flat 3
1118	Ross	Roy	19 Jersey Road
1119	Ross	Shirley Vyona	1 Short Street
1120	Rowland	Charlene Rose	19 Jeremy Moore Avenue
1121	Rowland	John Christopher	19 Jeremy Moore Avenue
1122	Rowland	Sarah Anne	9 Hansen Hill
1123	Rowlands	Daisy Malvina	39 John Street
1124	Rowlands	Dorinda Roberta	3 Hebe Street
1125	Rowlands	Jane Louise	13 Callaghan Road
1126	Rowlands	Neil	3 Hebe Street
1127	Rowlands	Robert John	13 Callaghan Road
1128	Rozee	Betty Ellen	16 Davis Street
1129	Rozee	Derek Robert Thomas	16 Davis Street
1130	Rozee	Karen Michella	3 Discovery Close

1131	Sackett	Albert John	25A Ross Road East
1132	Sackett	Jacqueline	25 Callaghan Road
1133	Sackett	Michael John Carlos	25 Callaghan Road
1134	Sanchez	Jennifer Helen	26 Endurance Avenue
1135	Sanchez Ladron De Guevara	Karen Pamela	5 Brisbane Road
1136	Sawle	Felicity Anne Hermione	Seaview Cottage Ross Road
1137	Sawle	James Christopher	Seaview Cottage Ross Road
1138	Sawle	Judith Margaret	Seaview Cottage Ross Road
1139	Sawle	Richard	Seaview Cottage Ross Road
1140	Senociain Short	Kylie Deborah	6 Police Cottages
1141	Shcherbich	Zhanna Nikolaevna	13 Biggs Road
1142	Shelbourne	Carolyn Wendy	2 Moody Street
1143	Shepherd	Anna Jenine	6 Brisbane Road
1144	Shepherd	Darren Harold	6 Brisbane Road
1145	Shepherd	Ramsey	1A Hansen Hill
1146	Shepherd	Roy	4 Felton Court
1147	Shepherd	Sarah Jayne	4 Felton Court
1148	Shillitoe	Helena De Fatima	The Brook Moody Brook
1149	Shillitoe	Ryan Lawrence	The Brook Moody Brook
1150	Shillitoe	Stephen Bruce	Flat 1, Hebe Street
1151	Short	Alison	9 Pioneer Row
1152	Short	Brenda	11 Barrack Street
1153	Short	Celia Soledad	7 Pitaluga Place
1154	Short	Christina Ethel	12 Brandon Road
1155	Short	Clint Andrez Robert	48 Davis Street
1156	Short	Derek Patrick	53 Callaghan Road
1157	Short	Emily Christina	1 Fitzroy Road East
1158	Short	Gavin Phillip	6 Police Cottages
1159	Short	Isabel Rose	6 Davis Street
1160	Short	Liam Michael Felton	41 Callaghan Road
1161	Short	Lyndsay Marie	48 Davis Street
1162	Short	Marc Peter	7 Anderson Drive
1163	Short	Marlene Cindy	9 Pitaluga Place
1164	Short	Montana Tyrone	4 Dairy Paddock Road
1165	Short	Patrick Warburton	6 Davis Street
1166	Short	Peter Robert	1 Fitzroy Road East
1167	Short	Richard Edward	9 Pitaluga Place
1168	Short	Riley Ethroe	11 Barrack Street
1169	Short	Robert George	48 Davis Street
1170	Short	Sara Jane	Murray Heights
1171	Short	Vilma Alicia	4 Dairy Paddock Road
1172	Simmonds	Donald Rodney Falkland	48 Davis Street
1173	Simpson	Bertha Veronica	8 Rowlands Rise
1174	Simpson	James Alexander Bruce	7 Racecourse Road
1175	Simpson	John Frederick	8 Rowlands Rise
1176	Sinclair	Veronica Joyce	21 Ross Road West
1177	Skene	Greta Winnora Miller	22 Ross Road East
1178	Smallwood	Margo Amee	105 Davis Street
1179	Smallwood	Michael Anthony	105 Davis Street
1180	Smith	Aidan James	5A Davis Street
1181	Smith	Andrew John	4 Philomel Street
1182	Smith	Antony David	33A Davis Street
1183	Smith	Anya Deirdre	8 Eliza Crescent

1184	Smith	Colin David	6 James Street
1185	Smith	Crystal Rose	3 Police Cottages
1186	Smith	Elenore Olive	3 Brisbane Road
1187	Smith	George Patterson	15 Watson Way
1188	Smith	Gerard Alexander	8 Barrack Street
1189	Smith	Gina Ruth Mary	3 John Biscoe Road
1190	Smith	Heather	19 Watson Way
1191	Smith	Ian Lars	5 Brandon Road
1192	Smith	Ileen Rose	28 Ross Road West
1193	Smith	James Terence	3 Fitzroy Road West
1194	Smith	Jennifer Ethel	6 Watson Way
1195	Smith	Jenny Lorraine	15 Watson Way
1196	Smith	John	28 Ross Road West
1197	Smith	John Derek	8 Eliza Crescent
1198	Smith	Martyn James	6A Ross Road West
1199	Smith	Michael Edmund	39 Eliza Crescent
1200	Smith	Nadia Louise	11 Brandon Road
1201	Smith	Natalie Marianne	6 James Street
1202	Smith	Nora Kathleen	5 Fitzroy Road East
1203	Smith	Osmund Raymond	3 Brisbane Road
1204	Smith	Paul	1 Callaghan Road
1205	Smith	Robin Charles	19 Watson Way
1206	Smith	Roy Alan	11 Brandon Road
1207	Smith	Susan	17 Jersey Road
1208	Smith	Tyssen John Richard	3 John Biscoe Road
1209	Socodo	Phoebe Esther	16 Jersey Road
1210	Spicer	Mark Anthony	16 St Mary's Walk
1211	Spicer	Susan	16 St. Marys Walk
1212	Spink	Roger Kenneth	The Brook Moody Brook
1214	Spruce	Helena Joan	Milestone, 29 Ross Road West
1215	Spruce	Mark Felton	6 Anderson Drive
1216	Spruce	Terence George	Milestone, 29 Ross Road West
1217	Steen	Allan Graham	32 Ross Road West
1218	Steen	Barbara Ingrid	39 Ross Road West
1219	Steen	Karen Lucetta	32 Fitzroy Road
1220	Steen	Kimberley Joanna	21 St Mary's Walk
1221	Stenning	Anna Russalka	5B Ross Road West
1222	Stenning	Timothy Charles	5B Ross Road West
1223	Stephenson	Dylan	4 Davis Street
1224	Stephenson	Jason	87A Davis Street
1225	Stephenson	Joan Margaret	Moody Valley House
1226	Stephenson	Katrina	4 Davis Street
1227	Stephenson	Zachary	4 Davis Street
1228	Stevens	Caris Kirsten	30 Davis Street
1229	Stevens	Ishmael Llewellyn	10 Ian Campbell Drive
1230	Stevens	Kathleen Rose	10 Ian Campbell Drive
1231	Stevens	Kelly-Marie	26 Ross Road East
1232	Stevens	Paul Theodore	6 Dairy Paddock Road
1233	Stevens	Valerie Ann	6 Dairy Paddock Road
1234	Stewart	Celia Joyce	14 Allardyce Street
1235	Stewart	Daniel Duane	12 Scoresby Close
1236	Stewart	Duane William	17 Scoresby Close
1237	Stewart	Hulda Fraser	24 Ross Road West

1238	Stewart	Ian Bremner	34 Ross Road East
1239	Stewart	Irene Anne	6 Discovery Close
1240	Stewart	Kenneth Barry	Flat 5, 6 Jersey Road
1241	Stewart	Lesley Lauren	34 Ross Road East
1242	Stewart	Pam Ellen	18 Endurance Avenue
1243	Stewart	Ruth Jane	17 Scoresby Close
1244	Stewart	Sheila Olga	34 Ross Road East
1245	Stewart-Reid	Carol Ellen Eva	7 Fitzroy Road
1246	Stewart-Reid	Roisin Mary Adreanna	7 Fitzroy Road
1247	Strange	Maria Marta	The Dolphins, Snake Street
1248	Strange	Shona Marguerite	6B Ross Road West
1249	Stroud	Mark Adrian	10 Sullivan Street
1250	Sullivan	Jonathan Francis	Mullet Creek
1251	Summers	Brian	1 Ross Road East
1252	Summers	Dorothy Constance	42 Eliza Crescent
1253	Summers	Edith Catherine	5 Dean Street
1254	Summers	Irvin Gerard	1 Anderson Drive
1255	Summers	Jacqueline	11 Pioneer Row
1256	Summers	Jonathan Derek	5 Allardyce Street
1257	Summers	Judith Orissa	1 Ross Road East
1258	Summers	Lynn Jane	20 Jeremy Moore Avenue
1259	Summers	Michael Kenneth	6A Brisbane Road
1260	Summers	Michael Victor	11 Pioneer Row
1261	Summers	Naomi Christine	4 Anderson Drive
1262	Summers	Owen William	5 Brandon Road West
1263	Summers	Rowena Elsie	5 Allardyce Street
1264	Summers	Roy	32 Eliza Crescent
1265	Summers	Sheila	1 Anderson Drive
1266	Summers	Sybella Catherine Ann	1 Ross Road West
1267	Summers	Sylvia Jean	8 Racecourse Road
1268	Summers	Terence	1 Ross Road West
1269	Summers	Tony	8 Racecourse Road
1270	Summers	Veronica	5 Brandon Road West
1271	Sutcliffe	Lynsey Claire	1 Moody Street
1272	Sutcliffe	Michael Ian	Lookout Lodge
1273	Sutherland	John Gall	3 Mountain View
1274	Sytchov	Dmitri	1 Felton Court
1275	Sytchov	Vladimir	1 Felton Court
1276	Sytchova	Natalia Mikhaylovna	1 Felton Court
1277	Sytchova	Ulia	1 Felton Court
1278	Taylor	Anne Louise	4 Drury Street
1279	Taylor	Graham	55 Fitzroy Road
1280	Taylor	Ruth Eleanor	55 Fitzroy Road
1281	Teale	Colin Edwin	8 Brisbane Road
1282	Tellez	Arturo	Flat 4, 1 Jeremy Moore Ave
1283	Tellez	Tylor Mathew James	18 Jersey Road
1284	Thain	Craig John	8 Davis Street
1285	Thain	John	8 Davis Street
1286	Thain	Stephanie Ann	8 Davis Street
1287	Thom	David Anderson	47 Fitzroy Road
1288	Thom	Dorothy Irene	47 Fitzroy Road
1289	Thom	Norma Ann	92 Davis Street
1290	Thomas	Jacqueline Joyce	11 Callaghan Road

1291	Thomas	Justin Paul	11 Callaghan Road
1292	Thorsen	Carol Margaret	10 Beaver Road
1293	Thorsen	David Moller	10 Beaver Road
1294	Toolan	George Benjamin	13 Sullivan Street
1295	Toolan	Rose Mary	13 Sullivan Street
1296	Toolan	Stephen David John	13 Sullivan Street
1297	Triggs	David William	3 Fieldhouse Close
1298	Triggs	Diane	3 Fieldhouse Close
1299	Triggs	Michael David	3 Fieldhouse Close
1300	Trinidades Burucua	Dahiana	14 Watson Way
1301	Tuckwood	John Rodney	1 Drury Street
1302	Turner	Betty Ann	8 Fitzroy Road East
1303	Turner	Howard Guy	8 Fitzroy Road East
1304	Turner	Joanne Elizabeth	61 Fitzroy Road
1306	Tyrrell	Garry Bernard	1 Beaver Road
1307	Tyrrell	Gina Michelle	1 Beaver Road
1308	Valler	Glyndwr Huw	Flat 6, 1 Jeremy Moore Ave
1309	Velasquez	Eva Irma Linda	Flat 6, 7 Jeremy Moore Avenue
1310	Velasquez	Evan Oscar	36 John Street
1311	Vidal Roberts	Leona Lucila	1 Mountain View
1312	Vilchez Valverde	Maria Yhovana	88 Davis Street
1313	Villalon	Hector Ricardo	Lookout Lodge
1314	Villegas	Caroline	7 Fieldhouse Close
1315	Villegas	Pedro Francisco	7 Fieldhouse Close
1316	Vincent	Elliott Lawrence	10 Endurance Avenue
1317	Vincent	Janette Mary	10 Endurance Avenue
1318	Vincent	Matthew Stephen	10 Endurance Avenue
1319	Vincent	Stephen Lawrence	10 Endurance Avenue
1320	Wade	Donald Harold	Cabin No 12, St Mary's Walk
1321	Wade	June Rose Elizabeth	17 Murray Heights
1322	Wallace	Fraser Barrett	10 John Street
1323	Wallace	Ian	28 Brandon Road
1324	Wallace	James Barrett	38 Ross Road West
1325	Wallace	Maria Lilian	38 Ross Road West
1326	Wallace	Michael Ian	23 Callaghan Road
1327	Wallace	Stuart Barrett	38 Ross Road West
1328	Wallace	Una	23 Callaghan Road
1329	Wallace-Nannig	Fiona Alice	Tigh Na Mara, Moody Brook Road
1330	Ward	Alison Denise	9 Anderson Drive
1331	Ward	Dennis James	9 Anderson Drive
1332	Watson	Andrew James	9 James Street
1333	Watson	Ben	7 Moody Street
1334	Watson	Dominic Robert	7 James Street
1335	Watson	Joanne	9 James Street
1336	Watson	Paul	20 Endurance Avenue
1337	Watt	Stephen Robert	11 Narrows View
1338	Watt	Sylvia Ann	11 Narrows View
1339	Watts	Patrick James	13 Brisbane Road
1340	Webb	Gary Colin	58 Davis Street
1341	Webb	Loretta Isobel	58 Davis Street
1342	White	Judy Marie	Flat 1, 3 Jeremy Moore Av
1343	White	Victoria Jane	3 Biggs Road
1344	Whitney	Frederick William	1 Police Cottages, 9 Ross Rd

1345	Whitney	Jason	15 Ross Road East
1346	Whitney	Kurt Ian	2 Pioneer Row
1347	Whitney	Lana Rose	22 Eliza Crescent
1348	Whitney	Susan Joan	1 Police Cottages, 9 Ross Rd
1349	Wilkinson	Alistair Graham	5 Felton Court
1350	Wilkinson	David Clive Walter	24 Goss Road
1351	Wilkinson	Johan	5 Felton Court
1352	Wilkinson	Robert John	2A Brisbane Road
1353	Williams	Christian Leonard Edward John	5 McKay Close
1354	Williams	Glen	33 Ross Road East
1355	Williams	Lee Perry Adrian John	40 Ross Road West
1356	Williams	Margaret Elizabeth	33 Ross Road East
1357	Williams	Marlene Rose	23 Ross Road West
1358	Williams	Ray Allan	30 Eliza Crescent
1359	Williamson	Kathleen Laura	5 McKay Close
1360	Williamson	Rachel Mary	5 McKay Close
1361	Wilson	Stephen John	1 Davis Street West
1362	Wilson	Tara	1 Davis Street West
1363	Wylie	Ashley Craig Robert	1 Jersey Road
1364	Wylie	Julian Richard	1 McKay Close
1365	Zuvic-Bulic	Kuzma Mario	Holdfast House, Holdfast Rd
1366	Zuvic-Bulic	Saul Kuzma	16A Ross Road West
1367	Zuvic-Bulic	Sharon Marie	Holdfast House, Holdfast Rd
1368	Zuvic-Bulic	Zoran Mario	Holdfast House, Holdfast Rd

KEMH/Sheltered Accommodation/Yates Place - Mobile Polling Place

7	Alazia	George Robert	9 Thatcher Drive
123	Biggs	Thomas Claud Alexander	8 Thatcher Drive
214	Butler	Elsie Maud	2 Thatcher Drive
391	Duncan	Doreen	5 Thatcher Drive
438	Ferguson	Rose	6 Thatcher Drive
523	Goodwin	Hazel Rose	7 Thatcher Drive
853	McKenzie	Alice Maude	11 Thatcher Drive
854	McKenzie	Charles Alexander Albert J	11 Thatcher Drive
912	Mills	Terence Kenneth	1 Thatcher Drive
1011	Peck	Burnerd Brian	4 Thatcher Drive
30	Anderson	Richard Louis	7 Yates Place
375	Davis	William James	4 Yates Place
515	Gleadell	Ian Keith	2 Yates Place
723	Knight	Margaret Anne	6 Yates Place
736	Lang	Sandra Shirleen	3 Yates Place
915	Minnell	Hazel Eileen	5 Yates Place
1213	Spinks	Malvina Ellen	8 Yates Place
6	Alazia	Freda Evelyn	K.E.M.H
265	Clarke	James Martin	K.E.M.H
611	Hewitt	Frances Agnes	K.E.M.H
1305	Turner	Ronald	K.E.M.H
879	McPhee	June Iris	K.E.M.H

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Six pound and forty pence.

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FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

28 February 2013

No. 3

Appointment

Colleen Evans, Cashier/Clerk, Post Office, Central Services Department, 14.01.13.

Valerie Ann Clifton, Gardener, Government House, Central Services Department, 21.01.13.

Mark Andrew Brook, Constable, Police, Emergency Services Department, 23.01.13.

Jay Ashley Gamble, Statistics and Performance Officer, Policy, Executive Management, 24.01.13.

Margaret Mary Battersby, House-parent, Stanley House, Education Department, 01.02.13.

Kyle John Hobman, Painter/Handyperson, Public Works Department, 04.02.13.

Eva Visauta Girbau, Scientific Fisheries Observer, Fisheries, Natural Resources Department, 04.02.13.

Matthew Jenkins, Constable, Police, Emergency Services Department, 05.02.13.

Claudio Andres Flores Segovia, Handyperson, Public Works Department, 05.02.13.

Daryl Raymond Harada, Constable, Police, Emergency Services, 20.02.13.

Charlotte O'Horo, Personal Assistant, Central Services Department, 22.02.13.

Completion of contract

Benjamin Noel Hoyles, Mechanic, Public Works Department, 07.01.13.

Renewal of contract

Benjamin Noel Hoyles, Mechanic, Public Works Department, 08.01.13.

Resignation

Lana Rose Whitney, Cleaner, Education Department, 31.12.12.

Thomas Elsby, Skilled Handyman, Public Works Department, 01.02.13.

Rachael Crowie, Part-time Clerk, Education Department, 08.02.13.

Rose Mary Toolan, Learning Support Assistant, Education Department, 13.02.13.

Retirement

Nigel Keith Dodd, Pensions Officer, Treasury, 28.02.13.

Transfer

Valerie Janet Padgett, from Courts Administrator, Central Services Department to Personal Assistant, Mineral Resources Department, 18.02.13.

Carol Anderson, from Office Manager, Executive Management to Primary Healthcare Practice Facilitator, Health Department, 25.02.13.

NOTICES

No. 12

21 February 2013

**Legislative Assembly of the Falkland Islands
Stanley Common Ordinance
Mullet Creek Track Regulations 2013**

**RESOLUTION OF THE LEGISLATIVE ASSEMBLY
No: 1 of 2013**

RESOLVED by the Legislative Assembly on 21 February 2013, pursuant to section 10 of the Stanley Common Ordinance (Title 34.5), that the making of the Mullet Creek Track Regulations 2013 is approved.

Dated 21 February 2013

C. PRIOR M.B.E.,
Clerk to the Assembly.

No. 13

22 February 2013

**Referendum (Falkland Islands Political Status) Ordinance
Referendum 10 and 11 March 2013
Polling Places**

Notice is given that the Chief Referendum Officer has appointed the following places to be polling places:

Court and Council Chamber	Town Hall, Stanley
School	Fox Bay
Club	Goose Green
Club	Port Howard

Dated 22 February 2013

E. J. Reid,
Referendum Officer.

No. 14

22 February 2013

**Referendum (Falkland Islands Political Status) Ordinance
Referendum 10 and 11 March 2013
Mobile Polling Places**

Notice is given that the Chief Referendum Officer has appointed the following places to be mobile polling places:

West Falkland Mobile Polling Place Team A – visiting Port Howard, Bold Cove, Many Branch, Saddle, Chartres, Little Chartres, and Hill Cove.

East Falkland Mobile Polling Place Team 1 – visiting Long Island, Green Patch, Brookfield, Horseshoe Bay, Rincon Grande, Port Louis and Johnsons Harbour.

East Falkland Mobile Polling Place Team 2 – visiting Estancia, Riverview, Evelyn Station and Teal Inlet, Hope Cottage, Home Farm and Kings Ridge, Salvador, Elephant Beach, Cape Dolphin, Mosside and Port San Carlos (Race Point and Smylies).

East Falkland Mobile Polling Place Team 3 – visiting Bluff Cove, Fitzroy Turnoff, Fitzroy, Swan Inlet, Walker Creek and North Arm.

East Falkland Mobile Polling Place Team 4 – visiting MPC/Darwin Turnoff, Camilla Creek, Port Sussex, Head of the Bay, Wreck Point, San Carlos (Blue Beach and Kingsford Valley).

Stanley Mobile Polling Team – visiting King Edward Memorial Hospital, Sheltered Accommodation and Yates Place.

FIGAS Mobile Polling Team – visiting Bleaker Island, Sea Lion Island, Speedwell Island, Port Edgar, Albemarle Station, Port Stephens, Dunnose Head and Saunders Island.

These arrangements may be subject to change, and further publicity will be issued in the event of change.

Dated 22 February 2013

E. J. Reid,
Referendum Officer

No. 15

26 February 2013

Application for Falkland Islands Status

Notice is hereby given that:

**Carol Ann Green;
Philip David Ovenden; and
Kenneth Alexander Passfield**

have applied through the Principal Immigration Officer to be granted Falkland Islands Status by the Governor. Any person who knows of any reason why Status should not be granted, should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 March 2013.

Dated 26 February 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 16

26 February 2013

**Referendum (Falkland Islands Political Status) Ordinance
Referendum 10 and 11 March 2013
Appointment of Referendum Officers**

In exercise of my power under sections 11 and 12 of the Referendum (Falkland Islands Political Status) Ordinance I appoint the following people in connection with the Referendum to be held on 10 and 11 March 2013:

(a) I appoint the following as Referendum Staff to carry out polling duties:

- Margaret Orlanda Butler
- Elaine Ellen Turner
- Jody May Poole
- Caroline Mary McLaren

- Barbara Ingrid Steen
- Sian Yvonne Ferguson
- Patricia Jayne Robson
- Imogen Fiona Didlick
- Christine Helen Ormond
- Sarah Maskell-Bott
- Terrienne Helen Ormond
- Alison Dodd
- Phillip John Middleton
- Anton Livermore
- Malcolm Keith Heathman
- Stephen John Dent
- Carol Joan Phillips
- Priscilla Violet Morrison Betts
- Michael Ronald Harris
- John Malcolm Maskell-Bott
- Anthony Ross Chaloner
- Stephen Lapham
- Barbara June Besley-Clark

(b) I appoint the following as Referendum Staff to carry out counting duties:

- Margaret Orlanda Butler
- Anton Livermore
- Kirsty Nicole Livermore
- Katrina Stephenson
- Caroline Wendy Shelbourne
- Elisabeth Luxton
- Annie Bailey
- Nigel Keith Dodd
- Leeann Watson Harris
- Stella Margaret Prindle-Middleton

(c) I appoint the following as Referendum Staff to carry out the Security/Fire Warden duties:

- Stephen John Dent
- Stephen Lapham

(d) I appoint **Simon Fletcher**, Director of Central Services, as a Referendum Officer to carry out following tasks:

- Assist the running of the Referendum in the absence of the Chief Referendum Officer
- Assist the Chief Referendum Officer in the supervision of the count

Dated 26 February 2013

K. PADGETT,
Chief Referendum Officer

No. 17

28 February 2013

**Referendum (Falkland Islands Political Status) Ordinance
Referendum 10 and 11 March 2013
Appointment of Referendum Officer**

In exercise of my power under section 11 of the Referendum (Falkland Islands Political Status) Ordinance I appoint the following in connection with the Referendum to be held on 10 and 11 March 2013:

(a) I appoint the following as Referendum Staff to carry out polling duties:

- Shiralee Finlay

Dated 28 February 2013

K. PADGETT,
Chief Referendum Officer

Erratum

Volume 122, Gazette No 1 dated 31 January 2013, Notice 11: titled **Academic Year 2013-2014 Term Dates** – the sentence under **Camp Schools** should read as follows: 'Term dates for Camp Schools may be modified to suit the convenience of farms provided that children receive 190 days schooling and the Head Teacher of IJS/Camp Education is notified in advance.'

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Two pound.

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FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

12 March 2013

No. 4

NOTICES

No. 18

11 March 2013

**Referendum (Falkland Islands Political Status) Ordinance
Referendum 10 and 11 March 2013
Turnout Figures**

I, **KEITH PADGETT**, Chief Referendum Officer at this referendum on the Political Status of the Falkland Islands,

GIVE NOTICE that the turnout for the referendum is as follows:-

- (a) the number of **ballot papers issued** at polling places was 1481;
- (b) the number of **papers spoilt** on issue was 4;
- (c) the number of **postal votes** received was 41;
- (d) the total number of **votes cast** at the referendum was 1518;
- (e) the percentage of **turnout** at the referendum was 92%.

Dated 11 March 2013

K. PADGETT,
Chief Referendum Officer.

No. 19

11 March 2013

**Referendum (Falkland Islands Political Status) Ordinance
Referendum 10 and 11 March 2013
Result of Referendum**

I, **KEITH PADGETT**, Chief Referendum Officer at this referendum on the Political Status of the Falkland Islands,

GIVE NOTICE of the result of the referendum as follows:-

- (a) the total number of **ballot papers issued** was 1522;
- (b) the total number of **votes cast** at the referendum was 1518;
- (c) the total number of **rejected ballot papers** was 1;
- (d) the total number of **votes validly cast** at the referendum was 1517;
- (e) the percentage of **turnout** at the referendum was 92%;
- (f) the number of **"Yes" votes cast** was 1513 (99.8%);
- (g) the number of **"No" votes cast** was 3 (0.2%);

(There was one vote unaccounted for).

I therefore declare that in response to the referendum question "Do you wish the Falkland Islands to retain their

current political status as an Overseas Territory of the United Kingdom” the majority of voters have voted yes.

Dated 11 March 2013

K. PADGETT,
Chief Referendum Officer.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Two pound.

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FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 March 2013

No. 5

Appointment

Craig Scott, History Teacher, Education Department, 28.02.13.

Hannah Jayne Collier, Customer Services Officer, Falkland Islands Government Air Service, 04.03.13.

Kerry Jane McRae, Trainee Human Resources Advisor, Central Services Department, 04.03.13.

Idah Lorato Motsamai, Legislative Drafter, Attorney General's Chambers, 04.03.13.

Lyndsay Marie Short, Plant Operator/Handyperson, Public Works Department, 04.03.13.

Marcin Martychewicz, Veterinary Officer, Agriculture, Natural Resources Department, 11.03.13.

Jacob William Foot, Assistant Materials Manager, Public Works Department, 14.03.13.

Lydia Morrison, Head of Finance, Treasury, 28.03.13.

Promotion

Lindsay Jayne Bonner, from Administration Officer, Philatelic Bureau to Deputy Postmaster, Post Office, 01.03.13.

Resignation

George Elbakidze, Seasonal Plant Operator/Handyman, Public Works Department, 01.03.13.

Amelia Appleby, Assistant Taxation Officer, Treasury, 08.03.13.

Keiran Kenneth Morrison, Plumber, Public Works Department, 08.03.13.

Thomas Charles Clark, Constable, Police, Emergency Services Department, 28.03.13.

Michael James Poole, Hospital Manager, Health Services Department, 29.03.13.

Retirement

Linda Margaret Lyse, Accounting Officer, Treasury, 31.03.13.

Transfer

Glynis Margaret King, from Deputy Postmaster, Post Office to Trainee Human Resources Advisor, Central Services Department, 11.03.13.

Siân Yvonne Nightingale, from Payroll/Recruitment Co-ordinator, Central Services to Policy Assistant, Policy Unit, 13.03.13.

Juan Mamerto Campos, from Handyperson/Rodent Control, Public Works Department to Refueller/Handyman, Falkland Islands Government Air Service, 18.03.13.

NOTICES

No. 20

14 March 2013

BPC (Falklands) Limited Company number: 12840

Notice is hereby given that the above named company was struck-off the Register of Companies pursuant to section 652A of the Companies Act 1985 on 30 January 2013.

Dated 14 March 2013

E. J. REID,
Registrar of Companies.

No. 21

26 March 2013

Application for Naturalisation

Notice is hereby given that **Nicolas Huin** is applying to His Excellency the Governor for naturalisation.

Any person who knows of any reason why naturalisation should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 April 2013.

Dated 26 March 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 22

26 March 2013

Application for Permanent Residence

Notice is hereby given that **Vanessa Elisa Ramirez Mardones** has applied to the Principal Immigration Officer to be granted a Permanent Residence Permit.

Any person who knows of any reason why a permit should not be granted should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley by 21 April 2013.

Dated 26 March 2013

C. W. SHELBOURNE,
Immigration Officer.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: One pound.

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FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

30 April 2013

No. 6

Appointment

Johnny D'Avino, Sports Attendant, Leisure Centre, Central Services, 27.03.13.

Bjorn Kyle Eriksen, Sports Attendant, Leisure Centre, Central Services, 01.04.13.

Rachel Jane Hill, Staff Nurse, Health and Social Services Department, 01.04.13.

Linda Margaret Lyse, Accounting Officer (part time), Treasury, 08.04.13.

Miriam Ann Newton, Pensions Assistant (part time), Treasury, 08.04.13.

Erica Dawn Berntsen, Agricultural Assistant, Natural Resources Department, 08.04.13.

Christopher David Cant, Accounts Clerk/Receptionist (part time), Health and Social Services Department, 08.04.13.

Angela Rowlands, Chief Medical Officer, Health and Social Services Department, 11.04.13.

Ian Haywood, Courts Administrator, Central Services, 13.04.13.

Ulrik Bjorn Eriksen, Plant Operator/Handyperson, Public Works Department, 23.04.13.

Anne Louise Taylor, Deputy Head Teacher, Falkland Islands Community School, Education Department, 29.04.13.

Completion of contract

Alberto Monllor, Scientific Fisheries Observer, Natural Resources Department, 08.04.13.

Renewal of contract

Alberto Monllor, Scientific Fisheries Observer, Natural Resources Department, 09.04.13.

Promotion

Jody Poole, from Accounting Officer to Senior Accounting Officer, Treasury, 01.04.13.

John Sutherland, from Plant Operator/Handyperson to Assistant Foreman, Highways Section, Public Works Department, 15.04.13.

Resignation

John Jaffray, Assistant Foreman, Public Works Department, 12.04.13.

Carole-Ann Goss, Learning Support Assistant, Education Department, 12.04.13.

Octavio Marinovic Dey, Plant Mechanic/Storeperson, Public Works Department, 15.04.13.

Caroline McLaren, Pensions Assistant, Treasury, 17.04.13.

Jeannie McKay, Quality Assurance Co-Ordinator, Education Department, 30.04.13.

Emily Hancox, Scientific Fisheries Observer, Natural Resources Department, 30.04.13.

Thomas Mark Whistler, Sergeant, Police, Emergency Services Department, 30.04.13.

Retirement

Joseph Newell, Plant Operator/Handyperson, Highways Section, Public Works Department, 29.03.13.

St John Payne, Fishery Protection Officer, Fisheries, Natural Resources Department, 30.04.13.

Transfer

Kevin Clapp, from Handyperson to Rodent Control/Handyperson, Property and Municipal Section, Public Works Department, 01.04.13.

John Morrison, from Skilled Handyperson to Plant Operator/Handyperson, Property and Municipal Section, Public Works Department, 04.02.13.

Geoffrey Stevens, from Residence Manager/Chauffeur, Government House to Plant Operator/Handyperson, Quarry Section, Public Works Department, 15.04.13.

NOTICES

No. 23

2 April 2013

Highways (Weight Limits) Ordinance 2004 (section 6(4)) Prohibition Notice

In exercise of the powers provided under section 6(4) of the Highways (Weight Limits) Ordinance 2004, I hereby notify that the use of any motor vehicle, trailer or vehicle combination the authorised weight of which exceeds 15 metric tons is prohibited with effect from 1 May 2013 until 30 September 2013 inclusive on the following publicly maintainable highways —

(a) on East Falkland —

(i) all roads beyond the Estancia junction as approached on the Port Louis Road from the direction of the Mount Kent turnoff;

(ii) the Fitzroy Road from its junction with the Stanley to Darwin Road to its end at Fitzroy settlement;

(iii) the San Carlos Road from its junction with the Stanley to Darwin Road to its end at San Carlos settlement;

(iv) all roads beyond the North Arm/New Haven junction as approached from the North on the Stanley to North Arm Road, other than the spine road to New Haven;

(v) the Saladero Road from its junction with the Darwin Road to New Haven Road to its end at Saladero settlement; and

(vi) the Abattoir Road from its junction with the Stanley to Darwin Road to its end at the Abattoir.

(b) on West Falkland —

all publicly maintainable highways.

Dated 2 April 2013

M. M. KEENLEYSIDE,
Director of Public Works

No. 24

4 April 2013

Banking Ordinance (Title 10.1)

Banking (Amendment) Ordinance 1996

Notice is hereby given pursuant to section 19B(1) of the Banking Ordinance (Title 10.1), as amended, that the audited accounts of Standard Chartered Bank for the year ended 31 December 2012 are available for inspection at the bank branch office, Ross Road, Stanley, or a copy will be supplied on application to the Chief Executive Officer.

Dated 4 April 2013

B. KARIA,
Chief Executive Officer, Standard Chartered Bank.

No. 25

25 April 2013

Index of Retail Prices

The calculation of the Index for the quarter ended 31 March 2013 has now been completed. A summary of the Index for the last four quarters is shown below:-

Date	Index	Annual % Increase/(Decrease)	Quarter % Increase/(Decrease)
30.06.12	161.36	5.4	1.4
30.09.12	162.29	5.4	0.6
31.12.12	165.56	5.9	2.0
31.03.13	165.01	3.7	(0.3)

Dated 25 April 2013

L. LYSE,
for Financial Secretary.

No. 26

26 April 2013

Supreme Court of the Falkland Islands Notice under the Administration of Estates Ordinance (Title 68.1)

Take notice that **June Iris McPhee** of Brookfield Farm, East Falkland, Falkland Islands, died on 18 March 2013 intestate.

Whereas **Trudi Lynette McPhec** has applied for Letters of Administration to administer the estate of the said deceased in the Falkland Islands.

Notice is hereby given pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Falkland Islands who may have prior claim to such grant that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within 21 days of the publication hereof.

Dated 26 April 2013

I. HAYWOOD,
Registrar, Supreme Court.



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

1 May 2013

No. 7

The following are published in this Extraordinary Gazette —

Register of Electors for Camp Constituency; and

Register of Electors for Stanley Constituency.

Register of Electors for Camp Constituency at 30 April 2013

1	Aguila Aguilar	Jeanette del Carmen	No. 2 Goose Green, E.F.I
2	Alazia	Fayan Pamela Jane	Port Edgar Farm, W.F.I
3	Alazia	Felicity Nikita	Port Edgar Farm, W.F.I
4	Alazia	Hazel	Carpenter's Cottage, Teal Inlet
5	Alazia	Keith	Goose Green, E.F.I
6	Alazia	Mandy Gwyneth	Port Edgar Farm, W.F.I
7	Alazia	Michael Robert	Port Edgar Farm, W.F.I
8	Anderson	Rupert William	Port Howard, W.F.I
9	Anderson	Tony James	Port Howard, W.F.I
10	Ashworth	Glennis	Fitzroy Ridge, E.F.I
11	Ashworth	Malcolm	Fitzroy Ridge, E.F.I
12	Bagley	Darren Clive	Riverview Farm, E.F.I
13	Bagley	Jacqueline Elizabeth	Riverview Farm, E.F.I
14	Barrientos	Jose Sixto Ruiz	North Arm, E.F.I
15	Battersby	Jon Alan	Hawkbit, Fitzroy, E.F.I
16	Battersby	Margaret Mary	Hawkbit, Fitzroy, E.F.I
17	Beattie	Ian Robert Ewen	North Arm, E.F.I
18	Bendyshe	Angela Geraldine Mary	Gibraltar Station, Salvador
19	Bendyshe Pitaluga	Antoinette Margaretha Mary	Gibraltar Station, E.F.I
20	Berntsen	Arina Janis	Pebble Island, W.F.I
21	Berntsen	Benjamin John	Elephant Beach Farm
22	Berntsen	Iain Kenneth	Sheffield Farm, W.F.I
23	Berntsen	Maggie Kayanja	Elephant Beach Farm
24	Betts	Bernard Keith	Boundary Farm, W.F.I
25	Betts	Diane Joan	Fox Bay East, W.F.I
26	Bonner	Katie Jean	Port Howard, W.F.I
27	Bonner	Simon	Port Howard, W.F.I
28	Bonner	Susan Anne	Port Howard, W.F.I
29	Castro Barrientos	Gilberto Enrique	No. 2 Goose Green, E.F.I
30	Clark	Alan Neil	Port Howard, W.F.I
31	Clarke	Jan Michael	Lorenzo Farm, E.F.I
32	Clarke	Jeanette	West Point Island, W.F.I
33	Clarke	Michael Jan	West Point Island, W.F.I
34	Clarke	Tanya	Lorenzo Farm, E.F.I
35	Clausen	Sophie Marina	Port Howard, W.F.I
36	Clifton	Leonard	No.4 Walker Creek, E.F.I
37	Clifton	Thora Janeene	No. 4 Walker Creek, E.F.I
38	Cockwell	Benjamin William	Fox Bay Village, W.F.I
39	Cockwell	Clare Marie	Fox Bay Village, W.F.I
40	Cockwell	Grizelda Susan	Chartres, W.F.I
41	Davis	Aase	Evelyn Station, E.F.I
42	Davis	Ian John	Evelyn Station, E.F.I
43	Decroliere	Carrie Madeline Helen	Fox Bay Village, W.F.I
44	Decroliere	Eric Ernest Albert	Fox Bay Village, W.F.I
45	Dickson	Charles George	Brookfield, E.F.I
46	Dickson	Doreen	Wreck Point, E.F.I
47	Dickson	Gerald William	Wreck Point, E.F.I
48	Dickson	Steven Charles	North Arm, E.F.I
49	Didlick	Fiona Margaret	Darwin House, Darwin

50	Didlick	Graham John	Darwin House, Darwin
51	Donnelly	Daniel	Crooked Inlet, W.F.I
52	Donnelly	Joyce Elizabeth	Crooked Inlet, W.F.I
53	Dunford	David Philip	Saddle Farm, W.F.I
54	Eagle	Alan William	Fitzroy Farm, E.F.I
55	Edwards	Norma	Lake Sullivan, W.F.I
56	Edwards	Rebecca Elizabeth	Port Howard Farm, W F I
57	Edwards	Roger Anthony	Lake Sullivan, W.F.I
58	Ellis	Louise	Dunvegan Cabin, Elephant Beach
59	Evans	Donna Newell	Spring Point Farm, W.F.I
60	Evans	Michael David	Spring Point Farm, W.F.I
61	Evans	Raymond	Pebble Island, W.F.I
62	Evans	Richard Gregory	Bold Cove Farm, W.F.I
63	Evans	Tracy	Pebble Island, W.F.I
64	Finlayson	Neil Roderick	North Arm, E.F.I
65	Ford	David	Port Louis, E.F.I
66	Ford	Tanya Louise	Speedwell Island
67	Gilding	Amy Heather	Port Louis, E.F.I
68	Gilding	Melanie Carol	Port Louis, E.F.I
69	Gilding	Peter Bernard	Port Louis, E.F.I
70	Gilding	Petra Sophie	Port Louis, E.F.I
71	Gleadell	Marklin John	No.5 Walker Creek, E.F.I
72	Goodwin	Kenton John Douglas Benjamin	Moss Side Farm
73	Goodwin	Matthew Gerald	North Arm, E.F.I
74	Goodwin	Neil Alexander William	North Arm, E.F.I
75	Goss	Kimberley Rose	Horseshoe Bay, E.F.I
76	Goss	Margaret Rose	Horseshoe Bay, E.F.I
77	Goss	Michael Peter	Horseshoe Bay, E.F.I
78	Goss	Peter	Horseshoe Bay, E.F.I
79	Greenland	Bonita Doreen	Valkyrie House, Darwin, E.F.I
80	Greenland	Kenneth David	Valkyrie House, Darwin, E.F.I
81	Grierson	Hew McInnes	Blue Beach San Carlos, E.F.I
82	Grimmer	Keith	The Dunes Fitzroy River
83	Grimmer	Marilyn	The Dunes Fitzroy River
84	Halford	Rodney John	Casa Verde San Carlos, E.F.I
85	Halford	Sara Jayne	Casa Verde San Carlos, E.F.I
86	Halford	Sharon	Casa Verde San Carlos, E.F.I
87	Halliday	Joyce Isabella Patience	Fox Bay Village, W.F.I
88	Halliday	Kenneth William	Fox Bay Village, W.F.I
89	Hansen	Ian	Main Point, W.F.I
90	Hansen	Lionel Raymond	Hill Cove, W.F.I
91	Hansen	Rose Idina	Hill Cove, W.F.I
92	Hansen	Susan Ann	Main Point, W.F.I
93	Harvey	Jen	Hill Cove, W.F.I
94	Harvey	Valerie Ann	Hill Cove, W.F.I
95	Harwood	Reuben Joseph	Goose Green, E.F.I
96	Heathman	Ailsa	Estancia, E.F.I
97	Heathman	Ewart Tony	Estancia, E.F.I
98	Hill	Jennifer Eileen	Stoney Ridge, W.F.I
99	Hirtle	Anthony	Peaks Farm, W.F.I
100	Hirtle	Doris Linda	Port Howard, W.F.I

101	Hirtle	Samantha Lee	Peaks Farm, W.F.I
102	Hirtle	Susan Mary	Peaks Farm, W.F.I
103	Hobman	Anola Zoey	Port Howard, W.F.I
104	Hobman	Gonzalo David	Albemarle Station
105	Hobman	John Malcolm	Goose Green, E.F.I
106	Hobman	Juan Jose Eleuterio	Westley Farm, W.F.I
107	Hobman	Vivien	Goose Green, E.F.I
108	Hoy	Dawn	Sheffield Farm, W.F.I
109	Innes	Gordon	Hill Cove, W.F.I
110	Innes	Isabella Alice	Hill Cove, W.F.I
111	Jaffray	Alexander	Lively Island, E.F.I
112	Jaffray	Elliott Jessie	Lively Island, E.F.I
113	Jamieson	Brian Neil	South Harbour
114	Jamieson	Kerri Yeoman	South Harbour
115	Jennings	Jacqueline	Pebble Island, W.F.I
116	Jones	John Hugh	Race Point Farm, E.F.I
117	Jones	Karen Diana	Fox Bay East, W.F.I
118	Jones	Mark Henry	Fox Bay East, W.F.I
119	Jones	Michael David	Head Of Bay, E.F.I
120	Jones	Michelle	Race Point Farm, E.F.I
121	Jones	Sheila Janice	Head Of Bay, E.F.I
122	Jordan	Ian Phillip	4 Letsbey Avenue M.P.A.
123	Joshua	Angeline Gloria	The Galley, North Arm
124	Joshua	Paul Alan	The Galley, North Arm
125	Kilmartin	Kevin Seaton	Bluff Cove Farm
126	Kilmartin	Nicola Ruth	Bluff Cove Farm
127	Knight	Justin Robert Campbell	Coast Ridge, W.F.I
128	Knight	Keith Andrew	Coast Ridge, W.F.I
129	Knight	Nigel Arthur	Coast Ridge, W.F.I
130	Lee	Beverley Christina	Galley Café Goose Green
131	Lee	Christopher	Port Howard, W.F.I
132	Lee	Elizabeth	Goose Green, E.F.I
133	Lee	John Alfred	Goose Green, E.F.I
134	Lee	Leslie James	Galley Café Goose Green
135	Lee	Mervyn Richard	North Arm, E.F.I
136	Lee	Myles	Port Howard, W.F.I
137	Lee	Trudi Dale	Galley Café Goose Green
138	Leo	Brenda May	NAAFI, MPA, E.F.I
139	Livermore	Darren	Fitzroy Farm, E.F.I
140	Lloyd	Melvyn John	Point View Goose Green
141	Lloyd	Valerie Ann	Point View Goose Green
142	Lowe	Adrian Stewart	Murrell Farm, E.F.I
143	Lowe	Lisa Helen	Murrell Farm, E.F.I
144	Lowe	Susan Elizabeth	Port Howard Lodge, W.F.I
145	Luxton	Jennifer Mary	Sea Lion Island, E.F.I
146	Luxton	William Robert	Chartres, W.F.I
147	Marsh	Alastair Roy	Shallow Harbour, W.F.I
148	Marsh	Anna Deirdre	Philomel Farm, W.F.I
149	Marsh	Gavin Nicholas	Philomel Farm, W.F.I
150	Marsh	Helen Rose	Rincon Ridge, W.F.I
151	Marsh	June Helen	Rincon Ridge, W.F.I

152	Marsh	Kevin Roy	Shallow Harbour, W.F.I
153	Marsh	Leon Peter	Rincon Ridge, W.F.I
154	Marsh	Marlane Rose	Shallow Harbour, W.F.I
155	Marsh	Patricia Ann	Lakelands, W.F.I
156	Marsh	Rachel Mandy	Fox Bay Village
157	Marsh	Robin Frank	Lakelands, W.F.I
158	Maskell-Bott	John Malcolm	Hill Cove, W.F.I
159	Maskell-Bott	Sarah	Hill Cove, W.F.I
160	May	Christopher Raymond	Speedwell Island
161	May	Lindsey Olga	Speedwell Island
162	May	Shaun Christopher	Speedwell Island
163	McGhie	Benjamin	Port North, W.F.I
164	McGhie	James	Stoney Ridge, W.F.I
165	McGhie	Jodie Kim	Port North, W.F.I
166	McGhie	Roy	Port North, W.F.I
167	McGhie	Thomas Forsyth	Saunders Island, W.F.I
168	McGill	Lorraine Iris	Carcass Island, W.F.I
169	McGill	Robin Perry	Carcass Island, W.F.I
170	McKay	Fraser Roderick	Teal River, W.F.I
171	McKay	Glyn Ronald	Teal River, W.F.I
172	McKay	Josephine Ann	Greenhill Farm Chartres
173	McKay	Kenneth Andrew	Greenhill Farm Chartres
174	McKay	Penelope Rose	Westley Farm, W.F.I
175	McKay	Roy Derek	Greenhill Farm Chartres
176	McLeod	Albert John	Camilla Creek, E.F.I
177	McLeod	Isabella Frances Diana	Fitzroy, E.F.I
178	McLeod	John (1)	Dunvegan Cabin, E.F.I
179	McLeod	Madeline Jean	Dunvegan Cabin, E.F.I
180	McLeod	Sarah Rose	Camilla Creek, E.F.I
181	McPhee	Mark	Brookfield, E.F.I
182	McPhee	Sheila Margaret	Kingsford Valley Farm, E.F. I
183	McPhee	Terence Owen	Kingsford Valley Farm, E.F.I
184	McPhee	Trudi Lynette	Brookfield, E.F.I
185	McRae	David Michael	Cape Dolphin, E.F.I
186	Middleton	Charlotte Anne	Horseshoe Bay
187	Middleton	Kerry Ann	Goose Green E.F.I
188	Miller	Betty Larsen	North Arm, E.F.I
189	Miller	Catherine McLeod	Fox Bay Village, W.F.I
190	Miller	James Albert	Fox Bay Village, W.F.I
191	Miller	Philip Charles	Cape Dolphin, E.F.I
192	Minnell	Donna Marie	Moss Side, E.F.I
193	Minnell	Michael Robert	Moss Side, E.F.I
194	Mitchell	Leon John	Mount Kent Farm, E.F.I
195	Morrison	Gerald	Goose Green, E.F.I
196	Morrison	Kathleen Iris	Goose Green, E.F.I
197	Murphy	Roy David	Port Howard, W.F.I
198	Newman	Glynnis Karen	Goose Green, E.F.I
199	Newman	Lisa Jeraine	Shallow Harbour, W.F.I
200	Nightingale	Charlene	West Lagoons, W.F.I
201	Nightingale	Peter Richard	West Lagoons, W.F.I
202	Peck	Paul	Shallow Bay, W.F.I

203	Peck	Rebekah Roxanne	Shallow Bay, W.F.I
204	Phillips	Carol Joan	Hope Cottage, E.F.I
205	Phillips	Paul David	Hope Cottage E.F.I
206	Phillips	Shula Louise	Hope Cottage E.F.I
207	Phillips	Terence	Hope Cottage, E.F.I
208	Pitaluga	Nicholas Alexander Robinson	Gibraltar Stn, E.F.I
209	Pitaluga	Robin Andreas McIntosh	Gibraltar Station, E.F.I
210	Platt	Claire	Lakelands Farm, W.F.I
211	Pole-Evans	Carole Suzan	Saunders Island, W.F.I
212	Pole-Evans	David Llewellyn	Saunders Island, W.F.I
213	Pole-Evans	Louise Suzan	Saunders Island, E.F.I
214	Pole-Evans	Shirley Helen	Manybranch, W.F.I
215	Pole-Evans	Suzan	Saunders Island, W.F.I
216	Pole-Evans	William Reginald	Manybranch, W.F.I
217	Poncet	Dion Michael	Beaver Island, W.F.I
218	Poncet	Jerome Pierre	Beaver Island, W.F.I
219	Poncet	Leiv Sigismund	Beaver Island, W.F.I
220	Porter	Joan	Shallow Harbour, W.F.I
221	Reeves	Ronald James	Port Howard, W.F.I
222	Reid	Emily Margaret	North Arm, E.F.I
223	Rendell	Michael	Bleaker Island
224	Robertson	Ann	Port Stephens, W.F.I
225	Robertson	Dion Sebastian	Port Stephens, W.F.I
226	Robertson	Drew Alexander	Port Stephens, W.F.I
227	Robertson	Paul Jonathan	Port Stephens, W.F.I
228	Robertson	Peter Charles	Port Stephens, W.F.I
229	Ross	Marie	Port Louis, E.F.I
230	Ross	William Henry	No. 8 Walker Creek, E.F.I
231	Sackett	Pauline	No. 22 Fitzroy Farm, E.F.I
232	Shepherd	Colin David	Goose Green, E.F.I
233	Short	Andrez Peter	Swan Inlet, E.F.I
234	Short	Elaine Elizabeth	Bleaker Island, E.F.I
235	Short	John Mark	Port Howard, W.F.I
236	Short	Robert Charles	Bleaker Island, E.F.I
237	Short	Robert George	Rancho Grande, Johnson's
238	Sinclair	Serena Samantha	Bold Cove Farm W.F.I
239	Sinclair	Simon Keith	Fitzroy Farm, E.F.I
240	Smith	Caroline	Fitzroy Farm, E.F.I
241	Smith	Derek	Rincon Grande, E.F.I
242	Smith	Julia Trinidad	Rincon Grande, E.F.I
243	Smith	Kaylee Simone	Lakelands Farm
244	Smith	Terence George	North Arm, E.F.I
245	Steen	Gail	Paragon House Lafonia, E.F.I
246	Steen	Vernon Robert	Paragon House Lafonia, E.F.I
247	Stevens	Liam Bodie	Port Sussex, E.F.I
248	Stevens	Richard James	Port Sussex, E.F.I
249	Stevens	Toni Donna	Port Sussex, E.F.I
250	Strange	Ian John	New Island
251	Street	David Charles	Plot 13A Fitzroy Ridge, E.F.I
252	Street	Edith Mary	Plot 13A Fitzroy Ridge, E.F.I
253	Summers	Nichola Jane	Cape Dolphin, E.F.I

254	Taylor	Christopher John	No.19 Goose Green, E.F.I
255	Tellez	Rodolfo	Goose Green, E.F.I
256	Thom	John Currie	No. 22 Fitzroy Farm, E.F.I
257	Thorsen	Gloria Penelope	Teal Inlet, E.F.I
258	Thorsen	Kristiane Annergret Helena	Teal Inlet, E.F.I
259	Towersey	Diane Katherine	Port Stephens, W.F.I
260	Turner	Arthur Leonard Pitaluga	Rincon Grande, E.F.I
261	Turner	Elaine Ellen	Rincon Grande, E.F.I
262	Tuson	Michael Anthony	Saunders Island
263	Tuson	Olwen Carol	Saunders Island, W.F.I
264	Velasquez	Arleen	Johnsons Harbour, E.F.I
265	Velasquez	Oscar Hernan	Johnsons Harbour, E.F.I
266	Wallace	Helen Jean	Albemarle Station
267	Watson	Glenda Joyce	Long Island, E.F.I
268	Watson	Neil	Long Island, E.F.I
269	White	Allan Paul George	Pebble Island, W.F.I
270	White	Georgina	New Island
271	Whitney	Daniela Grace	Mount Kent Farm, E.F.I
272	Whitney	Dennis	Arkvilla MPA Plot, E.F.I
273	Whitney	Sara Marie	Home Farm Douglas, E.F.I
274	Whitney	Tyrone	Home Farm, Douglas, E.F.I
275	Whitney	Zoe Jane	Mount Kent Farm, E.F.I
276	Wilkinson	Rosemary	Dunnose Head, W.F.I
277	Woodward	James Gregory	Little Chartres Farm, W.F.I
278	Woodward	Lesley Ann	Little Chartres Farm, W.F.I
279	Young	Julie	Pond House, Darwin

Register of Electors for Stanley Constituency at 30 April 2013

1	Adams	John Harvey	21 Ross Road East
2	Adams	Marjorie Rose	21 Ross Road East
3	Adams-Leach	Shirley	4 Moody Street
4	Adeoye	Anneliese Rose	25 Shackleton Drive
5	Alazia	Andrew	36 Callaghan Road
6	Alazia	Freda Evelyn	K.E.M.H
7	Alazia	George Robert	9 Thatcher Drive
8	Alazia	Jason Neville	5 Villiers Street
9	Alazia	Sandra Marie	36 Callaghan Road
10	Alazia	Yvonne	Flat 2, 6 Jersey Road
11	Alazia-McLaughlin	Colleen	3 Narrows View
12	Aldridge	Brian George	17 James Street
13	Aldridge	Caroline Mary	2 McKay Close
14	Aldridge	Diana Mary	17 James Street
15	Aldridge	Kenneth John	2 McKay Close
16	Aldridge	Nina Ann	2 Mountain View
17	Aldridge	Stephen John	13 Hansen Hill
18	Allan	Joyce Ena	39 Ross Road
19	Allan	Valerie Anne	6A Jeremy Moore Avenue
20	Allen	Jacqueline Esther	26 Callaghan Road
21	Almonacid	Orlando	1 Villiers Street
22	Almond	Adrian Arthur James	4 Allardyce Street
23	Anderson	Carol Anne	22 Endurance Avenue
24	Anderson	Eddie	22 Endurance Avenue
25	Anderson	Jamie Falkland	18 Murray Heights
26	Anderson	Jenny	8 Goss Road
27	Anderson	Margaret Kathleen	18 Murray Heights
28	Anderson	Paul James	9 Fieldhouse Close
29	Anderson	Reginald Stanford	18 Murray Heights
30	Anderson	Richard Louis	7 Yates Place
31	Anderson	Stephen Robert	25 Callaghan Road
32	Anderson	Tony James	8 Goss Road
33	Anderson	William John Stanley	6B St Mary's Walk
34	Anderson-Smith	Georgina Carol	11 Fitzroy Road East
35	Anthony	Enid Elizabeth	6 Dairy Paddock Road
36	Appleby	Amelia	15 Fieldhouse Close
37	Arkhipkin	Alexander Ivanovich	13 Biggs Road
38	Arkhipkina	Nadezhda	13 Biggs Road
39	Armstrong-Ford	Karen Jane	2 Sullivan Street
40	Arthur-Almond	Daphne Margaret	4 Allardyce Street
41	Arthur-Almond	Hannah Rachael	4 Allardyce Street
42	Arthur-Almond	Rebecca Kathryn	4 Allardyce Street
43	Ashbridge	Corina Rose	116 Davis Street
44	Ashworth	Iain	5A Kent Road
45	Bagley	Corey Darren	9 Murray Heights
46	Bahamonde Salazar	Luis Alberto	Flat 2 Hebe Street
47	Baker	Alison Margaret	12 Endurance Avenue
48	Barker	Jane Elizabeth Diana	5 Pitaluga Place
49	Barker	Philip Craig	5 Pitaluga Place

50	Barkman	Teslyn Siobhan	6 Watson Way
51	Barlow	Andrea Joanna	Mullet Creek
52	Barlow	Martyn Liam	Mullet Creek
53	Barnes	Dierdre	8 Discovery Close
54	Barnes	Karen Rose	26 Ross Road West
55	Barnes	Marlene Estela	Malvina Flat Ross Road
56	Barnes	Marshall	8 Discovery Close
57	Barnes	Paul	26 Ross Road West
58	Barnes Acevedo	Melisa Beverley	40 Ross Road West
59	Barton	Alison Mary	6 Villiers Street
60	Barton	Arthur John	6 Villiers Street
61	Barton	David Arthur	6 Villiers Street
62	Barton	John David	6 Villiers Street
63	Barton	Julian George	6 Villiers Street
64	Bates	Barbara	8 Watson Way
65	Bates	James William	8 Watson Way
66	Beckett	Vivien Delia	2 Discovery Close
67	Bedford	Kita Muriel	13 Jersey Road
68	Benjamin	Sheena Marie	18 Callaghan Road
69	Berntsen	Brenda Diann Joanna	6 McKay Close
70	Berntsen	Cecilia Del Rosario	14 St Marys Walk
71	Berntsen	Christian Olaf Alexander	15A James Street
72	Berntsen	Erica Dawn	7 Biggs Road
73	Berntsen	Falkland	10 Fitzroy Road
74	Berntsen	Gene Stanley	8 Fieldhouse Close
75	Berntsen	Harley-Dee	3D Jersey Road
76	Berntsen	John Alexander	Flat 1, 7 Jeremy Moore Ave
77	Berntsen	Kenneth Frederick	1 Racecourse Road East
78	Berntsen	Lucas Delhi John	YMCA
79	Berntsen	Matthew John	5 Murray Heights
80	Berntsen	Olaf Christian Alexander	35 Eliza Crescent
81	Berntsen	Patrick	10 A James Street
82	Berntsen	Rachel Ena	15A James Street
83	Berntsen	Robyn Chanelle	5 Fieldhouse Close
84	Berntsen	Saphena Anya Jane	4 Police Cottages
85	Berntsen	Sarah Jane	11 Fitzroy Road
86	Berntsen	Trevor John	6 McKay Close
87	Berntsen	Trina Mary Shirlene	Flat 4, 5 J.M.A
88	Berntsen	Valdamar Lars	14 St. Marys Walk
89	Besley-Clark	Barbara June	16 Ross Road West
90	Besley-Clark	Norman	16 Ross Road West
91	Betts	Arlette	Lafone House Ross Road
92	Betts	Boonruam Phisil	7 Short Street
93	Betts	Coral Elizabeth	15 Pioneer Row
94	Betts	Daniel William	Flat 3, 3 Jeremy Moore Ave
95	Betts	Dion James	7 Jeremy Moore Avenue
96	Betts	Donald William	7 Jeremy Moore Avenue
97	Betts	George Winston Charles	35 Ross Road West
98	Betts	Ian	1 Villiers Street
99	Betts	Lucia Elizabeth	35 Ross Road West
100	Betts	Michael George	35 Ross Road West

101	Betts	Owen	9B Sullivan Street
102	Betts	Peter James	50A Davis Street
103	Betts	Priscilla Violet Morrison	5 Jeremy Moore Avenue
104	Betts	Scott James Peter	9 Brandon Road
105	Betts	Severine	15 Pioneer Row
106	Betts	Shirley Rose	7 Jeremy Moore Avenue
107	Betts	Stephen	7 Jeremy Moore Avenue
108	Betts	Trudi Ann	50A Davis Street
109	Betts	Tyrone Trevor	7 Short Street
110	Biggs	Ailie Christine	9 Brandon Road
111	Biggs	Alastair Gordon	Trehaile 50 John Street
112	Biggs	Althea Maria	3 Dairy Paddock Road
113	Biggs	Christopher David	Harbour View Knott
114	Biggs	Coleen Margot	9 Moody Street
115	Biggs	Daniel Craig	16 Endurance Avenue
116	Biggs	Edith Joan	Trehaile 50 John Street
117	Biggs	Frances	16 Endurance Avenue
118	Biggs	Kyle Alexander	16 Endurance Avenue
119	Biggs	Lucas Sebastian	16 Endurance Avenue
120	Biggs	Michael Elfed	21 Fitzroy Road
121	Biggs	Patrick	30 Ross Road East
122	Biggs	Peter Julian Basil	16 Endurance Avenue
123	Biggs	Thomas Claud Alexander	8 Thatcher Drive
124	Biles	Kathleen Anne	14 Kent Road
125	Biles	Keith Robert	14 Kent Road
126	Binnie	Linda Rose	6 Fieldhouse Close
127	Binnie	Ronald Eric	6 Fieldhouse Close
128	Binnie	Susana	3 Brandon Road
129	Birmingham	Alexandra Sally	4 Drury Street
130	Birmingham	John	4 Drury Street
131	Birmingham	Joseph John	4 Drury Street
132	Bishop	Nigel Ian	5 Jersey Road
133	Bishop	Tansy Fiona	5 Jersey Road
134	Blackley	Candy Joy	4 Barrack Street
135	Blackley	Maurice	German Camp, Callaghan Road
136	Blackley	Shane David	4 Barrack Street
137	Blake	Alexander Charles	38 Eliza Crescent
138	Blake	Anthony Thomas	14 Watson Way
139	Blake	Larissa Celly	12 Ross Road West
140	Blake	Lionel Geoffrey	1 Ross Road
141	Blake	Mariela	14 Watson Way
142	Blake	Sally Gwynfa	1 Ross Road
143	Blake	Thomas Patrick	12 Ross Road West
144	Blizard	Malvina Mary	51 Fitzroy Road
145	Blyth	Paz Neri	4A Jeremy Moore Avenue
146	Bolt	Dennis John	4 Watson Way
147	Bonner	Alan Paul	8 Pioneer Row
148	Bonner	Avril Margaret Rose	4 Felton Court
149	Bonner	Cheryl Anne	10 Racecourse Road
150	Bonner	Donald William	Chauffeurs Cottage
151	Bonner	Ewen Shane	9 Discovery Close

152	Bonner	Hayley Trina	41 Ross Road West
153	Bonner	Linda Jane	4A Ross Road West
154	Bonner	Lindsay Jane	6 Ian Campbell Drive
155	Bonner	Nicholas	4A Ross Road West
156	Bonner	Odette Ellen May	1A Capricorn Road
157	Bonner	Paul Roderick	5 John Street
158	Bonner	Richard James	19B Mink Park
159	Bonner	Stevie Coppell	33 Callaghan Road
160	Bonner	Tansie Rebecca	9 Murray Heights
161	Bonner	Terence Leslie	1A Capricorn Road
162	Bonner	Timothy	41 Ross Road West
163	Bonner	Vera Ann	5 John Street
164	Bonner	Vera Joan	Chauffeurs Cottage
165	Booth	Jessie	Racecourse Cottage
166	Booth	Myriam Margaret Lucia	7 Philomel Street
167	Booth	Stuart Alfred	Racecourse Cottage
168	Bowles	Norma Evangeline	1A Villiers Street
169	Bowles	Sarah	9 Drury Street
170	Bowles	William Edward	1A Villiers Street
171	Bowles	William George Troyd	9 Drury Street
172	Bragger	Edward Laurence	14 Jeremy Moore Avenue
173	Bragger	Stacy John	19 Davis Street
174	Brickle	Paul	32 Fitzroy Road
175	Brock	Juanita Lois	20 Drury Street
176	Brook	Emma Jane	41 Ross Road East
177	Brooks	Cheryl Rose	The Flat 29 Fitzroy Road
178	Browning	Anita Jayne	29 Brandon Road
179	Browning	Edwina	96 Davis Street
180	Browning	Gavin	29 Brandon Road
181	Browning	Henry Stanbury	Lookout Lodge
182	Browning	Joan Lucy Ann	5 Villiers Street
183	Browning	Nathan David	3 Dairy Paddock Road
184	Browning	Rex	35 Davis Street
185	Browning	Richard William	96 Davis Street
186	Browning	Terence Irving	YMCA
187	Browning	Trevor Osneth	5 Villiers Street
188	Brownlee	Andrew Samuel	19 Ross Road East
189	Brownlee	Lynn Frances	19 Ross Road East
190	Brownlee	Michael Stewart	19 Ross Road East
191	Brownlee	Samantha Louise	19 Ross Road East
192	Bryson	Robert John	66 Davis Street
193	Buckett	Kimberley Louise	49 Fitzroy Road
194	Buckett	Ronald Peter	49 Fitzroy Road
195	Buckett	Roy Peter	22 James Street
196	Buckett	Ryan Peter	Flat 3, 7 Jeremy Moore Avenue
197	Buckett	Susan Vera	Mullet Creek, House
198	Buckland	Carole Lynda Jane	8 Moody Street
199	Buckland	Darlene Joanna	5 James Street
200	Buckland	Kristy Lesley Anne	1B Capricorn Road
201	Buckley-Whitney	Helena Jane	2 Pioneer Row
202	Budd	Dennis Raymond	5 Ian Campbell Drive

203	Budd	Grant William	1 Ian Campbell Drive
204	Budd	Pamela Joan	5 Ian Campbell Drive
205	Burston	Caitlin Laura	91 Davis Street
206	Burston	Catherine	91 Davis Street
207	Burston	Stephen Leslie	91 Davis Street
208	Burston	Thomas Stephen	91 Davis Street
209	Bury	Ian Thomas	63 Davis Street
210	Butcher	Michael George	3A Dairy Paddock Road
211	Butcher	Trudi	3A Dairy Paddock Road
212	Butler	Charmaine Sarah	Flat 2, 6 Racecourse Road
213	Butler	Elsie Maud	2 Thatcher Drive
214	Butler	George Joseph	1A Moody Street
215	Butler	Laurence Jonathan	2 Davis Street East
216	Butler	Lucy Mary Rose Ellen Doreen	1A Moody Street
217	Butler	Margaret Orlanda	5 Short Street
218	Butler	Orlanda Betty	2 Davis Street East
219	Buxton	Nicole Gabrielle	9 Ian Campbell Drive
220	Campos Guala	Jessica Paola	9A Sullivan Street
221	Cant	Carol Rosina	24 Goss Road
222	Carey	Anthony Michael	19 Ross Road West
223	Carey	Gladys	19 Ross Road West
224	Carey	Martin Rex	4 Hansen Hill
225	Carey	Mary Ann Margaret	18 Ross Road West
226	Carey	Terence James	18 Ross Road West
227	Cartwright	Stephen	39 Ross Road West
228	Castle	David Peter	26 John Street
229	Castle	Isobel	26 John Street
230	Ceballos	Eulogio Gabriel	28 Endurance Avenue
231	Ceballos	Isabel	12 Brisbane Road
232	Ceballos-Anderson	Alastair Jaime	40 Ross Road
233	Chaloner	Anthony Ross	8 Endurance Avenue
234	Chaloner	Karl Iain Roderick	8 Endurance Avenue
235	Chaloner	Sheila Catherine	25 Ross Road East
236	Chapman	Elsie Mary	23 Fitzroy Road
237	Chapman	Paul	27 Fitzroy Road
238	Chapman	Samantha Helen	27 Fitzroy Road
239	Chater	Anthony Richard	33 Fitzroy Road
240	Chater	Kim Andrea	33 Ross Road
241	Chater	Victoria	37 Ross Road East
242	Chater	William John	37 Ross Road East
243	Cheek	Gerald Winston	9 Biggs Road
244	Cheek	Janet Lynda	35 Ross Road East
245	Cheek	Marie	9 Biggs Road
246	Cheek	Rosalind Catriona	32 Goss Road
247	Cheema	Ahmad Masood	17 Callaghan Road
248	Christie	Darren James	3 Narrows View
249	Christie	Phillippa Josephine	3 Narrows View
250	Clapp	Kevin Christopher	1 Murray Heights
251	Clark	Douglas James	112 Davis Street
252	Clark	Hector	27 Eliza Crescent
253	Clarke	Aaron Charles	13 Davis Street

254	Clarke	Angela Sindy	Flat 9, 6 Jersey Road
255	Clarke	Camilla Marie	8 Drury Street
256	Clarke	Christopher	5 Discovery Close
257	Clarke	David James	17 Ross Road West
258	Clarke	Derek Simon	23 Jeremy Moore Avenue
259	Clarke	Doreen	17 Ross Road West
260	Clarke	Felicity Marie	5 Brandon Road
261	Clarke	Gwynne Edwina	17 Jeremy Moore Avenue
262	Clarke	Ian	3A Ross Road West
263	Clarke	Isabel Joan	12 Fieldhouse Close
264	Clarke	James Martin	KEMH
265	Clarke	Jane Rebecca	12 Fieldhouse Close
266	Clarke	Jeremy Ian Thomas	11 Fitzroy Road
267	Clarke	Joan Patricia Marion	Cemetery Cottage
268	Clarke	Jonathan Terence	Lookout Lodge
269	Clarke	Joseph Gwyn	14a Brandon Road
270	Clarke	Julie Ann	9 Hansen Hill
271	Clarke	Luke Anthony	39 Fitzroy Road
272	Clarke	Margaret Ann	3 'H' Jones Road
273	Clarke	Mari-Ann Lucille	12 Fieldhouse Close
274	Clarke	Marvin Thomas	13 Davis Street
275	Clarke	Ronald John	17 Ross Road West
276	Clarke	Rudy Thomas	8 Drury Street
277	Clarke	Shane Adrian	36 John Street
278	Clarke	Stefen Michael	36 John Street
279	Clarke	Stephen Boyd	12 Fieldhouse Close
280	Clarke	Terence John	17 Jeremy Moore Avenue
281	Clarke	Tracey Clare	23 Jeremy Moore Avenue
282	Clarke	Trudi Ann	13 Davis Street
283	Clarke	Violet Rose	23 Murray Heights
284	Clasen	Donna Monica	15 Davis Street
285	Clasen	Wayne Ian Summers James	15 Davis Street
286	Clausen	Andrea Patricia	13 Jeremy Moore Avenue
287	Clausen	Denzil	24 Murray Heights
288	Clausen	Denzil George Gustavius	13 Jeremy Moore Avenue
289	Clausen	Melanie	54 Davis Street
290	Clayton	Jade Anne	16 St Mary's Walk
291	Clayton	Joshua Jordon	16 St Mary's Walk
292	Clement	Gary	9 Snake Street
293	Clement	Jacqueline Ann	25 Hansen Hill
294	Clement	Jane	Gift Shop Flat, Villiers St
295	Clement	Lee	25 Hansen Hill
296	Clement	Sarah Jane	10 Snake Street
297	Clement	Wayne	10 Snake Street
298	Clifford	Cherie Yvonne	6 Capricorn Road
299	Clifford	John Owen	6 Capricorn Road
300	Clifford	Rhys John David	6 Capricorn Road
301	Clifford	Terri-Sue	Harbour View Knott
302	Clifton	Darwin Lewis	53 Davis Street
303	Clifton	Heidi Monica	10 Pioneer Row
304	Clifton	Marie	16 Fieldhouse Close

305	Clifton	Melvyn	2 Murray Heights
306	Clifton	Neil	8 Anderson Drive
307	Clifton	Stephen Peter	61 Fitzroy Road
308	Clifton	Teresa Ann	12 Callaghan Road
309	Clifton	Valerie Ann	10 Pioneer Row
310	Cockwell	Jennifer Marie	90 Davis Street
311	Cockwell	John Richard	14 Ross Road West
312	Cockwell	Maurice Adam	90 Davis Street
313	Cockwell	Samuel George	14 Ross Road West
314	Cofre	Anya Evelyn	37 Eliza Crescent
315	Cofre	Ashton Laura	9 Eliza Crescent
316	Cofre	Elvio Miguel	37 Eliza Crescent
317	Cofre	Reuben Patrick	37 Eliza Crescent
318	Collier	Victoria Louise	11 Ian Campbell Drive
319	Collins	Brian Richard	41 Davis Street
320	Collins	Christopher Allan	7 John Street
321	Collins	Hazel	41 Davis Street
322	Collins	Michael William Archibald	7 John Street
323	Collins	Steven Paul	7 John Street
324	Collins Finlay	Shiralee	9 Rowlands Rise
325	Connolly	Kevin Barry	1 King Street
326	Cordeiro Otero	Jose Antonio	1 Narrows View
327	Cotter	Caroline Jane	36 Eliza Crescent
328	Cotter	Gillian Naomi	9 Jeremy Moore Avenue
329	Cotter	Jacqueline Ann	28 Ross Road East
330	Cotter	Mary Jane	9 Jeremy Moore Avenue
331	Cotter	Timothy Stewart	9 Jeremy Moore Avenue
332	Courtney	Anthony Clive	30 Goss Road
333	Courtney	Julie Doris	30 Goss Road
334	Courtney	Marc Anthony	30 Goss Road
335	Coutts	John	36 Ross Road West
336	Coutts	Marie Anne	36 Ross Road West
337	Coutts	Olga	33 Ross Road
338	Crabb	Elizabeth Ann	34A Davis Street
339	Crowie	Alan John	17 Ian Campbell Drive
340	Crowie	Ana Bonita	72 Davis Street
341	Crowie	Bradley Rhys	72 Davis Street
342	Crowie	Chester Robert	35 Callaghan Road
343	Crowie	Clare Frances	8 Jersey Road
344	Crowie	Dave Mark	10 James Street
345	Crowie	David Martin	Lookout Lodge
346	Crowie	David Sean	51 Callaghan Road
347	Crowie	Layla Alicia	19 James Street
348	Crowie	Michelle	1 Discovery Close
349	Crowie	Nicola Jane	35 Callaghan Road
350	Crowie	Peter James	21 Murray Heights
351	Crowie	Rachael	10 James Street
352	Crowie	Robert John	35 Callaghan Road
353	Curtis	Alfred William Hamilton	6 Brandon Road West
354	Curtis	Bonnie Elizabeth Hamilton	22 Mink Park
355	Curtis	James Earl Hamilton	5 Fieldhouse Close

356	Curtis	James William Hamilton	19A Mink Park
357	Curtis	Tanya	19A Mink Park
358	Davies	Anthony Warren	7 Callaghan Road
359	Davies	Colin George	15 Ross Road West
360	Davies	Eileen Wynne	15 Ross Road West
361	Davies	Helen Louise	15 Ross Road West
362	Davies	Jacqueline Nancy	7 Callaghan Road
363	Davies	Samantha	Flat 4, Waverley House
364	Davies	Sian Karen	7 Callaghan Road
365	D'Avino	Damaris Priscila	14 Jersey Road
366	D'Avino	Pamela Martha	14 Jersey Road
367	Davis	Doreen Susan	11 Callaghan Road
368	Davis	Ellen Rose	55 Davis Street
369	Davis	Maurice	39 Davis Street
370	Davis	Nicholas	11 Callaghan Road
371	Davis	Roy George Victor	6 Narrows View
372	Davis	Samantha Jane	19 Murray Heights
373	Davis	Stacey Elizabeth	2 Rowlands Rise
374	Davis	William James	4 Yates Place
375	Davis	Yona	37 Davis Street
376	Dent	Elizabeth Jayne	4 Fieldhouse Close
377	Dent	Janice Vanessa	19 Hansen Hill
378	Dent	Stephen John	4 Fieldhouse Close
379	Dickson	Iris	2 Dairy Paddock Road
380	Dickson	Jason Edward	YMCA
381	Dickson	Michael Keith	12 Dairy Paddock Road
382	Dickson	Ronald Edward	2 Dairy Paddock Road
383	Didlick	Imogen Fiona	Flat 10, 6 Jersey Road
384	Didlick	John Charles Hilson	Lookout Lodge
385	Dobbyns	Kathleen Gay	60 Davis Street
386	Dodd	Alison	10 Beaver Road
387	Dodd	Mark Thomas	10 Beaver Road
388	Dodd	Nigel Keith	10 Beaver Road
389	Dodd	Samantha Jane	10 Beaver Road
390	Drysdale	Karen	1 Watson Way
391	Duncan	Doreen	5 Thatcher Drive
392	Duncan	Robert Alfred	11 Callaghan Road
393	Duvall	Kenneth William	9 Murray Heights
394	Eagle	Rex Edward	13 Eliza Crescent
395	Earnshaw	Jacqueline Elizabeth	37 Ross Road West
396	East	Justin Clive Richard	1 Fieldhouse Close
397	Eccles	Bernard Leslie	18 Jeremy Moore Avenue
398	Eccles	Matthew James	9 Eliza Crescent
399	Eccles	Mhairi-Anne	18 Jeremy Moore Avenue
400	Eccles	Moira Cameron	18 Jeremy Moore Avenue
401	Elbakidze	Natasha Bonita Greenland	10 Mink Park
402	Elbakidze	Zaza	10 Mink Park
403	Ellick	Joanne Marie	11 McKay Close
404	Elliot	Elizabeth Rose	15 Callaghan Road
405	Elliot	Henry James	15 Callaghan Road
406	Elliot	Nathan James	15 Callaghan Road

407	Elliot	Samuel Robert	15 Callaghan Road
408	Ellis	Cyril	24 Ross Road East
409	Ellis	Lucy	11 James Street
410	Ellis	Paul	43 John Street
411	Ellis	Sally Jean	43 John Street
412	Ellis	Valerie	24 Ross Road East
413	Elsby	Barry	Moody Brook House
414	Elsby	Rosalind Alice	14A Brandon Road
415	Elsby	Thomas	14a Brandon Road
416	Eriksen	Fiona Alison	5 Racecourse Road
417	Evans	Duane Richard	Murray Heights
418	Evans	Kyran Binnie	Murray Heights
419	Evans	Michele Paula	Murray Heights
420	Ewing	Gordon	4 Jeremy Moore Avenue
421	Ewing	Irene	4 Jeremy Moore Avenue
422	Eynon	Carol	8 Villiers Street
423	Eynon	David John	8 Villiers Street
424	Faria	April Marie	3A Brisbane Road
425	Faria	Basil Harry	3A Brisbane Road
426	Faria	Maria Anne	3A Brisbane Road
427	Faria	Mary Ann	2A St Mary's Walk
428	Faria	Paul	22 Hansen Hill
429	Faria	Sarah Louise	22 Hansen Hill
430	Faria	Susana Caroline Berntsen	22 Hansen Hill
431	Felton	Faith Dilys	8 Murray Heights
432	Felton	Scott Daniel	41 Callaghan Road
433	Felton	Sonia Ellen	Gardner's Cottage
434	Felton-Eagle	Trudi Eileen	13 Eliza Crescent
435	Ferguson	Ellen Rose	51 Callaghan Road
436	Ferguson	Finlay James	Flat 2, Moody Street
437	Ferguson	John William	47 Ross Road East
438	Ferguson	Robert John Andrew	47 Ross Road East
439	Ferguson	Rose	6 Thatcher Drive
440	Ferguson	Stephanie Janet	47 Ross Road East
441	Ferguson	Thelma	4A St Mary's Walk
442	Ferriby	Debora Susana	56 Davis Street
443	Ferriby	Lee Robert	56 Davis Street
444	Fiddes	Douglas Graham	Stables Moody Brook
445	Fiddes	Gardner Walker	3 Watson Way
446	Fiddes	Julia Bertrand	6 Rowlands Rise
447	Fiddes	Kelly Melody	YMCA
448	Fiddes	Melody Christine	3 Watson Way
449	Finlay	Andrew John	9 Rowlands Rise
450	Finlayson	Iris Heather	3 Capricorn Road
451	Finlayson	Kimberly Elizabeth	26 Ross Road East
452	Finlayson	Marc Ian	19 James Street
453	Finlayson	Marilyn Christine	24 James Street
454	Finlayson	Peter	24 James Street
455	Finlayson	Phyllis	6 Brandon Road
456	Fisher-Smith	Julie Anne	8 Fieldhouse Close
457	Floyd	Michael	7 Pitaluga Place

458	Floyd	Michael Anthony	7 Pitaluga Place
459	Floyd	Stephen Paul	26 Hansen Hill
460	Floyd	Tracy	26 Hansen Hill
461	Fogerty	Richard Edwin John	Stone Cottage Airport Road
462	Ford	Alison Jane Marie	9 Jersey Road
463	Ford	Arthur Henry	6 Drury Street
464	Ford	Cara Michelle	5A Kent Road
465	Ford	Chloe Elizabeth	Y.M.C.A
466	Ford	Christine	6 Drury Street
467	Ford	Christopher James	6 Felton Court
468	Ford	Colin Stewart	15 Kent Road
469	Ford	Colleen Mary	12 Davis Street
470	Ford	Daniel Timothy	15 Kent Road
471	Ford	Darrel Michael	54 Davis Street
472	Ford	Debbi Louisa	6 Felton Court
473	Ford	Donna Marie	22 Murray Heights
474	Ford	Gerard Allan	12 Hansen Hill
475	Ford	Jonathan	3 Pitaluga Place
476	Ford	Julie Ann	3 Pitaluga Place
477	Ford	Leann Caroline	15 Kent Road
478	Ford	Leonard	9 Jersey Road
479	Ford	Mandy	1 James Street
480	Ford	Marvyn Neil	68 Davis Street
481	Ford	Mikaela Jayne	15 Kent Road
482	Ford	Neil Frazer	6 Drury Street
483	Ford	Paul Edward	2 Sullivan Street
484	Ford	Simon	1 James Street
485	Forrest	Jennifer Carol	6 Fitzroy Road East
486	Forrest	Michael John	6 Fitzroy Road East
487	Forster	Amanda	9 Fieldhouse Close
488	Forster	Gwyneth May	10 Drury Street
489	Forster	James	10 Drury Street
490	Forster	Lynne	12 Endurance Avenue
491	Fowler	Alan Claude	34 Fitzroy Road
492	Fowler	Daniel Martin	2 Glasgow Road
493	Fowler	John Andrew Thomas	2 Glasgow Road
494	Fowler	Vanessa Kay	34 Fitzroy Road
495	Fowler	Veronica Mary	1 Narrows View
496	France	Graham Brian	7 Snake Hill
497	France	Ian Peter	4 Sullivan Street
498	Freeman	Carl Francis	Maiden Haven Cottage
499	Freeman	Dianne May	Maiden Haven Cottage
500	Freer	Edward Craig	7 Fitzroy Road East
501	Freer	Matthew Paul	7 Fitzroy Road East
502	Freer	Pamela Jane	7 Fitzroy Road East
503	Freer	Stephen Paul James	7 Fitzroy Road East
504	French	Breda Marie	Flat 3, 6 Jersey Road
505	French	Robert Alan	12 Narrows View
506	George	Kevin Charles	26 Ross Road East
507	George	Robert Ziggy	26 Ross Road East
508	Gilbert	Christopher Paul	11 Ian Campbell Drive

509	Gilbert	Mark Ian	22 Jeremy Moore Avenue
510	Gilbert	Neil Robert	22 Jeremy Moore Avenue
511	Gilbert	Robert Ernest	22 Jeremy Moore Avenue
512	Gilbert	Sharon	11 Ian Campbell Drive
513	Gilson-Clarke	Martyn Ian	11a Racecourse Road
514	Glanville	Adam James	12 James Street
515	Gleadell	Ian Keith	2 Yates Place
516	Goodwin	Bonita Colleen	21 Eliza Crescent
517	Goodwin	Catherine Dawn	8 Hansen Hill
518	Goodwin	Cheveze John Douglas	YMCA
519	Goodwin	Colin Valentine	86 Davis Street
520	Goodwin	Derek Samuel	21 Eliza Crescent
521	Goodwin	Emily Rose	7 Brisbane Road
522	Goodwin	Gareth Kevin	15 Hansen Hill
523	Goodwin	Hazel Rose	7 Thatcher Drive
524	Goodwin	June Elizabeth	86 Davis Street
525	Goodwin	Mandy Hazel Minnell	31 Ross Road West
526	Goodwin	Margaret Ann	3H Jones Road
527	Goodwin	Margo Jane	5C Hansen Hill
528	Goodwin	Marie-Bernard Therese	15 Hansen Hill
529	Goodwin	Rachel Karen	31 Ross Road West
530	Goodwin	Robin	31 Ross Road West
531	Goodwin	Robin Christopher	27 Callaghan Road
532	Goodwin	Simon James	8 Hansen Hill
533	Goodwin	Una	27 Callaghan Road
534	Goodwin	William John Maurice	7 Brisbane Road
535	Gordon	Robert James Alexander	8 Murray Heights
536	Goss	Annagret	16 Jeremy Moore Avenue
537	Goss	Carole-ann	2A Capricorn Road
538	Goss	Dorothy Ellen	1A Hansen Hill
539	Goss	Eric Miller	2 Fitzroy Road East
540	Goss	Ian Ernest Earle	98 Davis Street
541	Goss	Jane Alexander	98 Davis Street
542	Goss	Morgan Edmund	16 Jeremy Moore Avenue
543	Goss	Sandra Kathleen	11 Kent Road
544	Goss	Sherilee Christine	98 Davis Street
545	Goss	Shirley Ann	2 Fitzroy Road East
546	Goss	Simon Peter Miller	11 Kent Road
547	Goss	Susan Diann	98 Davis Street
548	Goss	William Henry (jnr)	7 Brandon Road
549	Gough	Ivan Carl	8 John Street
550	Gough	Phyllis Candy	8 John Street
551	Gough	Tanzey Jayne	8 John Street
552	Gray	Patricia May	22 Ross Road West
553	Green	David William	4 Discovery Close
554	Greenland	James Andrew William	21 St Mary's Walk
555	Greenough	Brandon	6 Murray Heights
556	Greenough	Geoffrey	14 Endurance Avenue
557	Greenough	Wanda Rose	14 Endurance Avenue
558	Grimmer	Edward	21 Hansen Hill
559	Hadden	Alexander Burnett	8A St Mary's Walk

560	Hadden	Sheila Peggy	8A St Mary's Walk
561	Halliday	Bethan Rosina	5 Drury Street
562	Halliday	Cathy Anne	5 Drury Street
563	Halliday	Jeffrey James	9A Philomel Street
564	Halliday	Julie Ann	9A Philomel Street
565	Halliday	Raynor	9 Brisbane Road
566	Hancox	Alice Fiona	5 McKay Close
567	Hancox	Emily Clare	5 McKay Close
568	Hansen	Douglas John	6 Fitzroy Road
569	Hansen	Keva Elizabeth	1 Dairy Paddock Road
570	Hansen	Terence Joseph	41 Eliza Crescent
571	Hardcastle	Eileen Beryl	7 Ross Road East
572	Hardcastle	Simon Brook	7 Ross Road East
573	Harris	Angela Jane	10 Haskard Rise
574	Harris	Brian Frederick	Felton Stream
575	Harris	Christopher James	5 Ross Road East
576	Harris	Dennis Sefton	19 Callaghan Road
577	Harris	Heather	3 Ross Road East
578	Harris	Jill Yolanda Miller	19 Fitzroy Road
579	Harris	Karl Henry	10 Haskard Rise
580	Harris	Leeann Watson	11 Dairy Paddock Road
581	Harris	Leslie Sidney	19 Fitzroy Road
582	Harris	Michael Ronald	3 Ross Road East
583	Harris	Ralph Aaron	11 Dairy Paddock Road
584	Harris	Wendy Ann	19 Callaghan Road
585	Harvey	Sheila	8 Barrack Street
586	Hawksworth	Christopher	6B Gleadell Close
587	Hawksworth	David	25 Eliza Crescent
588	Hawksworth	Elane Maria	14 Scoresby Close
589	Hawksworth	Mary Catherine	5A Brisbane Road
590	Hawksworth	Ryan	6B Gleadell Close
591	Hayward	Marjorie	4b St Mary's Walk
592	Hayward	Neville	29 Fitzroy Road
593	Hayward	Pauline May	29 Fitzroy Road
594	Heathcock	Andrew James	7 Drury Street
595	Heathman	Abbie Louise	15 Eliza Cove Road
596	Heathman	Malcolm Keith	15 Eliza Cove Road
597	Heathman	Mandy Gail	15 Eliza Cove Road
598	Heathman	Nyree	7 Allardyce Street
599	Heathman	Sally Hermione	15 Eliza Cove Road
600	Hemming	Graeme John	10 Murray Heights
601	Henry	Adam Robert	8 Beaver Road
602	Henry	Alan Richard	8 Beaver Road
603	Henry	Donna Louise	14A Brandon Road
604	Henry	Patricia Denise	8 Beaver Road
605	Henry-Roberts	Dominic Patrick Alexander	5 Narrows View
606	Hernandez Manterola	Miguel Angel	3 Murray Heights
607	Hernandez Trevello	Maria Elena	3 Murray Heights
608	Hewitt	Bernice Marilyn Sarah	7 Moody Street
609	Hewitt	Charles David James Murdo	YMCA
610	Hewitt	Christine Alison Elizabeth	12A Brandon Road

611	Hewitt	Frances Agnes	K.E.M.H
612	Hewitt	Gary George	3 Hebe Place
613	Hewitt	Margaret Ann	3 Hebe Place
614	Hewitt	Tara Marie	3 Hebe Place
615	Hills	David John	19 Scoresby Close
616	Hirtle	Christine	5 Capricorn Road
617	Hirtle	Debbie Ann	2B Capricorn Road
618	Hirtle	Leonard Lloyd	2 Ian Campbell Drive
619	Hirtle	Michael Barry	2 Ian Campbell Drive
620	Hirtle	Rose Ann Shirley	4 Villiers Street
621	Hirtle	Zane Eric	12 Drury Street
622	Hobman	Anilda Marilu	5 Police Cottages
623	Hobman	Kyle John	Y.M.C.A
624	Hobman	Luis Alfonso	5 Police Cottages
625	Howatt	Derek Frank	4 Racecourse Road
626	Howatt	Suzanna Margaret	4 Racecourse Road
627	Howe	Adam Marcus Timothy	36 Davis Street
628	Howe	Alexander Luke Desmond	36 Davis Street
629	Howe	Alison Delia	36 Davis Street
630	Howe	Paul Anthony	36 Davis Street
631	Howe	Thomas Craig Samuel	36 Davis Street
632	Howells	Roger	112A Davis Street
633	Hoy	Gabriella Daisy	7 Biggs Road
634	Humphreys	Bruce Adam	7 Dean Street
635	Humphreys	Dennis James	7 Dean Street
636	Humphreys	Hannah Elaine	12 Mink Park
637	Humphreys	Nina Elizabeth	7 Dean Street
638	Hutton	Elizabeth Isabella	3 John Street
639	Hutton	Philip	3 John Street
640	Igao	Alejandro Neri	Flat 3, 6 Racecourse Road
641	Igao	Noel Neri	10 Goss Road
642	Igao	Pauline Lynx	10 Goss Road
643	Inglis	Alison Anne MacKenzie	9 Short Street
644	Irvine	Andrew Grant McKenzie	9 McKay Close
645	Jackson	Kathleen	7 Drury Street
646	Jackson	Malcolm	7 Drury Street
647	Jackson	Mark Malcolm	5 Drury Street
648	Jacobsen	Alistair	1A Philomel Street
649	Jacobsen	Catherine Joan	1A Philomel Street
650	Jacobsen	Cathy	8 Fitzroy Road
651	Jacobsen	Tanzi	19 Scoresby Close
652	Jacobsen	Toni Rhona	1A Philomel Street
653	Jaffray	Anika Doreen	2 Arch Green
654	Jaffray	Arlette Sharon	7 Jersey Road
655	Jaffray	Ashley Dereck Porter	17 Ross Road East
656	Jaffray	Catriona Mhairi	24 Hansen Hill
657	Jaffray	Dereck Charles	2 Arch Green
658	Jaffray	Dominic Summers	Y.M.C.A
659	Jaffray	Eileen	5 Hebe Street
660	Jaffray	Estelle Anita	11 Snake Hill
661	Jaffray	Eva Lynn	47 Callaghan Road

662	Jaffray	Frank Alexander	1 Gleadell Close
663	Jaffray	Gerard Alan	47 Callaghan Road
664	Jaffray	Helen Rose	84 Davis Street
665	Jaffray	Ian	5 Hebe Street
666	Jaffray	Ingrid Joyce	9 Fitzroy Road
667	Jaffray	Janet	3 Fitzroy Road East
668	Jaffray	John	3 Fitzroy Road East
669	Jaffray	John Summers	84A Davis Street
670	Jaffray	John Willie	21 Watson Way
671	Jaffray	June Elizabeth	17 Ross Road East
672	Jaffray	Kenneth Ian	7 Jersey Road
673	Jaffray	Lisa Jane	7 Hebe Street
674	Jaffray	Nicole Dawn	5 Hebe Street
675	Jaffray	Phyllis	21 Watson Way
676	Jaffray	Shaun Melvyn	28 Davis Street
677	Jaffray	Stephen James	5 James Street
678	Jaffray	Tanya Fiona	21 Hansen Hill
679	Jaffray	Terrence Roy	5 Hebe Street
680	Jaffray	Terri-Ann	24 Endurance Avenue
681	Jaffray	Tony	84 Davis Street
682	Jaffray	Tracy	James Street
683	Jaffray Bryson	Joanna Phyllis	66 Davis Street
684	Jamieson	Malcolm William	5 Nutt Cartmell Close
685	Jamieson	Patricia Anne	5 Nutt Cartmell Close
686	Jennings	Hamish Warren	9 Davis Street
687	Jennings	Leeanne Kate	9 Davis Street
688	Jennings	Nancy Elizabeth	7 Philomel Street
689	Jennings	Roy	9 Davis Street
690	Jennings	Stephen	5 Fitzroy Road
691	Johnson	Christopher David	11 Rowlands Rise
692	Johnson	Lily Ann	5A Hebe Street
693	Johnson	Michael Neil	30 Jersey Road
694	Jones	Deena Marie	6 Allardyce Street
695	Jones	Evan Glynn	12 Endurance Avenue
696	Jones	Kevin Richard	3A Brandon Road
697	Jones	Yvonne Malvina	Flat 1, 6 Racecourse Road
698	Jonson	Amy Elizabeth	41 Eliza Crescent
699	Jonson	Nicole Frances	30 Endurance Avenue
700	Jordan	Cara Jane	12 Goss Road
701	Joshua	Josephine Mary	7 Gleadell Close
702	Joshua	Rosemond Patricia	3 Felton Stream
703	Keane	Alva Rose Marie	18 Davis Street
704	Keane	Olaf James	18 Davis Street
705	Keane	Thomas James	18 Davis Street
706	Keenleyside	Charles Desmond	3 Pioneer Row
707	Keenleyside	Manfred Michael Ian	2 Snake Hill
708	Keenleyside	Nanette Barbara	2 Snake Hill
709	Kelly	Phillip Sean	13 Nutt Cartmell Close
710	Kelly	Sandy Bridget	13 Nutt Cartmell Close
711	Kenny	Erling	20 James Street
712	Kidd	John Nathan	7 Ross Road West

713	Kidd	Lillian Rose Orissa	7 Ross Road West
714	Kiddle	Robert Karl	Flat 2, 1 Moody Street
715	Kilmartin	Clovis Sebastian	3 Davis Street East
716	King	Anna Constance Eve	34 Ross Road
717	King	Glynis Margaret	Stanley Arms Flat
718	King	Michelle Beverly	4 Biggs Road
719	King	Peter Thomas	10 Jeremy Moore Avenue
720	King	Robert John	22/24 Davis Street
721	King	Rosemarie	10 Jeremy Moore Avenue
722	King	Roxanne McCarthy	39 Fitzroy Road
723	Kirkham	Campbell Joseph	5 Capricorn Road
724	Knight	Margaret Anne	6 Yates Place
725	Kultschar	John William	4 Davis Street East
726	Kultschar	Richard Paul	5 Brisbane Road
727	Kultschar	Yvonne Rosina	4 Davis Street East
728	Ladron De Guevara	Simon	22/24 Davis Street
729	Ladron De Guevara Barnes	Jeremy Marshall	22/24 Davis Street
730	Ladron De Guevara Vilches	Carmen Benilda	22/24 Davis Street
731	Laffi	Atilio Segundo	3 Brisbane Road
732	Laffi	Kathleen Mary	3 Brisbane Road
733	Lang	Colin David	2 Brisbane Road
734	Lang	David Geoffrey	28 Goss Road
735	Lang	James Patrick	2 Davis Street
736	Lang	Leah Falalimpa	2 Davis Street
737	Lang	Sandra Shirleen	3 Yates Place
738	Lang	Theresa Margaret	28 Goss Road
739	Lang	Valma Emily	8A Moody Street
740	Lang	Wendy Diane	2 Brisbane Road
741	Lapham	Stephen William	18 Hansen Hill
742	Lapham	Suzanna	18 Hansen Hill
743	Larsen	Ellen	6A Moody Street
744	Larsen	Ronald Ivan	2 Anderson Drive
745	Larsen	Yvonne	2 Anderson Drive
746	Lazo	Javier Waldemar Sanchez	80 Davis Street
747	Lazo	Joanna Rose	80 Davis Street
748	Leach	Nigel Jon	4 Moody Street
749	Lee	Carole	15 Ian Campbell Drive
750	Lee	Gladys	11 Drury Street
751	Lee	Karen Jane	14 Davis Street
752	Lee	Mandy John	15 James Street
753	Lee	Owen Henry	4 Pioneer Row
754	Lee	Rodney William	15 Ian Campbell Drive
755	Lee	Victoria Jane	Flat 4 Church House
756	Lennie	Gordon Carnie	9 Narrows View
757	Lewis	David James	3 Ian Campbell Drive
758	Lewis	Jason	9 Short Street
759	Lewis	Pamela Irene	3 Ian Campbell Drive
760	Leyland	Frank	10 Brandon Road
761	Leyland	Vera	10 Brandon Road
762	Liddle	Alison Catherine	3A Hebe Street
763	Limburn	Monica	2 Brandon Road

764	Limburn	Sean Roderick	2 Brandon Road
765	Livermore	Anton	82 Davis Street
766	Livermore	Doreen Emily	82 Davis Street
767	Livermore	Isla Karen	Flat 3, 30 Jersey Road
768	Livermore	Kirsty Nicole	8 Marmont Row
769	Livermore	Verity Anne	8 Murray Heights
770	Lloyd	Christopher Sturdee	12 McKay Close
771	Lloyd	Natalie Anne	12 McKay Close
772	Lloyd	Roanna Eileen	8 Ross Road
773	Loftus	Geoffrey	15 Biggs Road
774	Loftus	Sara	15 Biggs Road
775	Lowe	Katrina Louise	5 McKay Close
776	Luxton	Anna	4 Biggs Road
777	Luxton	Michael	1A Pioneer Row
778	Luxton	Nicola	1A Pioneer Row
779	Luxton	Robin	1 Jersey Road
780	Luxton	Stephen Charles	Mullet Creek House
781	Luxton	Wendy Jennifer	1 Jersey Road
782	Luxton	Winifred Ellen	15 Fitzroy Road
783	Luxton	Zoe	2 Glasgow Road
784	Lyse	Linda Margaret	65 Fitzroy Road
785	Macaskill	Angus Lindsay	8 Jeremy Moore Avenue
786	Macaskill	Jeanette May	8 Jeremy Moore Avenue
787	Macaskill	John	34 Ross Road West
788	Macaskill	Robert John	1A Brisbane Road
789	Macaskill	Tracey Jayne	1A Brisbane Road
790	MacDonald	Alexander Colin	41 Eliza Crescent
791	MacDonald	Andrew James	29 Callaghan Road
792	MacDonald	Derek George	30 Endurance Avenue
793	MacDonald	Irene	Flat 3, 5 Jeremy Moore Avenue
794	Maciello	Jorge Diego	33 Ross Road
795	Maciello	Susan Ovedia Franz	33 Ross Road
796	Maddocks	Robert Charles	11 Murray Heights
797	Marsh	Samantha Ann	7 Jersey Road
798	Martin	Lee Anthony	7 McKay Close
799	Martin	Lisa Maria	7 McKay Close
800	May	Angela Jane	11 Sullivan Street
801	May	Bruce Raymond	9 Kent Road
802	May	Bryan Roy	21 Jeremy Moore Avenue
803	May	Connie	9 Kent Road
804	May	Heather	1 Glasgow Road
805	May	Jonathan Roy	12 Jeremy Moore Avenue
806	May	Lucinda Vikki	12 Jeremy Moore Avenue
807	May	Monica	21 Jeremy Moore Avenue
808	May	Roger	11 Sullivan Street
809	May	Tiphannie	9 Callaghan Road
810	May	William Albert	1 Glasgow Road
811	McBain	Arthur	29 Goss Road
812	McBain	Rhoda Margaret	29 Goss Road
813	McCallum	Bettina Kay	14 Drury Street
814	McCallum	Christopher John	8A Jeremy Moore Avenue

815	McCallum	Rampai	14A Drury Street
816	McCallum	Shanice	YMCA
817	McCallum	Timothy Andrew	14A Drury Street
818	McCormick	Dale Ronald	24 Eliza Crescent
819	McCormick	Pauline Margaret Ruth	29 Callaghan Road
820	McCormick	Richard Paul	29B Callaghan Road
821	McCormick	Samantha Laura	Flat 1, 3 Jersey Road
822	McCormick	Tamara Ann	Flat 8, 6 Jersey Road
823	McCormick	Wayne Stanley James	12 Endurance Avenue
824	McCrea	Robert Thomas	25 Ross Road West
825	McDade	Priscilla Alison	12 St Marys Walk
826	McGill	Cara Jane	Flat 6, Jersey Road
827	McGill	Daniel Stanford	2 James Street
828	McGill	Darrel Ian	20 Jeremy Moore Avenue
829	McGill	David William	Gardeners Cottage South
830	McGill	Diane Beverley	2 James Street
831	McGill	Doris Mary	1 Philomel Place
832	McGill	Gary	15 Brandon Road
833	McGill	Glenda	1C Capricorn Road
834	McGill	Heather Margaret	Gardeners Cottage South
835	McGill	Ian Peter	1C Capricorn Road
836	McGill	Len Stanford	2 James Street
837	McGill	Odette Susan	15 Brandon Road
838	McGill	Teresa Rose	26 Ross Road East
839	McKay	Bono John	21 Ross Road West
840	McKay	Clara Mary	20 Ross Road West
841	McKay	Heather Valerie	16 Eliza Crescent
842	McKay	Jeannie Paullina	2 Allardyce Street
843	McKay	Jennifer Coral	24 Eliza Crescent
844	McKay	John David Toby	51 Callaghan Road
845	McKay	Leona Ann	30 Jersey Road
846	McKay	Mandy Rose	51 Callaghan Road
847	McKay	Melvyn Andrew	55 Davis Street
848	McKay	Michael John	64 Davis Street
849	McKay	Michelle Jane	64 Davis Street
850	McKay	Neil	60 Davis Street
851	McKay	Paul Anthony	Flat 1, Moody Street
852	McKay	Peter John	21 Ross Road West
853	McKay	Rex	16 Eliza Crescent
854	McKay	Stacey Jane	7 Biggs Road
855	McKee	Miranda	12 Watson Way
856	McKee	Richard Buick	12 Watson Way
857	McKenzie	Alice Maud	11 Thatcher Drive
858	McKenzie	Charles Alexander Albert J	11 Thatcher Drive
859	McLaren	Caroline Mary	8A John Street
860	McLaren	Kevin Derek Charles	3D Jersey Road
861	McLaren	Tony Eugene Terence	10 Moody Street
862	McLeod	David	49 Callaghan Road
863	McLeod	Glenda Otadoy	49 Callaghan Road
864	McLeod	Henry Donald Alexander	16 Fieldhouse Close
865	McLeod	Ian	17 Davis Street

866	McLeod	Ian James	7 Ian Campbell Drive
867	McLeod	Janet Wensley	75 Davis Street
868	McLeod	Janice	2 Ross Road West
869	McLeod	Joan May	13 Murray Heights
870	McLeod	John (2)	23 Hansen Hill
871	McLeod	Mally	17 Davis Street
872	McLeod	Margaret Ann	13 Fitzroy Road East
873	McLeod	Michael William	5 Short Street
874	McLeod	Pearl Mary Ann	18 Brandon Road
875	McLeod	Robert	75 Davis Street
876	McLeod	Robert John	2 Ross Road West
877	McLeod	Valorie Marcela	7 Ian Campbell Drive
878	McMullen	June	8 Brandon Road
879	McMullen	Lucille Anne	6A John Street
880	McMullen	Matthew John	5 Fieldhouse Close
881	McMullen	Tony	8 Brandon Road
882	McPhee	Denise	4 Brandon Road West
883	McPhee	Justin Owen	4 Brandon Road West
884	McPhee	Kenneth John	8B St Marys Walk
885	McRae	Charlotte Melize	18 Jersey Road
886	McRae	Elvis Richard	18 Jersey Road
887	McRae	Gloria Linda	9 Snake Hill
888	McRae	Kerry Jane	15 Sullivan Street
889	McRae	Michael	2A 'H' Jones Road
890	Middleton	Callum William	13 McKay Close
891	Middleton	Caren	4 Rowlands Rise
892	Middleton	Caroline Ann	7 James Street
893	Middleton	Dennis Michael	Dolphin Cottage
894	Middleton	Joan Eliza	8 James Street
895	Middleton	Leif Miles Prindle	5 St Mary's Walk
896	Middleton	Leonard	67 Fitzroy Road
897	Middleton	Megan Shirley Rebecca	79 Davis Street
898	Middleton	Murray Alexander	4 Rowlands Rise
899	Middleton	Nevin Alexander	4 Rowlands Rise
900	Middleton	Phillip John	5 St Marys Walk
901	Middleton	Sharon Elizabeth	Dolphin Cottage
902	Middleton	Stephanie Anne	13 McKay Close
903	Middleton	Yvonne Allison	50 Davis Street
904	Miller	Andrew Nigel	7 Villiers Street
905	Miller	Bruce Graham	46 John Street
906	Miller	Carol	Marine Cottage
907	Miller	Gail Marie	6A Brisbane Road
908	Miller	Janet Mary	Market Garden, Airport Rd
909	Miller	Jayne Elizabeth	27 Davis Street
910	Miller	Jeanette	46 John Street
911	Miller	Samuel Andrew	27 Davis Street
912	Miller	Simon Roy	Marine Cottage
913	Miller	Steven Geoffrey	4 Beaver Road
914	Miller	Timothy John Durose	Market Garden, Airport Rd
915	Miller	Warren Joseph	46 John Street
916	Mills	Terence Kenneth	1 Thatcher Drive

917	Minnell	Adrian James	8 Moody Street
918	Minnell	Ella Josephine	17 Ian Campbell Drive
919	Minnell	Hazel Eileen	5 Yates Place
920	Minnell	Michelle Rose	1 Brandon Road
921	Minnell	Tamara Rose	1 Brandon Road
922	Minnell Goodwin	Joanne Hazel Rose	9 Murray Heights
923	Minto	Alistair Daem	Flat 5, 1 J.M.A
924	Minto	Barbara Pennisi	9 Fitzroy Road
925	Minto	Christian Ian	18 Endurance Avenue
926	Minto	Dilys Rose	18 Endurance Avenue
927	Minto	Graham Stewart	12 Brisbane Road
928	Minto	Karen Joleen	12 Brisbane Road
929	Minto	Laura Jayne	7 Villiers Street
930	Minto	Patrick Andrew	3B Jersey Road
931	Minto	Sally Ann	12 Brisbane Road
932	Minto	Sean Daem	18 Endurance Avenue
933	Minto	Timothy Ian	18 Endurance Avenue
934	Minto	Ximena Ida	Flat 1 Moody Street
935	Miranda	Augusto	3 Thatcher Drive
936	Miranda	Carmen	8 Anderson Drive
937	Miranda	Ramon	3 Drury Street
938	Miranda	Winifred Dorothy	3 Drury Street
939	Mitchell	Paige	16 Fieldhouse Close
940	Mitchell	Shane Leon	16 Fieldhouse Close
941	Moffatt	Angela	20 Ross Road East
942	Moffatt	James	20 Ross Road East
943	Moffatt	Jay	5 Gleadell Close
944	Moffatt	Sean	20 Ross Road East
945	Molkenbuhr	Lee Charles	19 Sullivan Street
946	Molkenbuhr-Smith	Sara Jayne	1 Callaghan Road
947	Montgomerie	Delen Ann Nicola	1 McKay Close
948	Morris	Alana Marie	4 Callaghan Road
949	Morris	David	4 Callaghan Road
950	Morris	Jason Paul	59 Fitzroy Road
951	Morris	Trevor Alan	1 Moody Street
952	Morrison	Dana Justine	108 Davis Street
953	Morrison	Edgar Ewen	5 Racecourse Road
954	Morrison	Fayan	54 John Street
955	Morrison	Graham Stewart	34A Davis Street
956	Morrison	Guy Damian	15 Brandon Road
957	Morrison	Jacqueline Denise Anita	13 Ian Campbell Drive
958	Morrison	Joan Margaret	3 Felton Court
959	Morrison	John	14 Scoresby Close
960	Morrison	Joleen Coleen	3 Felton Court
961	Morrison	Keiran Kenneth	Police Cottages
962	Morrison	Kenneth	13 Ian Campbell Drive
963	Morrison	Lena	108 Davis Street
964	Morrison	Leslie Theodore Norman	108 Davis Street
965	Morrison	Lewis Ronald	55 Davis Street
966	Morrison	Marcus Lewis	2A Capricorn Road
967	Morrison	Michael John	10 Fitzroy Road East

968	Morrison	Nanette Rose	46 Davis Street
969	Morrison	Nigel Peter	3 Felton Court
970	Morrison	Paul Roderick	3 Racecourse Road East
971	Morrison	Richard Lowry	1 Biggs Road
972	Morrison	Roxanne	13 Ian Campbell Drive
973	Morrison	Russell John Allan	16 Mink Park
974	Morrison	Stewart	46 Davis Street
975	Morrison	Susan Margaret	10 Fitzroy Road East
976	Morrison	Tamara	2A' H' Jones Road
977	Morrison	Violet Sarah	6B St Mary's Walk
978	Morrison	William Roderick Halliday	54 John Street
980	Morrison-Sanchez	Angely Susanne	16 Mink Park
981	Munro	Grant Mackintosh	69 Fitzroy Road
982	Murphy	Andrew Paul	2 King Street
983	Murphy	Ann Susan	2 King Street
984	Nannig Vargas	Robert Richard	Tigh Na Mara, Moody Brook Rd
985	Napier	Lily	2 Racecourse Road
986	Napier	Roderick Bertrand	2 Racecourse Road
987	Neilson	Barry Marwood	6 Barrack Street
988	Neilson	Edward Sydney	6 Barrack Street
989	Neilson	Harold Ian	74 Davis Street
990	Neilson	Margaret	6 Barrack Street
991	Newell	Joseph Orr	3 Villiers Street
992	Newman	Andrew Raymond	51 Ross Road East
993	Newman	Marlene	11 Jeremy Moore Avenue
994	Newman	Terence	24 Endurance Avenue
995	Newton	Elizabeth Eleanor	19B Mink Park
996	Nightingale	Karl Richard	1 Sullivan Street
997	Nightingale	Sian Yvonne	1 Sullivan Street
998	Norman	Heather Thelma	6A Pioneer Row
999	Nutter	Arthur Albert	9 Brandon Road
1000	Nutter	Josephine Lesley	9 Brandon Road
1001	Ojeda Gallardo	Roberto Miguel Alejandro	9A Sullivan Street
1002	Olmedo	Alex	4 Biggs Road
1003	Ormond	Christina Helen	6 Goss Road
1004	Ormond	Kevin Michael Patrick J	6 Goss Road
1005	Ormond	Krysteen Alison	6 Goss Road
1006	Ormond	Terrienne Helen	2 Gleadell Close
1007	Owen	Sally	1 Biggs Road
1008	Oyarzo	Henry Hernan Guala	Flat 2 Jeremy Moore Avenue
1009	Padgett	Keith	Sullivan House, Ross Rd West
1010	Padgett	Valerie Janet	Sullivan House, Ross Rd West
1011	Paice	Corrinne	3 Racecourse Road
1012	Paice	Craig Arthur	3 Racecourse Road
1013	Parke	James Fred	25 Ross Road West
1014	Parke	Janet Margaret	25 Ross Road West
1015	Paver	Bernadette Marguerite	Moody Brook House
1016	Payne	Dilys Agnes	2 Racecourse Road East
1017	Payne	Samantha Jane	2 Racecourse Road East
1018	Payne	St. John Peter	2 Racecourse Road East
1019	Peck	Burnerd Brian	4 Thatcher Drive

1020	Peck	Carol Margaret	10 Fitzroy Road East
1021	Peck	Christine	21 Jersey Road
1022	Peck	David John	15 Villiers Street
1023	Peck	David Patrick	5 Sullivan Street
1024	Peck	Davina Margaret	Lady Hunt House
1025	Peck	Eleanor Margaret	10 Davis Street
1026	Peck	Farrah Louise	5 Moody Street
1027	Peck	Gordon Pedro James	34 Eliza Crescent
1028	Peck	Harwood John Charles	26 Eliza Crescent
1029	Peck	James	2 Barrack Street
1030	Peck	Joshua Dolan	10 Fitzroy Road East
1031	PED		6 Beaver Road
1032	Ped	Mila Boybanting	33 Eliza Crescent
1033	Ped	Remelia Anastasia	Y.M.C.A.
1034	Peirega	Naomi Renee	1 Hebe Street
1035	Perkins	Vivienne Esther Mary	33 John Street
1036	Perry	Hilda Blanche	6A St Marys Walk
1037	Peters	Patricia Ann	30 Eliza Crescent
1038	Pettersson	April Samantha	4 Beaver Road
1039	Pettersson	Derek Richard	3 Anderson Drive
1040	Pettersson	Trudi Ann	3 Anderson Drive
1041	Phillips	David Albert	35 Fitzroy Road
1042	Phillips	David Dawson	35 Fitzroy Road
1043	Phillips	Elisa	35 Fitzroy Road
1044	Phillips	Jordan Liam	Y.M.C.A
1045	Phillips	Lynda	16 Brandon Road
1046	Pitt	Myra May	6A Pioneer Row
1047	Plato	Darren Richard	Tenacres Flat
1048	Plato	Martin Neil	2 Hebe Place
1049	Plato	Wendy Ann	2 Hebe Place
1050	Plunkett	Mark Penson	22 Endurance Avenue
1051	Pole-Evans	Amy Rose	4 McKay Close
1052	Pole-Evans	John	16 Ross Road East
1053	Pole-Evans	Lisa	74 Davis Street
1054	Pole-Evans	Marcus Samuel	4 McKay Close
1055	Pole-Evans	Martin	12 Murray Heights
1056	Pole-Evans	Michael Anthony	4 McKay Close
1057	Pollard	Andrew Keith	2 Hansen Hill
1058	Pollard	Elizabeth Eve	23 Ross Road East
1059	Pollard	John	23 Ross Road East
1060	Pollard	Mark John	4 Hebe Place
1061	Pompert	Joost Herman Willem	11 Ross Road West
1062	Poncet	Jeremy Nigel	2 Brandon Road West
1063	Poncet	Sally Elizabeth	2 Brandon Road West
1064	Poole	Christopher William	37 Fitzroy Road
1065	Poole	Evelyn May	31 Fitzroy Road
1066	Poole	Jody May	13 Hansen Hill
1067	Poole	Juliet Hazel	28 Davis Street
1068	Poole	Michael James	19 Davis Street
1069	Poole	Nancy Margaret	1 Racecourse Road
1070	Poole	Raymond John	1 Racecourse Road

1071	Poole	Ross William	52 John Street
1072	Poole	Steven Charles	11 Hansen Hill
1073	Poole	Toby Raymond	19 Davis Street
1074	Poole	William John	31 Fitzroy Road
1075	Porter	Marcus James	5 Jeremy Moore Avenue
1076	Pratlett	Patricia Carol Ann	10 A James Street
1077	Prindle-Middleton	Stella Margaret	5 St Mary's Walk
1078	Pring	Bernadette Jane Spencer	5A Ross Road West
1079	Pring	Geoffrey Alan	5A Ross Road West
1080	Prior	Claudette	1 Goss Road
1081	Prior	Malcolm	1 Goss Road
1082	Quinto Salluca	Luis Alberto	88 Davis Street
1083	Reddick	Keith John	By-Pass Road
1084	Reeves	Jill Edith	12 Hansen Hill
1085	Reeves	Michael	3A Hebe Street
1086	Regalado	Roxanne	25 Shackleton Drive
1087	Reid	Ann	3A Hansen Hill
1088	Reid	Beverley Rose	12 James Street
1089	Reid	Colleen Rose	9 Fitzroy Road East
1090	Reid	John Alexander	7 Fitzroy Road
1091	Reid	Joseph Reynold Benjamin	41 Eliza Crescent
1092	Reid	Pamela Ruth	14 Jersey Road
1093	Reid	Paula	5 Biggs Road
1094	Reid	Reynold Gus	5 Biggs Road
1095	Rendell	Nicholas Simon Oliver	5 Moody Street
1096	Rendell	Phyllis Mary	8 Ross Road West
1097	Richards	Shirley	8A James Street
1098	Riddell	Jacob David	33 Davis Street
1099	Roberts	Bradley Gerard	49 Ross Road East
1100	Roberts	Cheryl Ann Spencer	49 Ross Road East
1101	Roberts	David Anthony	1 Mountain View
1102	Roberts	Laura May	4 Kent Road
1103	Roberts	Lynn	3 Gleadell Close
1104	Roberts	Peter James	49 Ross Road East
1105	Roberts	Simon Theodore Nathaniel	5 Narrows View
1106	Robertson	Janet	11 Ross Road West
1107	Robertson	Leigh Francesca	37 Ross Road
1108	Robson	Alison Emily	15 Villiers Street
1109	Robson	Cherry Rose	5 Philomel Street
1110	Robson	Jodie	1 Philomel Place
1111	Robson	Miranda Gaye	10 Hansen Hill
1112	Robson	Patricia Jayne	18 Ross Road East
1113	Robson	Phyllis Ann	1 Philomel Place
1114	Robson	Raymond Nigel	10 Hansen Hill
1115	Robson	William Charles	18 Ross Road East
1116	Ross	Allan John	1 Short Street
1117	Ross	Christine Aislinn	9 Discovery Close
1118	Ross	Claudio Javier Ampuero	7 Narrows View
1119	Ross	Gabrielle Leigh	5 Felton Court
1120	Ross	Glenn Stephen	23 Watson Way
1121	Ross	Janet	23 Watson Way

1122	Ross	Kerri-Anne	23 Watson Way
1123	Ross	Kevin John	12 Snake Hill
1124	Ross	Lachlan Neil	14 Fieldhouse Close
1125	Ross	Rebecca Jane	Flat 3, 6 Jersey Road
1126	Ross	Roy	19 Jersey Road
1127	Ross	Sheena Margaret	5 Felton Court
1128	Ross	Shirley Vyona	1 Short Street
1129	Rowland	Charlene Rose	19 Jeremy Moore Avenue
1130	Rowland	John Christopher	19 Jeremy Moore Avenue
1131	Rowland	Sarah Anne	9 Hansen Hill
1132	Rowlands	Daisy Malvina	39 John Street
1133	Rowlands	Dorinda Roberta	3 Hebe Street
1134	Rowlands	Jane Louise	13 Callaghan Road
1135	Rowlands	Neil	3 Hebe Street
1136	Rowlands	Robert John	13 Callaghan Road
1137	Rozee	Betty Ellen	16 Davis Street
1138	Rozee	Derek Robert Thomas	16 Davis Street
1139	Rozee	Karen Michella	3 Discovery Close
1140	Sackett	Albert John	25A Ross Road East
1141	Sackett	Jacqueline	25 Callaghan Road
1142	Sackett	Michael John Carlos	25 Callaghan Road
1143	Sanchez	Jennifer Helen	26 Endurance Avenue
1144	Sanchez Ladron De Guevara	Karen Pamela	5 Brisbane Road
1145	Sawle	Felicity Anne Hermione	Seaview Cottage Ross Road
1146	Sawle	James Christopher	Seaview Cottage Ross Road
1147	Sawle	Judith Margaret	Seaview Cottage Ross Road
1148	Sawle	Richard	Seaview Cottage Ross Road
1149	Senociaian Short	Kylie Deborah	6 Police Cottages
1150	Shcherbich	Zhanna Nikolaevna	13 Biggs Road
1151	Shelbourne	Carolyn Wendy	2 Moody Street
1152	Shepherd	Anna Jenine	6 Brisbane Road
1153	Shepherd	Darren Harold	6 Brisbane Road
1154	Shepherd	Ramsey	1A Hansen Hill
1155	Shepherd	Roy	4 Felton Court
1156	Shepherd	Sarah Jayne	4 Felton Court
1157	Shillitoe	Helena De Fatima	The Brook Moody Brook
1158	Shillitoe	Ryan Lawrence	The Brook Moody Brook
1159	Shillitoe	Stephen Bruce	4 Mink Park
1160	Short	Alison	9 Pioneer Row
1161	Short	Brenda	11 Barrack Street
1162	Short	Celia Soledad	7 Pitaluga Place
1163	Short	Christina Ethel	12 Brandon Road
1164	Short	Clint Andrez Robert	48 Davis Street
1165	Short	Derek Patrick	53 Callaghan Road
1166	Short	Emily Christina	1 Fitzroy Road East
1167	Short	Gavin Phillip	6 Police Cottages
1168	Short	Isabel Rose	6 Davis Street
1169	Short	Jason Francis	6 Davis Street
1170	Short	Liam Michael Felton	41 Callaghan Road
1171	Short	Lyndsay Marie	48 Davis Street
1172	Short	Marc Peter	7 Anderson Drive

1173	Short	Marlene Cindy	9 Pitaluga Place
1174	Short	Montana Tyrone	4 Dairy Paddock Road
1175	Short	Patrick Warburton	6 Davis Street
1176	Short	Peter Robert	1 Fitzroy Road East
1177	Short	Richard Edward	9 Pitaluga Place
1178	Short	Riley Ethroe	11 Barrack Street
1179	Short	Sara Jane	Murray Heights
1180	Short	Vilma Alicia	4 Dairy Paddock Road
1181	Simpson	Bertha Veronica	8 Rowlands Rise
1182	Simpson	James Alexander Bruce	7 Racecourse Road
1183	Simpson	John Frederick	8 Rowlands Rise
1184	Sinclair	Veronica Joyce	21 Ross Road West
1185	Skene	Greta Winnora Miller	22 Ross Road East
1186	Smallwood	Margo Amee	105 Davis Street
1187	Smallwood	Michael Anthony	105 Davis Street
1188	Smith	Aidan James	5A Davis Street
1189	Smith	Andrew John	11 Fitzroy Road East
1190	Smith	Antony David	33A Davis Street
1191	Smith	Anya Deirdre	8 Eliza Crescent
1192	Smith	Colin David	6 James Street
1193	Smith	Crystal Rose	3 Police Cottages
1194	Smith	Elenore Olive	3 Brisbane Road
1195	Smith	Ellis Nia	8 Fieldhouse Close
1196	Smith	George Patterson	15 Watson Way
1197	Smith	Gerard Alexander	8 Barrack Street
1198	Smith	Gina Ruth Mary	3 John Biscoe Road
1199	Smith	Heather	19 Watson Way
1200	Smith	Ian Lars	5 Brandon Road
1201	Smith	Ileen Rose	28 Ross Road West
1202	Smith	James Terence	3 Fitzroy Road West
1203	Smith	Jennifer Ethel	6 Watson Way
1204	Smith	Jenny Lorraine	15 Watson Way
1205	Smith	John	28 Ross Road West
1206	Smith	John Derek	8 Eliza Crescent
1207	Smith	Martyn James	6A Ross Road West
1208	Smith	Michael Edmund	39 Eliza Crescent
1209	Smith	Nadia Louise	11 Brandon Road
1210	Smith	Natalie Marianne	6 James Street
1211	Smith	Nora Kathleen	5 Fitzroy Road East
1212	Smith	Osmund Raymond	3 Brisbane Road
1213	Smith	Paul	1 Callaghan Road
1214	Smith	Robin Charles	19 Watson Way
1215	Smith	Roy Alan	11 Brandon Road
1216	Smith	Susan	17 Jersey Road
1217	Smith	Tyssen John Richard	3 John Biscoe Road
1218	Socodo	Phoebe Esther	16 Jersey Road
1219	Spicer	Mark Anthony	16 St Mary's Walk
1220	Spicer	Susan	16 St. Marys Walk
1221	Spink	Roger Kenneth	The Brook Moody Brook
1222	Spinks	Malvina Ellen	8 Yates Place
1223	Spruce	Helena Joan	Milestone, 29 Ross Road West

1224	Spruce	Mark Felton	6 Anderson Drive
1225	Spruce	Terence George	Milestone, 29 Ross Road West
1226	Steen	Allan Graham	15 Sullivan Street
1227	Steen	Barbara Ingrid	39 Ross Road West
1228	Steen	Karen Lucetta	32 Fitzroy Road
1229	Steen	Kimberley Joanna	21 St Mary's Walk
1230	Steen	Stacey Louise	24 Fitzroy Road
1231	Stenning	Anna Russalka	5B Ross Road West
1232	Stenning	Timothy Charles	5B Ross Road West
1233	Stephenson	Dylan	Y.M.C.A
1234	Stephenson	Jason	87A Davis Street
1235	Stephenson	Joan Margaret	Moody Valley House
1236	Stephenson	Katrina	4 Davis Street
1237	Stephenson	Zachary	4 Davis Street
1238	Stevens	Caris Kirsten	30 Davis Street
1239	Stevens	Ishmael Llewellyn	10 Ian Campbell Drive
1240	Stevens	Kathleen Rose	10 Ian Campbell Drive
1241	Stevens	Kelly-Marie	26 Ross Road East
1242	Stevens	Paul Theodore	6 Dairy Paddock Road
1243	Stevens	Valerie Ann	6 Dairy Paddock Road
1244	Stewart	Celia Joyce	14 Allardyce Street
1245	Stewart	Daniel Duane	18 Jersey Road
1246	Stewart	Duane William	17 Scoresby Close
1247	Stewart	Hulda Fraser	24 Ross Road West
1248	Stewart	Ian Bremner	34 Ross Road East
1249	Stewart	Irene Anne	6 Discovery Close
1250	Stewart	Kenneth Barry	Flat 5, 6 Jersey Road
1251	Stewart	Lesley Lauren	34 Ross Road East
1252	Stewart	Pam Ellen	18 Endurance Avenue
1253	Stewart	Ruth Jane	17 Scoresby Close
1254	Stewart	Sheila Olga	34 Ross Road East
1255	Stewart-Reid	Carol Ellen Eva	7 Fitzroy Road
1256	Stewart-Reid	Roisin Mary Adreanna	7 Fitzroy Road
1257	Strange	Maria Marta	The Dolphins, Snake Street
1258	Strange	Shona Marguerite	6B Ross Road West
1259	Stroud	Mark Adrian	10 Sullivan Street
1260	Sullivan	Jonathan Francis	Mullet Creek
1261	Summers	Brian	1 Ross Road East
1262	Summers	Dorothy Constance	42 Eliza Crescent
1263	Summers	Edith Catherine	5 Dean Street
1264	Summers	Irvin Gerard	1 Anderson Drive
1265	Summers	Jacqueline	11 Pioneer Row
1266	Summers	Jonathan Derek	5 Allardyce Street
1267	Summers	Judith Orissa	1 Ross Road East
1268	Summers	Lynn Jane	20 Jeremy Moore Avenue
1269	Summers	Michael Kenneth	6A Brisbane Road
1270	Summers	Michael Victor	11 Pioneer Row
1271	Summers	Naomi Christine	4 Anderson Drive
1272	Summers	Owen William	5 Brandon Road West
1273	Summers	Rowena Elsie	5 Allardyce Street
1274	Summers	Roy	32 Eliza Crescent

1275	Summers	Sheila	1 Anderson Drive
1276	Summers	Sybella Catherine Ann	1 Ross Road West
1277	Summers	Sylvia Jean	8 Racecourse Road
1278	Summers	Terence	1 Ross Road West
1279	Summers	Tony	8 Racecourse Road
1280	Summers	Veronica	5 Brandon Road West
1281	Sutcliffe	Lynsey Claire	1 Moody Street
1282	Sutcliffe	Michael Ian	Lookout Lodge
1283	Sutherland	John Gall	3 Mountain View
1284	Sytchov	Dmitri	1 Felton Court
1285	Sytchov	Vladimir	1 Felton Court
1286	Sytchova	Natalia Mikhaylovna	1 Felton Court
1287	Sytchova	Ulia	1 Felton Court
1288	Taylor	Anne Louise	4 Drury Street
1289	Taylor	Graham	55 Fitzroy Road
1290	Taylor	Ruth Eleanor	55 Fitzroy Road
1291	Teale	Colin Edwin	8 Brisbane Road
1292	Tellez	Arturo	Flat 4, 1 Jeremy Moore Ave
1293	Tellez	Tylor Mathew James	18 Jersey Road
1294	Thain	Craig John	8 Davis Street
1295	Thain	John	8 Davis Street
1296	Thain	Stephanie Ann	8 Davis Street
1297	Thom	David Anderson	47 Fitzroy Road
1298	Thom	Dorothy Irene	47 Fitzroy Road
1299	Thom	Norma Ann	92 Davis Street
1300	Thomas	Andrew Neil	11 Jersey Road
1301	Thomas	Jacqueline Joyce	3 Moody Street
1302	Thomas	Jane Lilian Louisa	11 Jersey Road
1303	Thomas	Justin Paul	3 Moody Street
1304	Thorsen	Carol Margaret	10 Beaver Road
1305	Thorsen	David Moller	10 Beaver Road
1306	Toolan	George Benjamin	13 Sullivan Street
1307	Toolan	Rose Mary	13 Sullivan Street
1308	Toolan	Stephen David John	13 Sullivan Street
1309	Triggs	David William	3 Fieldhouse Close
1310	Triggs	Diane	3 Fieldhouse Close
1311	Triggs	Michael David	3 Fieldhouse Close
1312	Trinidades Burucua	Dahiana	14 Watson Way
1313	Tuckwood	John Rodney	1 Drury Street
1314	Turner	Betty Ann	8 Fitzroy Road East
1315	Turner	Howard Guy	8 Fitzroy Road East
1316	Turner	Joanne Elizabeth	61 Fitzroy Road
1317	Turner	Ronald	K.E.M.H
1318	Tyrrell	Garry Bernard	1 Beaver Road
1319	Tyrrell	Gina Michelle	1 Beaver Road
1320	Valler	Glyndwr Huw	Flat 6, 1 Jeremy Moore Ave
1321	Velasquez	Eva Irma Linda	16 Brandon Road
1322	Velasquez	Evan Oscar	36 John Street
1323	Vidal Roberts	Leona Lucila	1 Mountain View
1324	Vilchez Valverde	Maria Yhovana	88 Davis Street
1325	Villalon	Hector Ricardo	Lookout Lodge

1326	Villegas	Caroline	7 Fieldhouse Close
1327	Villegas	Pedro Francisco	7 Fieldhouse Close
1328	Vincent	Elliott Lawrence	10 Endurance Avenue
1329	Vincent	Janette Mary	10 Endurance Avenue
1330	Vincent	Matthew Stephen	10 Endurance Avenue
1331	Vincent	Stephen Lawrence	10 Endurance Avenue
1332	Wade	Donald Harold	Cabin No 12, St Mary's Walk
1333	Wade	June Rose Elizabeth	17 Murray Heights
1334	Wallace	Fraser Barrett	10 John Street
1335	Wallace	Ian	28 Brandon Road
1336	Wallace	James Barrett	38 Ross Road West
1337	Wallace	Maria Lilian	38 Ross Road West
1338	Wallace	Michael Ian	23 Callaghan Road
1339	Wallace	Stuart Barrett	38 Ross Road West
1340	Wallace	Una	23 Callaghan Road
1341	Wallace-Nannig	Fiona Alice	Tigh Na Mara, Moody Brook Rd
1342	Ward	Alison Denise	9 Anderson Drive
1343	Ward	Dennis James	9 Anderson Drive
1344	Watson	Andrew James	9 James Street
1345	Watson	Ben	7 Moody Street
1346	Watson	Dominic Robert	YMCA
1347	Watson	Joanne	9 James Street
1348	Watson	Lisa Marie	33 Davis Street
1349	Watson	Paul	20 Endurance Avenue
1350	Watt	Stephen Robert	11 Narrows View
1351	Watt	Sylvia Ann	11 Narrows View
1352	Watts	Patrick James	13 Brisbane Road
1353	Webb	Gary Colin	58 Davis Street
1354	Webb	Loretta Isobel	58 Davis Street
1355	White	Judy Marie	Flat 1, 3 Jeremy Moore Av
1356	White	Victoria Jane	3 Biggs Road
1357	Whitney	Frederick William	1 Police Cottages, 9 Ross Rd
1358	Whitney	Jason	15 Ross Road East
1359	Whitney	Kurt Ian	2 Pioneer Row
1360	Whitney	Lana Rose	22 Eliza Crescent
1361	Whitney	Susan Joan	1 Police Cottages, 9 Ross Rd
1362	Wilkinson	Alistair Graham	5 Felton Court
1363	Wilkinson	David Clive Walter	24 Goss Road
1364	Wilkinson	Johan	5 Felton Court
1365	Wilkinson	Robert John	2A Brisbane Road
1366	Williams	Christian Leonard Edward John	5 McKay Close
1367	Williams	Glen	33 Ross Road East
1368	Williams	Kirsty Michelle	40 Eliza Crescent
1369	Williams	Lee Perry Adrian John	40 Ross Road West
1370	Williams	Margaret Elizabeth	33 Ross Road East
1371	Williams	Marlene Rose	23 Ross Road West
1372	Williams	Ray Allan	30 Eliza Crescent
1373	Williamson	Kathleen Laura	5 McKay Close
1374	Williamson	Rachel Mary	5 McKay Close
1375	Wilson	Stephen John	1 Davis Street West
1376	Wilson	Tara	1 Davis Street West

1377	Wylie	Ashley Craig Robert	1 Jersey Road
1378	Wylie	Julian Richard	1 McKay Close
1379	Zuvic-Bulic	Kuzma Mario	Holdfast House, Holdfast Rd
1380	Zuvic-Bulic	Saul Kuzma	16A Ross Road West
1381	Zuvic-Bulic	Sharon Marie	Holdfast House, Holdfast Rd
1382	Zuvic-Bulic	Zoran Mario	Holdfast House, Holdfast Rd

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Six pound and fifty pence.

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FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 May 2013

No. 8

Appointment

Claire Elizabeth Law, Chief Clerk, Treasury, 25.01.13.
 Kieran Louise Watt, Learning Support Assistant (part time),
 Education Department, 18.03.13.
 Kristy Buckland, Clerk, Education Department, 25.03.13
 Melissa Barnes, Clerk (part time), Education Department,
 27.03.13
 Jessica May Chapman, Home Help (part time), Health and
 Social Services Department, 18.04.13.
 Emma Louise Harte, Learning Support Assistant (part time),
 Education Department, 29.04.13.
 Janice Jackson, Staff Nurse, Health and Social Services
 Department, 29.04.13.
 Owen Henry Lec, Plant Operator/Handyperson, Public Works
 Department, 01.05.13.
 Henry Mario Guala Romero, Plant Operator/Handyperson,
 Public Works Department, 01.05.13.
 Ishmael Llewellyn Stevens, Cook (part time), Health and
 Social Services Department, 01.05.13.
 Tina Kastris, Social Worker, Health and Social Services
 Department, 11.05.13
 Paloma Nannig Vargas, Pensions Assistant, Treasury, 14.05.13.
 Samantha Davies, Customs and Immigration Officer,
 Emergency Services Department, 20.05.13.

Completion of appointment

Claire Elizabeth Law, Chief Clerk, Treasury, 24.01.13.

Completion of contract

David Tongue, Head Teacher, Education Department,
 03.05.13.

Promotion

Karen Steen, from Deputy Head Teacher to Head Teacher,
 Education Department, 06.05.13.
 Gary Webb, from Leading Police Constable to Sergeant,
 Police, Emergency Services Department, 06.05.13.

Resignation

Helen Louise Davies, Learning Support Assistant, Education
 Department, 12.04.13.
 Remelia Ped, Apprentice Carpenter, Training Centre, 30.04.13.
 Svetlana Laptikhovskaya, Receptionist, Central Services,
 23.05.13.
 John Didlick, Apprentice Plumber, Training Centre, 24.05.13.
 Anna Shepherd, Internal Auditor, Central Services, 26.05.13.

Retirement

Greta Skene, Data Manager, Natural Resources Department,
 09.05.13.

Transfer

Andrew Miller, from Leisure Centre Manager, Central Services
 to Fisheries Protection Officer, Natural Resources Department,
 01.05.13.
 Veronica Sinclair, from Administrative Officer, Central
 Services to Accounting Assistant, Treasury, 15.05.13.
 Priscilla Morrison Betts, from Clerk, Public Works Department
 to Learning Support Assistant, Education Department,
 27.05.13.

NOTICES

No. 27

30 April 2013

**Falkland Islands Constitution Order 2008
(SI 2008 No 2846)
section 84
Appointment of Deputy Admiralty Marshal**

1. The office of Deputy Admiralty Marshal for the Falkland Islands was established under section 76 of the Falkland Islands Constitution Order 1985 (SI 1985/444), and remains so established under section 6 of the Falkland Islands Constitution Order 2008. Section 84 empowers the Chief Executive to exercise the power of the Governor to make appointments to any public office.

2. In exercise of my powers under section 84 of the Falkland Islands Constitution Order 2008 I appoint **MICHAEL FLOYD** to be a Deputy Admiralty Marshal for the Falklands Islands.

3. This appointment has effect from 11 May 2013, and continues in effect until 19 May 2013, unless terminated sooner.

Dated 30 April 2013

K. PADGETT,
Chief Executive

No. 28

7 May 2013

Currency Notes Rules (Title 25.1.1)

In exercise of the powers conferred by rule 3 of the Currency Notes Rules, His Excellency the Governor has approved the following changes to the list of Currency Officers with effect from 3 May 2013:

Appointments
Morrison, Lydia

Cancellation of Appointments
Dodd, Nigel Keith

The following is a full list of Currency Officers with effect from 3 May 2013:

Butler, Margaret Orlanda
Clarke, Felicity Marie
Eccles, Moira Cameron
Finlay, Shiralee
Granger, Nicola Jane
Heath, Daniel Robert
Law, Claire Elizabeth
Lyse, Linda Margaret

Mitchell, Claire
Morrison, Lydia
Poole, Jody May
Sinclair, Veronica Joyce

Dated 7 May 2013

M. C. ECCLES; N. J. GRANGER; and L. M. LYSE,
Commissioners of Currency.

No. 29

22 May 2013

**Committees (Public Access) Ordinance 2012
section 2
Commencement Notice**

1. Section 2 of the Committees (Public Access) Ordinance 2012 (No 10 of 2012) provides that the Ordinance comes into force on a day appointed by the Governor by notice published in the *Gazette*.

2. I give notice that the Ordinance will come into force on 1 June 2013.

Dated 22 May 2013

J. S. TYLER-HAYWOOD,
Acting Governor.

No. 30

29 May 2013

Application for Falkland Islands Status

Notice is hereby given that:

Justina Kaye Peters;
Aaron Huw Roberts; and
Paul Oliver,

have applied through the Principal Immigration Officer to be granted Falkland Islands Status by the Governor. Any person who knows of any reason why Status should not be granted, should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 June 2013.

Dated 29 May 2013

C. W. SHELBOURNE,
Immigration Officer.



FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

30 June 2013

No. 9

Appointment

Christopher Paul Reynolds, General Handyperson, Public Works Department, 27.05.13.

Sarah Louise Faria, Clerk, Public Works Department, 03.06.13.

Karl Richard Nightingale, Skilled Handyperson, Public Works Department, 03.06.13.

Colin Owen Summers, Deputy Director, Public Works Department, 03.06.13.

Sandy Bridget Kelly, General Assistant, Health and Social Services Department, 03.06.13.

Dennis Summers, Plant Operator/Handyperson/Storeperson, Public Works Department, 10.06.13.

Kate Louise Dunn, Agricultural Adviser, Natural Resources Department, 15.06.13.

Francisco Gonzalo Sobrado Llompert, Scientific Fisheries Observer, Natural Resources Department, 17.06.13.

Completion of contract

Emeka Okechukwu Nweje, Laboratory Manager, Health and Social Services Department, 03.06.13.

Robyn Culhane, Staff Nurse, Health and Social Services Department, 13.06.13.

Renewal of contract

Robyn Culhane, Staff Nurse, Health and Social Services Department, 14.06.13.

Resignation

William Edward Bowles, Handyman, Education Department, 28.06.13.

Transfer

Bernadette Jane Spencer Pring, from Flight Information Officer, Central Services to Assistant Taxation Officer, Tax Office, Treasury, 11.06.13.

NOTICES

No. 31

6 June 2013

Public Funds Ordinance (Title 19.7)

section 5(3)

Investment of the Insurance Fund

Notice is given in accordance with section 5(3) of the Public Funds Ordinance that the Insurance Fund limit will increase annually by the Retail Price Index as part of the annual Budget Policy report to Executive Council.

The Retail Price Index at the end of March 2013 was 3.7%. The Insurance Fund limit will increase by £1.077 million to £30.192 million from 1 July 2013.

Dated 6 June 2013

N. J. GRANGER,
Financial Secretary.

No. 32

6 June 2013

Legislative Assembly of the Falkland Islands
Customs Ordinance 2003
section 113
Customs Resolution of the Legislative Assembly
No 1 of 2013

It is resolved by the Legislative Assembly, under section 113 of the Customs Ordinance 2003 (Title 26.1) that:-

(a) the Customs Order (Title 26.1.2) is amended to increase the customs duties payable for alcoholic beverages and tobacco products as follows:-

on beer from 30p to 31p per litre;
on wines from 76p to 78p per litre;
on fortified wines from 90p to 93p per litre;
on spirituous beverages from £6.12 to £6.30 per litre;
on spirits from £11.19 to £11.53 per litre;
on cigars from £284.41 to £298.63 per kilo;
on cigarettes from £306.24 to £321.55 per kilo; and
on tobacco from £186.94 to £196.29 per kilo; and

(b) this amendment of the Customs Order comes into force on 7 June 2013.

Dated 6 June 2013

C. PRIOR M.B.E.
Clerk of the Legislative Assembly.

No. 33

6 June 2013

Media Trust Ordinance
section 4(1)
Appointment of Trustees

IN EXERCISE of my powers under section 4(1) of the Media Trust Ordinance (Title 59.1) I appoint Ailie Christine Biggs, Michael James Poole, and Patricia Carol Ann Pratlett to be Trustees of the Media Trust for a period of four years from today.

Dated 6 June 2013

N. R. HAYWOOD C.V.O.,
Governor

No. 34

10 June 2013

Customs Ordinance 2003
section 7(3)
Appointment of Temporary Customs Officers

In exercise of the powers conferred by section 7(3) of the Customs Ordinance 2003, I appoint the following persons to be temporary Customs Officers:-

Cpl Christopher James Millar – 30010711 from 03 January to 09 July 2013;

WO Dale Edward Spencer Woolman-Lane – C8216028 from 08 April to 08 October 2013;

Cpl Stephen John Whittles – L8437024 from 02 May to 02 November 2013;

Cpl Emma Joanne Proctor – H8311196 from 13 May to 13 November 2013;

FS Barry Colin Jenner – K8221762 from 23 May to 23 November 2013; and

Cpl Jennifer Helen Smith – T8517103 from 29 May to 30 November 2013.

Dated 10 June 2013

R. J. KING,
Collector of Customs.

No. 35

11 June 2013

Falkland Islands Development Corporation Ordinance
section 7(1)
Appointment of Rural Business Association
nominated member to
Falkland Islands Development Corporation Board

1. Section 7(1)(d) of the Falkland Islands Development Corporation Ordinance (Title 28.1) provides that the Governor may appoint a member to the Falkland Islands Development Corporation Board nominated by the Rural Business Association.

2. In exercise of my powers under section 7(1)(d) I appoint Anthony Thomas Blake, as nominated by the Rural Business Association, with effect from 13 April 2013 for one year terminating on 13 April 2014.

3. This appointment has effect and continues in effect as indicated in article 2, unless terminated sooner.

Dated 11 June 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 36

26 June 2013

Application for Naturalisation

Notice is hereby given that **Henry Mario Guala Romero** is applying to His Excellency the Governor for naturalisation. Any person who knows of any reason why naturalisation should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 July 2013.

Dated 26 June 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 37

26 June 2013

Application for Permanent Residence

Notice is hereby given that:-

**Carolina Andrea Segovia Uribe;
Adela Candelaria Guala Oyarzo, and
Ricardo Alexis Carreno Santis**

have applied to the Principal Immigration Officer to be granted
a Permanent Residence Permit.

Any person who knows of any reason why a permit should not be granted should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley by 21 July 2013.

Dated 26 June 2013

C. W. SHELBOURNE.
Immigration Officer.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.

Price: One pound and fifty pence

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FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 July 2013

No. 10

Appointment

Duane Richard Evans, Plumber, Public Works Department, 20.05.13.

Asa Galen Cairns, Police Constable, Royal Falkland Islands Police, Emergency Services Department, 01.07.13.

Natalie Elaine Hill, Physiotherapist, Health and Social Services Department, 01.07.13.

Lauren Joyce McKay, Cashier/Clerk, Central Services Department, 02.07.13.

Kyran Binnie Evans, Customs and Immigration Officer, Emergency Services Department, 08.07.13.

Dominic Martin Murphy, Head of Taxation, Treasury, 11.07.13.

Christopher David Francis, Power Station Operator, Public Works Department, 15.07.13.

Susan Hilary Rowland, Director, Health and Social Services Department, 15.07.13.

Completion of contract

Mark Ashton, Contracts Engineer, Public Works Department, 03.07.13.

Ruwan Peramunugamage, Electro-Biomedical Engineering Officer, Health and Social Services Department, 03.07.13.

Renewal of contract

Ruwan Peramunugamage, Electro-Biomedical Engineering Officer, Health and Social Services Department, 04.07.13.

Resignation

Betty Turner, Social Work Assistant, Health and Social Services Department, 12.07.13.

Lyndsey Leander Trevaskis, Clerk, Health and Social Services Department, 13.07.13.

Andrew Raymond Newman, Head of Regulatory Services/Director of Civil Aviation, Attorney General's Chambers, 19.07.13.

Freya Gabriella Gill, Learning Support Assistant, Education Department, 19.07.13.

Neil Ford, Assistant Foreman, Public Works Department, 21.07.13.

Transfer

Alexander Charles Blake, from Fisheries Observer to Data Analyst/Stock Assessment Scientist, Natural Resources Department, 15.07.13.

NOTICES

No. 38

1 July 2013

Falkland Islands Constitution Order 2008

section 81(1)(a)

Appointment of Member to the Public Accounts Committee

Under section 81(1)(a) of the Falkland Islands Constitution Order 2008 the Governor confirms the appointment to the Public Accounts Committee of John Richard Cockwell OBE.

The appointment has effect from 1 July 2013 for two years, expiring on 1 July 2015, unless terminated sooner.

Dated 1 July 2013

N. R. HAYWOOD C.V.O.,
Governor.

Somio Fishing Limited
Company number: 11696

Take notice that in accordance with the provisions of section 652A of the Companies Act 1985, the requirements of the said section having been complied with, the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated 2 July 2013

E. J. DENT,
Registrar of Companies.

Public Accounts Committee
Register of Members' Interests

The information contained in this Register is provided by members of the Public Accounts Committee in accordance with section 7(4)(c) of the Public Accounts Committee Ordinance.

The information is current to 10 July 2013.

Particulars of Interests:

1. Remunerated directorships and whether or not in companies incorporated in the Falkland Islands, including directorships which are unremunerated, but where remuneration is paid through another company in the same group.

Andrea Clausen:
 Falkland Islands Tours & Travel Ltd
 Falkland Islands Tourist Board

Mike Summers:
 Quark Fishing Ltd
 Pioneer Seafoods Ltd
 Concordia Ltd

Simon Hardcastle:
 None

Sharon Halford:
 None

Richard Cockwell:
 None

2. Remunerated employment, office or profession

Andrea Clausen:
 None

Mike Summers:
 Director of Quark Fishing Ltd
 Director of Pioneer Seafoods Ltd
 Director of Concordia Ltd

Simon Hardcastle:
 Part time employee of Falklands Fresh Ltd and FIC Ltd

Sharon Halford:
 MLA - FIG

Richard Cockwell:
 Watercolour artist, instructor and paint maker

3. Clients in respect of whom the member holds a general retainer or in respect of whom he has in the last 12 months, or expects in the next 12 months, to provide services for payment where a member of the public might reasonably think that the member's conduct in or in relation to the business of the Public Accounts Committee might have been or might be influenced by the client's interests

Andrea Clausen:
 None

Mike Summers:
 None

Simon Hardcastle:
 None

Sharon Halford:
 None

Richard Cockwell:
 None

4. Sponsorships. Any form of sponsorship or financial or material support of a member which involves any payment, benefit or advantage whether to the member or any other person with whom the member is closely connected

Andrea Clausen:
 None

Mike Summers:
 None

Simon Hardcastle:
 None

Sharon Halford:
 None

Richard Cockwell:
 None

5. Gifts, benefits and hospitality

Andrea Clausen:
 None

Mike Summers:
 None

Simon Hardcastle:
 None

Sharon Halford:
 None

Richard Cockwell:
 None

6. Overseas visits relating to or arising out of membership of the Public Accounts Committee where the cost of any such visit has not been borne wholly by the member or out of the Falkland Islands public funds

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

Richard Cockwell:
None

7. Any gifts or material benefits or advantages received by the member of the member's spouse from or on behalf of overseas Governments, organisations or persons

Andrea Clausen:
None

Mike Summers:
None

Simon Hardcastle:
None

Sharon Halford:
None

Richard Cockwell:
None

8. Land or property of a substantial value or from which a substantial income is gained

Andrea Clausen:
3 St Mary's Walk (jointly with spouse)

Mike Summers:
11 Pioneer Row
12 Pioneer Row
Mount Maria House, Port Howard

Simon Hardcastle:
None

Sharon Halford:
Casa Verde, San Carlos, Falkland Islands

Richard Cockwell:
14 Ross Road West

9. The names of companies or other bodies in which the member has, to his knowledge either with or on behalf of his spouse and children under the age of 18 years, a beneficial interest in shareholding of a nominal value greater than one percent of the issued share capital or less than one percent and more than £25,000.00

Andrea Clausen:
Falkland Islands Tours & Travel Ltd

Mike Summers:
Quark Fishing Ltd (25.1%)
Pioneer Seafoods Ltd (50% plus 50% spouse)
Concordia Ltd (50% plus 50% spouse)

Simon Hardcastle:
None

Sharon Halford:
None

Richard Cockwell:
None

10. Any relevant interest not covered by one of the main categories which falls within the purpose of the Register (which is to provide information on any pecuniary benefit which a member receives and which might reasonably be thought by others to influence his or her actions, speeches or votes in the Public Accounts Committee OR which the member considers might be thought by others to influence his or her actions in a similar manner, even though the member receives no financial benefit

Andrea Clausen:
None

Mike Summers:
Chairman FIOGA
Trustee FI YMCA
Trustee Stanley Golf Club
Director FIFCA
Director Port Howard Farm Ltd

Simon Hardcastle:
None

Sharon Halford:
None

Richard Cockwell:
Trustee of FI Museum and National Trust

No. 41

11 July 2013

Falkland Islands Development Corporation Ordinance
section 7(1)
Appointment of Nominated Members to
Falkland Islands Development Corporation Board

1. Section 7(1) of the Falkland Islands Development Corporation Ordinance (Title 28.1) provides that the Governor may appoint members to the Falkland Islands Development Corporation Board nominated by the Fishing Vessel Owners' Association (whose successor body is the Falkland Islands Fishing Companies Association) and by the Falkland Islands Chamber of Commerce.

2. In exercise of my powers under section 7(1)(e) I appoint Julian Richard Wylie, as nominated by the Falkland Islands Fishing Companies Association, with effect from 21 August

2013 for two years terminating on 21 August 2015, to be a member of the Falkland Islands Development Corporation Board.

3. In exercise of my powers under section 7(1)(f) I appoint Timothy John Durose Miller, as nominated by the Falkland Islands Chamber of Commerce, with effect from 13 June 2013 for two years terminating on 13 June 2015, to be a member of the Falkland Islands Development Corporation Board.

4. These appointments have effect and continue in effect as indicated in articles 2 and 3, unless terminated sooner.

Dated 11 July 2013

J. S. TYLER-HAYWOOD,
Acting Governor.

No. 42

18 July 2013

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:-

2013 No 1447 – The Burma (Sanctions) (Overseas Territories) Order 2013; and

2013 No 1719 – The Syria (Restrictive Measures) (Overseas Territories) (Amendment) Order 2013.

Dated 18 July 2013

B. I. STEEN,
for Attorney General.

No. 43

19 July 2013

Supreme Court of the Falkland Islands Notice under the Administration of Estates Ordinance (Title 68.1)

Take notice that **Danny Miguel Cofre** of 37 Eliza Crescent, Stanley, Falkland Islands, died on 20 October 2012.

Whereas **Anya Evelyn Cofre** has applied for Letters of Administration to administer the estate of the said deceased in the Falkland Islands.

Notice is hereby given pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Falkland Islands who may have prior claim to such grant that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within 21 days of the publication hereof.

Dated 19 July 2013

I. HAYWOOD,
Registrar, Supreme Court.



FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 August 2013

No. 11

Appointment

Rose Mary Toolan, Social Work Assistant, Health and Social Services, 19.07.13.

Martin Allan Winward, Head Teacher, Education Department, 01.08.13.

Yesenia Fernandez Acosta, General Assistant, Health and Social Services Department, 05.08.13.

Bruce Allan Wilks, Director of Civil Aviation/Head of Regulation, Attorney General's Chambers, 05.08.13.

Susan Jean Wilks, Speech and Language Therapist, Health and Social Services, 05.08.13.

Ian Price, Police Constable, Emergency Services Department, 12.08.13.

Beatriz Lopez Gutierrez, Scientific Fisheries Observer (Seabirds), Natural Resources Department, 15.08.13.

Ville Markus Peltovuori, Economist, Policy Unit, 19.08.13.

Completion of contract

Andreas Gustav Winter, Stock Assessment Scientist, Natural Resources Department, 02.08.13.

Hilary Alison McFarland, Head of Human Resources, Central Services, 07.08.13.

Jacqueline Adams, Primary (Settlement) Teacher, Education Department, 31.08.13.

Helen Mary Bell, Deputy Head Teacher, Education Department, 31.08.13.

Jackie Lorraine Cooper, Primary Teacher, Education Department, 31.08.13.

Robin David Cooper, Primary Teacher, Education Department, 31.08.13.

Kiernan Sion Edwards, Primary Teacher, Education Department, 31.08.13.

Sara Louise Edwards, Primary Teacher, Education Department, 31.08.13.

Thomas Ben Emmett Hill, Acting Director of Education, Education Department, 31.08.13.

Christine Irene Olivia Houston, Special Needs Teacher, Education Department, 31.08.13.

Ruth Kemp, Physical Education Teacher, Education Department, 31.08.13.

Laila Victoria Salt, Art Teacher, Education Department, 31.08.13.

Renewal of contract

Andreas Gustav Winter, Stock Assessment Scientist, Natural Resources Department, 03.08.13.

Hilary Alison McFarland, Senior Personnel Officer, Human Resources Department, 08.08.13.

Promotion

Duane Stewart, from Airport Firefighter to Airport Fire Service Manager, Airport Fire and Rescue Service, 26.07.13.

Geoffrey Greenough, from Plant Operator/Handyman to Assistant Foreman, Highways Section, Public Works Department, 05.08.13.

Resignation

Jennifer Louise Thomas, Learning Support Assistant, Education Department, 26.07.13.

Tamara Graham, Learning Support Assistant, Education Department, 31.07.13.

Deborah Hollingworth, English Teacher, Education Department, 05.08.13.

Bethan Rosina Halliday, Auxiliary Nurse, Health and Social Services Department, 16.08.13.

Anthony Mark Payne, Head of Environmental Planning, Environmental Planning Office, 20.08.13.

Alison Anne Mackenzie Inglis, Senior Crown Counsel, Attorney General's Chambers, 23.08.13.

Andrew Keith Pollard, Senior Agricultural Advisor, Natural Resources Department, 30.08.13.

Anna Russalka Stenning, Primary Teacher, Education Department, 31.08.13.

Transfer

Jessica May Chapman, from Home Help, Department of Health and Social Services to Learning Support Assistant, Education Department, 22.07.13.

Alan Richard Henry, from Customs and Immigration Officer, Emergency Services Department to Fisheries Protection Officer, Natural Resources Department, 26.08.13.

NOTICES

No. 44

2 August 2013

Land Ordinance (Title 45.2) section 11A Notice of Application for Vesting Deed

Notice is given that **Jennifer Carol Forrest** of 16 Kent Road, Stanley, Falkland Islands has made application in accordance with section 11A of the Land Ordinance to have executed in her favour a Vesting Deed of land Stanley, Falkland Islands measuring approximately 800 square metres known as 8 Ross Road East.

The applicant's statutory declaration may be inspected by any person at the Registrar General's Office, Town Hall, Stanley during normal working hours for 30 days following the date of publication of this notice.

Notice is given that any person objecting to the vesting of title to the land in the application may, within 30 days following publication of this notice, lodge a notice in writing, specifying the grounds for objection, delivered to the Registrar General.

Notice is hereby given that unless any objection has been received within 30 days following the publication of this notice the Registrar General under the terms of section 11A of the Land Ordinance will execute in favour of Jennifer Carol Forrest a Vesting Deed of the said land.

Dated 2 August 2013

E. J. DENT,
Registrar General.

No. 45

23 August 2013

Supreme Court of the Falkland Islands Notice under the Administration of Estates Ordinance (Title 68.1)

Take notice that **Dorothy Ellen Goss** of 1A Hansen Hill, Stanley, Falkland Islands, died on 17 August 2013.

Whereas **Ian Ernest Earle Goss** has applied for Letters of Administration to administer the estate of the said deceased in the Falkland Islands.

Notice is hereby given pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Falkland Islands who may have prior claim to such grant that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within 21 days of the publication hereof.

Dated 23 August 2013

I. HAYWOOD,
Registrar, Supreme Court.

No. 46

27 August 2013

Application for Falkland Islands Status

Notice is hereby given that:

**Andrew James Watson; and
John Stuart Henry,**

have applied through the Principal Immigration Officer to be granted Falkland Islands Status by the Governor. Any person who knows of any reason why Status should not be granted, should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 September 2013.

Dated 27 August 2013

C. W. SHELBOURNE,
Immigration Officer.



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

26 September 2013

No. 12

NOTICES

No. 47

26 September 2013

PROCLAMATION

FALKLAND ISLANDS CONSTITUTION Sections 33(1), 34(1), and 38(1)

PROCLAMATION TO:

- (1) DISSOLVE THE LEGISLATIVE ASSEMBLY
- (2) APPOINT DATE FOR A GENERAL ELECTION
- (3) PROVIDE FOR A SITTING OF THE LEGISLATIVE ASSEMBLY

(Proclamation No 1 of 2013)

1. Section 34(1) of the Constitution provides that the Governor may dissolve the Legislative Assembly by proclamation published in the Gazette.

2. Section 33(1) of the Constitution provides that the Governor will appoint a date for a general election to be held after dissolution of the Legislative Assembly, by proclamation published in the Gazette. The date for a general election may be not more than 70 days after the date of dissolution.

3. Section 38 of the Constitution provides that the Governor may appoint a date for sitting of the Legislative Assembly by proclamation published in the Gazette.

4. I proclaim that:

(a) the Legislative Assembly is dissolved;

(b) I appoint Thursday 7 November 2013 as the date for a general election to be held; and

(c) I appoint 9am Monday 11 November 2013 at the Court and Council Chamber, Town Hall, Stanley, as the time, date, and place of the next sitting of the Legislative Assembly.

26 September 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 48

26 September 2013

WRIT OF ELECTION

IN THE NAME OF HER MAJESTY ELIZABETH THE SECOND By the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen Head of the Commonwealth Defender of the Faith

BY HIS EXCELLENCY NIGEL ROBERT HAYWOOD CVO, Governor of the Falkland Islands

To: The Returning Officer for the Camp and Stanley Constituencies

1. The Legislative Assembly of the Falkland Islands has been dissolved by me today by proclamation, pursuant to section 34(1) of the Constitution.

2. By that Proclamation, 7 November 2013 has been appointed as the date on which a General election is to be held within the Falkland Islands.

3. I require you to cause an election to be made according to law of three members of the Legislative Assembly in respect of the Camp Constituency, and five members of the Legislative Assembly in respect of the Stanley Constituency.

4. I require you to certify by writing over your signature the names of the persons elected at the election required by this writ.

GIVEN under my hand and the Public Seal of the Falkland Islands at Government House Stanley on 26 September 2013.

N. R. HAYWOOD C.V.O.,
Governor.

No. 49

26 September 2013

NOTICE OF ELECTION
section 51 Electoral Ordinance (Title 30.1)

7 November 2013

CAMP AND STANLEY CONSTITUENCIES

1. Section 51 of the Electoral Ordinance requires the Returning Officer to give notice of an election which complies with the provisions of that section to be published in the Gazette.

2. I give notice of a general election as follows:-

Number of elected members

(a) three persons are to be elected as members of the Legislative Assembly in the Camp Constituency;

(b) five persons are to be elected as members of the Legislative Assembly in the Stanley Constituency.

Nomination papers

(a) Nomination papers may be obtained from the office of the Returning Officer on any weekday from Thursday 26 September until Thursday 17 October 2013 between the following times:-

(i) 8.15am and 11.45am; and

(ii) 1.15pm and 4.15pm.

(b) The location of the office of the Returning Officer for the purposes of the collection of nomination papers and the return of completed nomination papers is:-

upstairs in the Secretariat building, Thatcher Drive, Stanley telephone: 28450 e-mail: uwallace@sec.gov.fk or kpadgett@sec.gov.fk

(c) the last day for completed nomination papers to be delivered to the Returning Officer is Thursday 17 October 2013.

(d) The office of the Returning Officer will be staffed on that day between 8.15am and 4.15pm for the purpose of receiving completed nomination papers.

Polling day

(a) Polling day is Thursday 7 November 2013.

(b) The poll will be conducted between the following hours:

(i) in the Camp Constituency, 10am to 4pm;

(ii) in the Stanley Constituency, 10am to 6pm.

26 September 2013

K. PADGETT,
Returning Officer.



FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

30 September 2013

No. 13

Appointment

Christopher Allan Collins, Kitchen Assistant, Health and Social Services, 19.08.13.

Shirley Adams-Leach, Music Teacher, Education Department, 01.09.13.

Jeanette Hartley, Primary Teacher, Education Department, 01.09.13.

Samantha Helen Chapman, Primary Teacher, Education Department, 01.09.13.

Timothy Ralph Drew, Primary Teacher, Education Department, 01.09.13.

Richard Edwin John Fogerty, Primary Teacher, Education Department, 01.09.13.

Emily Joy Garner, Specific Learning Difficulties Teacher, Education Department, 01.09.13.

Jean Harlow, Primary Teacher, Education Department, 01.09.13.

Sandra Joy Knoll, Primary Teacher, Education Department, 01.09.13.

Richard John Lilley, Physical Education Teacher, Education Department, 01.09.13.

Laura Jane Minto, Police Constable, Emergency Services, 01.09.13.

Rebecca Ann Robinson, Deputy Headteacher, Education Department, 01.09.13.

Richard Christian Smith, Primary Teacher, Education Department, 01.09.13.

Jennifer Karen Sol, Art Teacher, Education Department, 01.09.13.

Raquel Emily Irene Francis, Learning Support Assistant, Education Department, 02.09.13.

Anne Leech-Tempest, Director of Education, 02.09.13.

Karen Joleen Minto, Post Graduate Trainee, Executive Management, 09.09.13.

Louise Kathleen Clarke, Learning Support Assistant, Education Department, 16.09.13.

Ulia Sytchova, Paralegal, Attorney General's Chambers, 23.09.13.

Completion of contract

Katherine McGeachie, Special Needs Teacher, Education Department, 31.08.13.

Lisa Amey, Staff Nurse, Health and Social Services, 31.08.13.

Andrea Stanworth, Primary Teacher, Education Department, 31.08.13.

Susan Nightingale, Primary Teacher, Education Department, 31.08.13.

Lorraine Ambrose, Travelling Teacher, Education Department, 31.08.13.

Byron Bowden-Graham, Science Teacher, Education Department, 31.08.13.

Kelly Powell, English Teacher, Education Department, 31.08.13.

Clare Ryan, Primary Teacher, Education Department, 31.08.13.

Angela Craggs, Travelling Teacher, Education Department, 31.08.13.

Neil Ward, Design Technology Teacher, Education Department, 31.08.13.

Michael Barton, Spanish Teacher, Education Department, 31.08.13.

Normann Ford, Police Constable, Emergency Services, 02.09.13.

Allison Clara Carter, Crown Counsel, Attorney General's Chambers, 25.09.13.

Renewal of contract

Katherine McGeachie, Special Needs Teacher, Education Department, 01.09.13.

Lisa Amey, Staff Nurse, Health and Social Services, 01.09.13.

Andrea Stanworth, Primary Teacher, Education Department, 01.09.13.

Susan Nightingale, Primary Teacher, Education Department, 01.09.13.

Lorraine Ambrose, Travelling Teacher, Education Department, 01.09.13.

Byron Bowden-Graham, Science Teacher, Education Department, 01.09.13.

Kelly Powell, English Teacher, Education Department, 01.09.13.

Clare Ryan, Primary Teacher, Education Department, 01.09.13.

Angela Craggs, Primary Teacher, Education Department, 01.09.13.

Neil Ward, Design Technology Teacher, Education Department, 01.09.13.

Michael Barton, Spanish Teacher, Education Department, 01.09.13.

Resignation

Keiran Louise Watt, Learning Support Assistant, Education Department, 23.09.13.

Alexander David Pearce, Police Constable, Emergency Services, 26.09.13.

Darren James Christie, Public Relations and Media Manager, Executive Management, 27.09.13.

Retirement

Marlene Newman, Dental Nurse, Health and Social Services Department, 27.09.13.

Transfer

Tiphanie May, from Post Graduate Trainee, Secretariat to Projects Officer, Mineral Resources Department, 19.08.13.

Tamara Anne McCormick, from Sports Attendant, Leisure Centre to Learning Support Assistant, Education Department, 01.09.13.

Shona Marguerite Strange, from Assistant Advisor (Bio-Security), Natural Resources Department, to Police Constable, Emergency Services, 01.09.13.

Alison Jane Marie Ford, from Senior Teaching Assistant, Education Department to Social Work Assistant, Health and Social Services, 12.09.13.

Clint Short, from Plant Operator/Handyperson, Quarry Section to Plant Operator/Handyperson, Highways, Public Works Department, 17.09.13.

2

Stacey Louise Budd, from Clerk/Receptionist, Health and Social Services to Station Enquiry Officer, Royal Falkland Islands Police, 23.09.13.

Irvin Gerard Summers, from Foreman to General Foreman, Highways Section, Public Works Department, 23.09.13.

Roberto Miguel Ojeda, from Fitter, Falkland Islands Government Air Service, to Seasonal Plant Operator/Handyperson, Quarry Section, Public Works Department, 30.09.13.

NOTICES

No. 50

6 August 2013

Index of Retail Prices

The calculation of the Index for the quarter ended 30 June 2013 has now been completed. A summary of the Index for the last four quarters is shown below:-

Date	Index	Annual % Increase/ (Decrease)	Quarter % Increase/ (Decrease)
30.09.12	162.29	5.4	0.6
31.12.12	165.56	5.9	2.0
31.03.13	165.01	3.7	(0.3)
30.06.13	165.50	2.6	0.3

Dated 6 August 2013

L. LYSE,
for Financial Secretary.

No. 51

10 September 2013

Two Sisters Limited Company number: 12841

Take notice that in accordance with the provisions of section 652A of the Companies Act 1985, the requirements of the said section having been complied with, the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated 10 September 2013

E. J. DENT,
Registrar of Companies.

No. 52

11 September 2013

Customs Ordinance 2003 section 7(3)

Appointment of Temporary Customs Officer

In exercise of the powers conferred by section 7(3) of the Customs Ordinance 2003, I appoint the following person to be a temporary Customs Officer:-

Cpl Brian Alexander McMeekan – C8445862 from 4 June 2013 to 3 January 2014.

Dated 11 September 2013

R. J. KING,
Collector of Customs.

Livestock and Meat Products Ordinance 2010

Livestock and Meat Products (Identification and Movement of Cattle) Regulations 2010

National Arrangements for Cattle Identification and Traceability

From 1 January 2013:

Any person moving a bovine animal for slaughter or to another property must be approved by the Department of Agriculture.

From 1 January 2014:

ALL properties holding cattle must be approved.

To be approved the keeper of the property holding cattle must:

- Be officially listed by the Department of Agriculture and be issued with a 2 or 3 lettered farm code.
- Use tags specified by the Department of Agriculture for cattle identification.
- Double tag all calves born with approved tags bearing a 2 or 3 lettered farm code and a unique 4 digit number. The tag numbers must be identical in each ear. Tag and register calves by the age of 6 months or before they leave the farm whichever comes first.
- Double tag any untagged adults with approved tags bearing a 2 or 3 lettered farm code and a unique 4 digit number by 31 December 2013. The tag numbers must be identical in each ear.
- Ensure that any adults already bearing tags are uniquely identified with a number in each ear and the farm code.
- Ensure that all bovine cattle keep the same identification number throughout their lives.
- Have tag orders verified by the Department of Agriculture.
- If an animal should lose a tag a replacement bearing the same code and number as the one lost should be sought from the Department of Agriculture within 2 weeks of the animal losing its tag or before they leave the farm whichever comes first.
- The Department of Agriculture will provide this tag within 2 weeks of receiving the application and the tag must be replaced into the animal within 4 weeks of its receipt or before they leave the farm whichever comes first.
- Have all cattle on the farm registered with the Department of Agriculture. This registration procedure will include the farm name, tag numbers, date of birth or age and sex of the individual animal.
- Register all adult cattle with the Department of Agriculture within 1 month of tagging or before they leave the farm whichever comes first.
- Keep accurate farm registers that list:
 - all cattle on the property and their identifications
 - the dates of all cattle and other animals movements on and off the property
 - the dates of calves born on the property
 - the dates of on farm deaths and slaughter
 - any treatments that cattle have been subjected to and the date of treatment.
- Inform the Department of Agriculture of any on farm deaths or slaughter within 1 month of the event taking place by person, telephone, fax, e-mail or post.
- Complete an Animal Movement Certificate for any bovine animal moving off the property and deliver it to the Department of Agriculture by person, fax, e-mail or post.

- Copies of movement certificates for cattle should be kept for a minimum of 1 year so cattle movements can be traced in the event of a disease outbreak.

The Department of Agriculture will perform regular audits on each approved property to ensure these arrangements are followed.

Consequences of animals arriving at abattoir and not being properly identified:

Animals arriving at the abattoir with incorrect identification (no tags, incorrect tags or incorrect information on cattle docket) will not be able to leave the lairage. By allowing the animals to travel without correct identification you have committed an offence under regulation 9 of the Livestock and Meat Products (Identification and Movement of Cattle) Regulations 2010. They will be slaughtered but the meat from these animals will not be allowed to enter the food chain either for export or the domestic market. Farmers will be given up to 48 hours prior to slaughter to prove the identity of the animal.

Dated 16 September 2013

S. W. POINTING,
Senior Veterinary Officer.

Livestock and Meat Products Ordinance 2010

Livestock and Meat Products (Identification and Movement of Pigs) Regulations 2010

National Arrangements for Pig Identification and Traceability

Keepers of pigs must:

- Apply to each pig on their property a mark that identifies the pig to the property.
- This may be in the form of:
 - a tag* bearing the farm code approved by the Department of Agriculture for that property or,
 - a tattoo of the farm code approved by the Department of Agriculture for that property (not ideal for black pigs).
- If the pig is identified to that property by a tag bearing a code, any tags must be replaced as soon as practicably possible if they are lost.
- Piglets should be identified by 6 weeks of age or before leaving the farm, whichever comes sooner.
- Keepers may use tags bearing a code and a number if they wish.

Movement of pigs:

- Every movement off the property of a pig must be accompanied by an Animal Movement Certificate even if the pig will return to the property of origin.
- The movement certificate should be accurately completed and a copy returned to the Department of Agriculture as soon as is practicably possible and before any subsequent movements, by person, fax, e-mail or post.
- Prior to all movements occurring (farm to farm or farm to abattoir), pigs must be identified to the most recent farm of residence by:
 - a button tag bearing the farm code (any original tags must not be removed or tampered with) or,

- a tattoo bearing the farm code.
- Pigs that are permanently relocated to another farm must have a tag or tattoo bearing the code of the receiving farm applied but original tags or tattoos may not be tampered with or removed.
- For movement from farm to slaughter only, pigs may be identified by a paint brand bearing the farm code provided the brand is legible at all times and will last for the duration of the journey to the place of slaughter.

Farm register:

- Keep accurate farm registers that list:
 - the dates of piglets born on the property
 - the dates of on farm deaths and slaughter
 - any treatments that pigs have been subject to and the date of treatment
 - the dates of all pig movements on and off the property.
- Copies of movement certificates for pigs should be kept for a minimum of 1 year so pig movements can be traced in the event of a disease outbreak.

* The preferred type of tag would be a button tag applied in the centre of the ear as this is less likely to be pulled out.

Consequences of animals arriving at abattoir and not being properly identified:

Animals arriving at the abattoir with incorrect identification will not be able to leave the lairage. By allowing the animals to travel without correct identification you have committed an offence under regulation 9 of the Livestock and Meat Products (Identification and Movement of Pigs) Regulations 2010. They will be slaughtered but the meat from these animals will not be allowed to enter the food chain either for export or the domestic market. Farmers will be given up to 48 hours prior to slaughter to prove the identity of the animal.

Dated 16 September 2013

S. W. POINTING,
Senior Veterinary Officer.

No. 55

16 September 2013

Livestock and Meat Products Ordinance 2010

Livestock and Meat Products (Identification and Movement of Sheep) Regulations 2010

National Arrangements for Sheep Identification and Traceability

Keepers of sheep must:

- Apply to each sheep on their property a mark that identifies the sheep to the property.
- This may be in the form of:
 - a traditional station mark approved by the Department of Agriculture for that property or
 - a traditional station mark and a tag bearing the farm code approved by the Department of Agriculture.
- Lambs should be identified by 6 months of age or before they leave the farm, whichever is sooner.
- Keepers may use tags bearing a code and a number if they wish.

Movement of sheep:

- Every movement off the property of a sheep must be accompanied by an Animal Movement Certificate even if the sheep will return to the property of origin.
- The movement certificate should be accurately completed and a copy returned to the Department of Agriculture as soon as is practicably possible and before any subsequent movements. Return can be in person or via fax, e-mail or post.
- Prior to a movement occurring sheep must be identified to the most recent farm of residence by:
 - a tag bearing the farm code plus a station mark in the other ear
 - any original tags must not be tampered with or removed.
- Sheep that are permanently relocated to another farm must have a tag bearing the code of the receiving farm applied but original tags may not be tampered with or removed.
- For movement from farm to slaughter only, sheep may be identified by a paint brand bearing the farm code provided the brand is legible at all times and will last for the duration of the journey to the place of slaughter and for a period beyond this time in case the sheep are not slaughtered immediately.

Farm register:

- Keep a farm register that records as accurately as possible:
 - number of sheep births
 - number of on farm deaths and number and date of on farm slaughters
 - any treatments that sheep have been subject to and the date of treatment
 - the dates of all sheep movements on and off the property.
- Copies of movement certificates for sheep must be kept for a minimum of 1 year so sheep movements can be traced in the event of a disease outbreak.

Consequences of animals arriving at abattoir and not being properly identified:

Animals arriving at the abattoir with incorrect identification will not be able to leave the lairage. By allowing the animals to travel without correct identification you have committed an offence under regulation 9 of the Livestock and Meat Products (Identification and Movement of Sheep) Regulations 2010. They will be slaughtered but the meat from these animals will not be allowed to enter the food chain either for export or the domestic market. Farmers will be given up to 48 hours prior to slaughter to prove the identity of the animal.

Dated 16 September 2013

S. W. POINTING,
Senior Veterinary Officer.

No. 56 25 September 2013

Fisheries (Conservation and Management) Ordinance
section 37

Notice of Total Allowable Effort – Finfish Fishery

Notice is hereby given of the Total Allowable Effort set in respect of the following fishery:-

Fishery: Finfish

Species: All finfish species except Skate (*Rajidae*) and Toothfish (*Dissostichus eleginoides*)

Period: 1 January – 31 December 2014

Total Allowable Effort: 12.18 (Vessel Units)

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No. 57 25 September 2013

Fisheries (Conservation and Management) Ordinance
section 37

**Notice of Total Allowable Effort –
Restricted Finfish Fishery**

Notice is hereby given of the Total Allowable Effort set in respect of the following fishery:-

Fishery: Restricted Finfish

Species: All finfish species except Hake (*Merluccius spp.*), Skate (*Rajidae*) and Toothfish (*Dissostichus eleginoides*)

Period: 1 January – 31 December 2014

Total Allowable Effort: 22.34 (Vessel Units)

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No. 58 25 September 2013

Fisheries (Conservation and Management) Ordinance
section 37

Notice of Total Allowable Effort – Skate Fishery

Notice is hereby given of the Total Allowable Effort set in respect of the following fishery:-

Fishery: Skate

Species: All species of Skate (*Rajidae*)

Period: 1 January – 31 December 2014

Total Allowable Effort: 28.8 (Vessel Units)

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No. 59 25 September 2013

Fisheries (Conservation and Management) Ordinance
section 37

**Notice of Total Allowable Effort –
Squid and Restricted Finfish Fishery**

Notice is hereby given of the Total Allowable Effort set in respect of the following fishery:-

Fishery: Squid and Restricted Finfish

Species: *Illex argentinus*, *Martialia hyadesi*, all finfish species except Hake (*Merluccius spp.*), Skate (*Rajidae*) and Toothfish (*Dissostichus eleginoides*)

Period: 1 March – 31 May 2014

Total Allowable Effort: 19.93 (Vessel Units)

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No. 60 25 September 2013

Fisheries (Conservation and Management) Ordinance
section 37

Notice of Total Allowable Effort – Squid Fishery

Notice is hereby given of the Total Allowable Effort set in respect of the following fishery:-

Fishery: Squid (*Doryteuthis gahi*)

Species: *Doryteuthis gahi*

Period: 24 February – 14 April 2014

Total Allowable Effort: 27.07 (Vessel Units)

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No.61 25 September 2013

Fisheries (Conservation and Management) Ordinance
section 38

**Notice of Total Allowable Catch
Restricted Finfish – Pelagic**

Notice is hereby given of the Total Allowable Catch set in respect of the following fishery:-

Fishery: Restricted Finfish – Pelagic

Species: Southern Blue Whiting (*Micromesistius australis*)
Hoki (*Macruronus magellanicus*)

Period: 1 January – 31 December 2014

Total Allowable Catch: 2000 metric tonnes

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No. 62

25 September 2013

Fisheries (Conservation and Management) Ordinance
section 38

Notice of Total Allowable Catch – Toothfish Fishery

Notice is hereby given of the Total Allowable Catch set in respect of the following fishery:-

Fishery: Toothfish - Longline

Species: Toothfish (*Dissostichus eleginoides*)

Period: 1 January – 31 December 2014

Total Allowable Catch: 1200 metric tonnes

Dated 25 September 2013

A. J. BARTON,
Director of Natural Resources.

No. 63

25 September 2013

Application for Permanent Residence

Notice is hereby given that **Gina Marie Green** has applied to the Principal Immigration Officer to be granted a Permanent Residence Permit.

Any person who knows of any reason why a permit should not be granted should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley by 21 October 2013.

Dated 25 September 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 64

27 September 2013

Scaled PR Limited
Company number: 13137

Take notice that in accordance with the provisions of section 652A of the Companies Act 1985, the requirements of the said section having been complied with, the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated 27 September 2013

E. J. DENT,
Registrar of Companies.



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

15 October 2013

No. 14

NOTICES

No. 65 2 October 2013

**Electoral Ordinance (Title 30.1)
General Election - 7 November 2013**

**Appointment of Deputy Returning Officer
Camp and Stanley Constituencies**

I appoint Elizabeth Jayne Dent to be Deputy Returning Officer in connection with the General Election to be held on 7 November 2013.

Dated 2 October 2013

K. PADGETT,
Returning Officer.

No. 66 2 October 2013

**Electoral Ordinance (Title 30.1)
General Election - 7 November 2013**

**Appointment of Presiding Officer
Camp and Stanley Constituencies**

I appoint Elizabeth Jayne Dent to be Presiding Officer at the Court and Assembly Chamber, Town Hall, Stanley in connection with the General Election to be held on 7

November 2013, in accordance with section 100 of the Electoral Ordinance.

Dated 2 October 2013

K. PADGETT,
Returning Officer.

No. 67 10 October 2013

**Electoral Ordinance (Title 30.1)
General Election - 7 November 2013**

**Appointment of Mobile Polling Places
Camp and Stanley Constituencies**

In exercise of my powers under section 61(1) of the Electoral Ordinance (Title 30.1) I appoint the following places to be visited by a mobile polling team:

**Mobile Team A – West Falkland – 6 November 2013 –
starting at 8am from Port Howard**

Port Howard, Bold Cove/Manybranch, Saddle, Chartres, Little Chartres, Hill Cove (1 hour stop at Social Club)

**Mobile Team 1 – East Falkland – 6 November 2013 –
starting at 8am from Stanley**

Long Island, Green Patch, Brookfield, Horseshoe Bay, Rincon Grande, Port Louis, Johnsons Harbour and return to Stanley

Mobile Team 2 – East Falkland – 6 November 2013 – starting at 8am from Port San Carlos

Port San Carlos, Moss Side, Cape Dolphin, Elephant Beach, Home Farm and Kings Ridge, Salvador, Hope Cottage, Evelyn Station and Teal Inlet, Riverview, Estancia, Stanley

Mobile Team 3 – East Falkland – 6 November 2013 – starting at 8am from Stanley

Bluff Cove, Fitzroy Turn-off, Fitzroy, MPC/Darwin Road Turn-off, Swan Inlet, Port Sussex, Head of the Bay, Wreck Point, San Carlos, Greenfield and return to Stanley

Mobile Team 4 – East Falkland – 6 November 2013 – North Arm – 3pm

Mobile Team 5 – Stanley – 7 November 2013 – 10am

King Edward VII Memorial Hospital, Jack Hayward Housing, St Mary's Walk and Yates Place sheltered housing.

Dated 10 October 2013

J. S. TYLER-HAYWOOD,
Acting Governor.

NOTE:

- (1) Each mobile polling team leader will endeavour to ensure that every place listed is visited by a team on the relevant date
- (2) If it is necessary to vary the dates or times specified (for example because of bad weather), that will be announced over FRS, giving as much notice as is reasonably possible
- (3) If a person is not able to vote during a visit by a mobile polling team then they can vote at an appointed polling place (Fox Bay, Goose Green, or Stanley) on Polling Day, 7 November 2013, during polling hours
- (4) Electors from both Stanley and Camp constituencies may vote with a mobile polling team

No. 68

10 October 2013

**Electoral Ordinance (Title 30.1)
General Election - 7 November 2013**

**Appointment of Polling Places
Camp and Stanley Constituencies**

In exercise of my powers under section 59(1) of the Electoral Ordinance (Title 30.1) I appoint the following places to be polling places in accordance with the terms of the above provision:

Court and Assembly Chamber, Town Hall, Stanley – Thursday 7 November from 10am to 6pm

Social Club, Fox Bay, West Falkland – Thursday 7 November from 10am to 4pm

Community Hall, Goose Green, East Falkland – Thursday 7 November from 10am to 4pm

Dated 10 October 2013

J. S. TYLER-HAYWOOD,
Acting Governor.

No. 69

14 October 2013

**Electoral Ordinance (Title 30.1)
General Election - 7 November 2013**

Appointment of Election Officials

In accordance with section 100(1) of the Electoral Ordinance, the following persons have been appointed to be election officials for the purpose of the General Election as indicated:-

Town Hall, Stanley

Elizabeth Dent	Deputy Returning Officer
	Presiding Officer
Margaret Butler	Presiding Officer
	Count Table Supervisor
Imogen Didlick	Polling Clerk
Anton Livermore	Polling/Count Clerk
Karen Minto	Polling Clerk
Patsy Robson	Polling/Count Clerk
Kirsty Livermore	Count Clerk
Nigel Dodd	Count Clerk
Katrina Stephenson	Count Clerk
Carolyn Shelbourne	Count Clerk
Elisabeth Luxton	Count Clerk
Annie Bailey	Count Clerk
Leeann Watson Harris	Count Clerk
Alison Dodd	Count Clerk
Stephen Lapham	Security/Fire Warden

KEMH Mobile Team:

Barbara Steen	Presiding Officer
Stella Middleton	Polling Clerk

Fox Bay:

Terrienne Ormond	Presiding Officer
Teena Ormond	Polling Clerk

Goose Green:

Ross Chaloner	Presiding Officer
Phil Middleton	Polling Clerk

East Falkland Mobile Team 1:

Keith Heathman	Presiding Officer
Tiphonie May	Polling Clerk

East Falkland Mobile Team 2:

Patsy Robson	Presiding Officer
Carol Phillips	Polling Clerk

East Falkland Mobile Team 3:

Siân Nightingale	Presiding Officer
Mike Harris	Polling Clerk

East Falkland Mobile Team 4:

Ross Chaloner	Presiding Officer
Phil Middleton	Polling Clerk

West Falkland Mobile Team A:

Terrienne Ormond	Presiding Officer
Teena Ormond	Polling Clerk

Supernumeraries:

Mark Lewis
Nicola Granger
Simon Fletcher

Dated 14 October 2013

K. PADGETT,
Returning Officer

No. 70

14 October 2013

**Electoral (Emergency and Replacement
Proxies) Regulations**

regulation 4

**Published criteria for the appointment of emergency
and replacement proxy**

1. Regulation 4 of the Electoral (Emergency and Replacement Proxies) Regulations (SR&O No 17 of 2013) provides that the Returning Officer must publish criteria about:

(i) the circumstances in which a person who is eligible to vote at an election or a referendum may appoint an emergency or replacement proxy for that election or referendum; and

(ii) the evidence necessary to satisfy the registration officer that these circumstances exist.

2. The criteria for the circumstances under paragraph (i) are as follows:

(a) an elector is required to leave the Islands to receive emergency medical treatment;

(b) an elector is required to leave the Islands as the spouse or family member to accompany someone else to receive medical treatment;

(c) an elector is required to leave the Islands on urgent business/work;

(d) an elector is required to attend to a family member overseas who is seriously ill;

(e) an elector is required to attend a funeral overseas;

(f) an elector suffers delays in travel arrangements outside the elector's control which means that they cannot be in the Islands at the relevant time;

(g) any other exceptional reason which means that the elector would not otherwise be able to vote; or

(h) if an elector has appointed a proxy to vote for them on their behalf and the proxy will be unable to vote on their behalf because any of the criteria above apply to the

proxy, then the elector may appoint an emergency replacement proxy.

3. The criteria for the evidence under paragraph (ii) are as follows:

such documentary evidence as the applicant can reasonably provide in support of the application, in particular to demonstrate that there are compelling reasons of urgency and that the application is not made on the basis merely of convenience.

4. An application need not be made in a specific form, but it must contain at least the following information:

- the applicant's name and address;
- an explanation of the circumstances that will prevent the applicant (or applicant's proxy) from voting at the election or referendum;
- an explanation of when those circumstances arose;
- if the circumstances arose before the start of the closed period, an explanation of why the applicant was unable to apply for a postal, proxy or postal proxy vote before the start of the closed period;
- the name and address of the person to be appointed as emergency or replacement proxy; and
- contact details for the applicant and the emergency or replacement proxy.

5. An application must also be signed by the applicant and witnessed by: a bank manager, a commissioner for oaths, an elector, a justice of the peace, a police officer, a teacher (or tutor) to the applicant, or another person approved by the registration officer.

6. Applications can be personally handed into the registration officer, or sent to the registration officer by post, fax or e-mail. The application must be received as an original, or as scanned image of the original, by the registration officer no later than 4pm on the third working day before the date of the election or referendum.

7. If the application is granted, the registration officer must take reasonable steps to notify the applicant and emergency/replacement proxy and make arrangements for the emergency/replacement proxy to be allowed to vote on behalf of the applicant.

8. If the application is refused, the registration officer must take reasonable steps to notify the applicant of the reasons why it was refused, and inform the applicant that they have a right to appeal to the Returning Officer no later than 4pm on the second working day before the date of the election or referendum.

Dated 14 October 2013

K. PADGETT,
Returning Officer



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

22 October 2013

No. 15

NOTICES

No 71

17 October 2013

Electoral Ordinance (Title 30.1) Notification of Nominations Camp Constituency

In accordance with section 70 of the Electoral Ordinance, I give notice that the candidates who have been nominated and are standing for election are as follows:

Candidate: **EDWARDS Roger Anthony**

Address: Lake Sullivan Farm
West Falkland

Description: Mr

Proposer: Susan Mary Hirtle

Seconder: Valerie Ann Harvey

Supporters: Anthony Hirtle
Samantha Lee Hirtle
Louise Suzan Pole-Evans
Jen Harvey

Candidate: **GILDING Melanie Carol**

Address: Port Louis
East Falkland

Description: -----

Proposer: Trudi Lynette McPhee

Seconder: Gerald William Dickson

Supporters: Doreen Dickson
Michael David Jones
Sheila Janice Jones
David Ford

Candidate: **HALFORD Sharon**

Address: San Carlos
East Falkland

Description: -----

Proposer: Ailsa Heathman

Seconder: Vernon Robert Steen

Supporters: Sheila Janice Jones
Madeline Jean McLeod
John Hugh Jones
Hew McInnes Grierson

Candidate: **HANSEN Ian**

Address: Main Point Farm
West Falkland

Description: Farm Owner

Proposer: Nigel Arthur Knight

Seconder: William Robert Luxton

Supporters: Charlene Nightingale
Anthony Hirtle
Susan Mary Hirtle
Daniel Donnelly

Candidate: **RENDELL Phyllis Mary**
Address: 8 Ross Road West
Stanley
Description: -----
Proposer: Keith Alazia
Seconder: Jennifer Mary Luxton
Supporters: Nigel Arthur Knight
Alastair Roy Marsh
Marlane Rose Marsh
Hew McInnes Grierson

Dated 17 October 2013

K. PADGETT,
Returning Officer.

No. 72

17 October 2013

**Electoral Ordinance (Title 30.1)
Notification of Nominations
Stanley Constituency**

In accordance with section 70 of the Electoral Ordinance, I give notice that the candidates who have been nominated and are standing for election are as follows:

Candidate: **BARKMAN Teslyn Siobhan**
Address: 6 Watson Way
Stanley
Description: -----
Proposer: Lisa Marie Watson
Seconder: Arlette Sharon Jaffray
Supporters: Frances Biggs
Nicholas Simon Oliver Rendell
Victoria Louise Collier
Farrah Louise Peck

Candidate: **BESLEY-CLARK Norman**
Address: 16 Ross Road West
Stanley
Description: -----
Proposer: Eric Miller Goss
Seconder: Richard Edward Short
Supporters: Mally McLeod
Glenda McGill
Myriam Margaret Lucia Booth
David John Eynon

Candidate: **BIRMINGHAM John**
Address: 4 Drury Street
Stanley
Description: -----
Proposer: Frances Biggs
Seconder: Shirley Adams-Leach

Supporters: Alexandra Sally Birmingham
Anne Louise Taylor
Margo Jane Goodwin
Stuart Alfred Booth

Candidate: **BLACKLEY Candy Joy**
Address: 4 Barrack Street
Stanley
Description: -----
Proposer: Theresa Margaret Lang
Seconder: Shirley Ann Goss
Supporters: Sharon Marie Zuvic-Bulic
Mary Jane Cotter
Kathleen Mary Laffi
Teresa Ann Clifton

Candidate: **BUCKLAND Carole Lynda Jane**
Address: 8 Moody Street
Stanley
Description: -----
Proposer: Valdamar Lars Berntsen
Seconder: Julie Ann Clarke
Supporters: Odette Ellen May Bonner
Martyn James Smith
John Smith
Susana Caroline Berntsen Faria

Candidate: **CHEEK Janet Lynda**
Address: 35 Ross Road East
Stanley
Description: -----
Proposer: Leona Lucila Vidal Roberts
Seconder: Sheila Olga Stewart
Supporters: Rose Ann Shirley Hirtle
John McLeod
Margaret Ann Goodwin
Alex Olmedo

Candidate: **ELSBY Barry**
Address: Moody Brook House
Stanley
Description: Doctor
Proposer: Rodney William Lee
Seconder: Julie Doris Courtney
Supporters: Zachary Stephenson
Annagret Goss
Ahmad Masood Cheema
Leann Caroline Ford
Derek Simon Clarke

Candidate: **FELTON Faith Dilys**
Address: German Camp
Stanley
Description: -----

Proposer: Anya Evelyn Cofre
Seconder: Derek Samuel Goodwin
Supporters: Timothy Ian Minto
Christopher William Poole
Zane Eric Hirtle
Kathleen Jackson

Candidate: **POOLE Michael James**
Address: 19 Davis Street
Stanley

Description: -----

Proposer: Darwin Lewis Clifton
Seconder: Victoria Chater
Supporters: Kyle Alexander Biggs
Darren James Christie
Stephanie Anne Middleton
Fraser Barrett Wallace

Candidate: **SHORT Gavin Phillip**
Address: 6 Police Cottages
Stanley

Description: -----

Proposer: Montana Tyrone Short
Seconder: Donald William Betts
Supporters: Shirley Rose Betts
Samantha Davies
Joan Lucy Ann Browning
Trevor Osneith Browning

Candidate: **SUMMERS Michael Victor**
Address: 12 Pioneer Row
Stanley

Description: Mr

Proposer: Jacqueline Summers
Seconder: Sarah Jane Clement
Supporters: Gary Clement
Carol Miller
Christopher Paul Gilbert
Michael James Poole

Dated 17 October 2013

K. PADGETT,
Returning Officer.



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

25 October 2013

No. 16

The following are published in this Extraordinary Gazette —

Register of Electors for Camp Constituency; and

Register of Electors for Stanley Constituency.

Register of Electors for Camp Constituency at 16 October 2013

1	Aguila Aguilar	Jeanette del Carmen	No. 2 Goose Green, E.F.I
2	Alazia	Fayan Pamela Jane	Port Edgar Farm, W.F.I
3	Alazia	Felicity Nikita	Port Edgar Farm, W.F.I
4	Alazia	Hazel	Teal Inlet, E.F.I
5	Alazia	Keith	Goose Green, E.F.I
6	Alazia	Mandy Gwyneth	Port Edgar Farm, W.F.I
7	Alazia	Michael Robert	Port Edgar Farm, W.F.I
8	Anderson	Rupert William	Port Howard, W.F.I
9	Anderson	Tony James	Port Howard Farm, W.F.I
10	Ashworth	Glennis	Fitzroy Ridge, E.F.I
11	Ashworth	Malcolm	Fitzroy Ridge, E.F.I
12	Bagley	Darren Clive	Riverview Farm, E.F.I
13	Bagley	Jacqueline Elizabeth	Riverview Farm, E.F.I
14	Barrientos	Jose Sixto Ruiz	North Arm, E.F.I
15	Battersby	Jon Alan	Hawkbit, Fitzroy, E.F.I
16	Battersby	Margaret Mary	Hawkbit, Fitzroy, E.F.I
17	Beattie	Ian Robert Ewen	North Arm, E.F.I
18	Bendyshe	Angela Geraldine Mary	Gibraltar Station, E.F.I
19	Bendyshe Pitaluga	Antoinette Margaretha Mary	Gibraltar Station, E.F.I
20	Berntsen	Arina Janis	Pebble Island, W.F.I
21	Berntsen	Benjamin John	Elephant Beach, E.F.I
22	Berntsen	Iain Kenneth	Sheffield Farm, W.F.I
23	Berntsen	Maggie Kayanja	Elephant Beach Farm
24	Betts	Bernard Keith	Boundary Farm, W.F.I
25	Betts	Diane Joan	Fox Bay East, W.F.I
26	Bonner	Katie Jean	Port Howard, W.F.I
27	Bonner	Simon	Port Howard, W.F.I
28	Bonner	Susan Anne	Port Howard, W.F.I
29	Castro Barrientos	Gilberto Enrique	No. 2 Goose Green, E.F.I
30	Clark	Alan Neil	Port Howard, W.F.I
31	Clarke	Jan Michael	Lorenzo Farm, E.F.I
32	Clarke	Jeanette	West Point Island, W.F.I
33	Clarke	Michael Jan	West Point Island, W.F.I
34	Clarke	Tanya	Lorenzo Farm, E.F.I
35	Clausen	Sophie Marina	Port Howard, W.F.I
36	Clifton	Leonard	No.4 Walker Creek, E.F.I
37	Clifton	Thora Janeene	No. 4 Walker Creek, E.F.I
38	Cockwell	Benjamin William	Fox Bay Village, W.F.I
39	Cockwell	Clare Marie	Fox Bay Village, W.F.I
40	Cockwell	Grizelda Susan	Chartres, W.F.I
41	Davis	Aase	Evelyn Station, E.F.I
42	Davis	Ian John	Evelyn Station, E.F.I
43	Decroliere	Carrie Madeline Helen	Fox Bay Village, W.F.I
44	Decroliere	Eric Ernest Albert	Fox Bay Village, W.F.I
45	Dickson	Charles George	Brookfield, E.F.I
46	Dickson	Doreen	Wreck Point, E.F.I
47	Dickson	Gerald William	Wreck Point, E.F.I
48	Dickson	Steven Charles	North Arm E.F.I
49	Didlick	Fiona Margaret	Darwin House, E.F.I

50	Didlick	Graham John	Darwin House, E.F.I
51	Donnelly	Daniel	Crooked Inlet, W.F.I
52	Donnelly	Joyce Elizabeth	Crooked Inlet, W.F.I
53	Dunford	David Philip	Saddle Farm, W.F.I
54	Eagle	Alan William	Fitzroy Farm, E.F.I
55	Edwards	Norma	Lake Sulivan, W.F.I
56	Edwards	Rebecca Elizabeth	Port Howard Farm, W F I
57	Edwards	Roger Anthony	Lake Sulivan, W.F.I
58	Ellis	Louise	Elephant Beach, E.F.I
59	Evans	Donna Newell	Spring Point Farm W.F.I
60	Evans	Michael David	Spring Point Farm W.F.I
61	Evans	Raymond	Pebble Island, W.F.I
62	Evans	Richard Gregory	Bold Cove Farm, W.F.I
63	Evans	Tracy	Pebble Island, W.F.I
64	Finlayson	Neil Roderick	North Arm, E.F.I
65	Ford	David	Port Louis, E.F.I
66	Ford	Tanya Louise	Speedwell Island, E.F.I
67	Gilding	Amy Heather	Port Louis, E.F.I
68	Gilding	Melanie Carol	Port Louis, E.F.I
69	Gilding	Peter Bernard	Port Louis, E.F.I
70	Gilding	Petra Sophie	Port Louis, E.F.I
71	Gleadell	Marklin John	No.5 Walker Creek, E.F.I
72	Goodwin	Kenton John Douglas Benjamin	Moss Side Farm, E.F.I
73	Goodwin	Matthew Gerald	North Arm, E.F.I
74	Goodwin	Neil Alexander William	North Arm, E.F.I
75	Goss	Kimberley Rose	Horseshoe Bay, E.F.I
76	Goss	Margaret Rose	Horseshoe Bay, E.F.I
77	Goss	Michael Peter	Horseshoe Bay, E.F.I
78	Goss	Peter	Horseshoe Bay, E.F.I
79	Gould	Alexander Philip Gould	Dunnose Head Farm, W.F.I
80	Gould	Dorothy Ruth	Dunnose Head Farm, W.F.I
81	Green	Carol Ann	13 Fitzroy, E.F.I
82	Greenland	Bonita Doreen	Valkyrie House, Darwin, E.F.I
83	Greenland	Kenneth David	Valkyrie House, Darwin, E.F.I
84	Grierson	Hew McInnes	Blue Beach San Carlos E.F.I
85	Grimmer	Keith	The Dunes Fitzroy River, E.F.I
86	Grimmer	Marilyn	The Dunes Fitzroy River, E.F.I
87	Halford	Rodney John	Casa Verde San Carlos, E.F.I
88	Halford	Sara Jayne	Casa Verde San Carlos, E.F.I
89	Halford	Sharon	Casa Verde San Carlos, E.F.I
90	Halliday	Joyce Isabella Patience	Fox Bay Village, W.F.I
91	Halliday	Kenneth William	Fox Bay Village, W.F.I
92	Hansen	Ian	Main Point, W.F.I
93	Hansen	Lionel Raymond	Hill Cove, W.F.I
94	Hansen	Rose Idina	Hill Cove, W.F.I
95	Hansen	Susan Ann	Main Point, W.F.I
96	Harvey	Jen	Hill Cove, W.F.I
97	Harvey	Valerie Ann	Hill Cove, W.F.I
98	Harwood	Reuben Joseph	Goose Green, E.F.I
99	Heathman	Ailsa	Estancia, E.F.I
100	Heathman	Ewart Tony	Estancia, E.F.I

101	Hill	Jennifer Eileen	Stoney Ridge, W.F.I
102	Hirtle	Anthony	Peaks Farm, W.F.I
103	Hirtle	Doris Linda	Port Howard, W.F.I
104	Hirtle	Samantha Lee	Peaks Farm, W.F.I
105	Hirtle	Susan Mary	Peaks Farm, W.F.I
106	Hobman	Anola Zoey	Port Howard, W.F.I
107	Hobman	Gonzalo David	Albemarle Station, W.F.I
108	Hobman	John Malcolm	Goose Green, E.F.I
109	Hobman	Juan Jose Eleuterio	Westley Farm, W.F.I
110	Hobman	Vivien	Goose Green, E.F.I
111	Hoy	Dawn	Sheffield Farm, W.F.I
112	Innes	Gordon	Hill Cove, W.F.I
113	Innes	Isabella Alice	Hill Cove, W.F.I
114	Jaffray	Alexander	Lively Island, E.F.I
115	Jaffray	Elliott Jessie	Lively Island, E.F.I
116	Jamieson	Brian Neil	South Harbour, W.F.I
117	Jamieson	Kerri Yeoman	South Harbour, W.F.I
118	Jennings	Jacqueline	Pebble Island, W.F.I
119	Jones	John Hugh	Race Point Farm, E.F.I
120	Jones	Karen Diana	Fox Bay East, W.F.I
121	Jones	Mark Henry	Fox Bay East, W.F.I
122	Jones	Michael David	Head Of Bay, E.F.I
123	Jones	Michelle	Race Point Farm, E.F.I
124	Jones	Sheila Janice	Head Of Bay, E.F.I
125	Jordan	Ian Phillip	4 Letsbey Avenue, M.P.A.
126	Joshua	Angeline Gloria	The Galley, North Arm, E.F.I
127	Joshua	Paul Alan	The Galley, North Arm, E.F.I
128	Kilmartin	Kevin Seaton	Bluff Cove Farm, E.F.I
129	Kilmartin	Nicola Ruth	Bluff Cove Farm, E.F.I
130	Knight	Justin Robert Campbell	Coast Ridge, W.F.I
131	Knight	Keith Andrew	Coast Ridge, W.F.I
132	Knight	Nigel Arthur	Coast Ridge, W.F.I
133	Lee	Beverley Christina	Galley Café Goose Green, E.F.I
134	Lee	Christopher	Port Howard, W.F.I
135	Lee	Elizabeth	Goose Green, E.F.I
136	Lee	John Alfred	Goose Green, E.F.I
137	Lee	Leslie James	Galley Café Goose Green, E.F.I
138	Lee	Mervyn Richard	North Arm, E.F.I
139	Lee	Myles	Port Howard W.F.I
140	Lee	Trudi Dale	Galley Café Goose Green, E.F.I
141	Leo	Brenda May	NAAFI, MPA, E.F.I
142	Livermore	Darren	Fitzroy Farm, E.F.I
143	Lloyd	Melvyn John	Point View, Goose Green, E.F.I
144	Lloyd	Valerie Ann	Point View, Goose Green, E.F.I
145	Lowe	Adrian Stewart	Murrell Farm, E.F.I
146	Lowe	Lisa Helen	Murrell Farm, E.F.I
147	Lowe	Susan Elizabeth	Port Howard Lodge, W.F.I
148	Luxton	Jennifer Mary	Sea Lion Island, E.F.I
149	Luxton	William Robert	Chartres, W.F.I
150	Marsh	Alastair Roy	Shallow Harbour, W.F.I
151	Marsh	Anna Deirdre	Philomel Farm, W.F.I

152	Marsh	Gavin Nicholas	Philomel Farm, W.F.I
153	Marsh	Helen Rose	Rincon Ridge, W.F.I
154	Marsh	June Helen	Rincon Ridge, W.F.I
155	Marsh	Kevin Roy	Shallow Harbour, W.F.I
156	Marsh	Leon Peter	Rincon Ridge, W.F.I
157	Marsh	Marlane Rose	Shallow Harbour, W.F.I
158	Marsh	Patricia Ann	Lakelands, W.F.I
159	Marsh	Rachel Mandy	Fox Bay Village, W.F.I
160	Marsh	Robin Frank	Lakelands, W.F.I
161	Maskell-Bott	John Malcolm	Hill Cove, W.F.I
162	Maskell-Bott	Sarah	Hill Cove, W.F.I
163	May	Christopher Raymond	Speedwell Island, E.F.I
164	May	Lindsey Olga	Speedwell Island, E.F.I
165	May	Shaun Christopher	Speedwell Island, E.F.I
166	McGhie	Benjamin	Port North, W.F.I
167	McGhie	James	Stoney Ridge, W.F.I
168	McGhie	Jodie Kim	Port North, W.F.I
169	McGhie	Roy	Port North, W.F.I
170	McGhie	Thomas Forsyth	Saunders Island, W.F.I
171	McGill	Lorraine Iris	Carcass Island, W.F.I
172	McGill	Robin Perry	Carcass Island, W.F.I
173	McKay	Fraser Roderick	Teal River, W.F.I
174	McKay	Glyn Ronald	Teal River, W.F.I
175	McKay	Josephine Ann	Greenhill Farm Chartres, W.F.I
176	McKay	Kenneth Andrew	Greenhill Farm Chartres, W.F.I
177	McKay	Penelope Rose	Westley Farm, W.F.I
178	McKay	Roy Derek	Greenhill Farm Chartres, W.F.I
179	McLeod	Albert John	Camilla Creek, E.F.I
180	McLeod	Isabella Frances Diana	Fitzroy, E.F.I
181	McLeod	John (1)	Dunvegan Cabin, E.F.I
182	McLeod	Madeline Jean	Dunvegan Cabin, E.F.I
183	McLeod	Sarah Rose	Camilla Creek, E.F.I
184	McPhee	Mark	Brookfield, E.F.I
185	McPhee	Sheila Margaret	Kingsford Valley Farm, E.F. I
186	McPhee	Terence Owen	Kingsford Valley Farm, E.F.I
187	McPhee	Trudi Lynette	Brookfield, E.F.I
188	McRae	David Michael	Cape Dolphin, E.F.I
189	Middleton	Charlotte Anne	Horseshoe Bay
190	Middleton	Kerry Ann	Goose Green, E.F.I
191	Miller	Betty Larsen	North Arm, E.F.I
192	Miller	Catherine McLeod	Fox Bay Village, W.F.I
193	Miller	James Albert	Fox Bay Village, W.F.I
194	Miller	Philip Charles	Cape Dolphin, E.F.I
195	Minnell	Donna Marie	Moss Side, E.F.I
196	Minnell	Michael Robert	Moss Side, E.F.I
197	Mitchell	Leon John	Mount Kent Farm, E.F.I
198	Morrison	Gerald	Goose Green, E.F.I
199	Morrison	Kathleen Iris	Goose Green, E.F.I
200	Murphy	Roy David	Port Howard, W.F.I
201	Newman	Glynnis Karen	Goose Green E.F.I
202	Newman	Lisa Jeraine	Shallow Harbour, W.F.I

203	Nightingale	Charlene	West Lagoons, W.F.I
204	Nightingale	Peter Richard	West Lagoons, W.F.I
205	Ovenden	Philip David	13 Fitzroy, E.F.I.
206	Peck	Paul	Shallow Bay, W.F.I
207	Peck	Rebekah Roxanne	Shallow Bay, W.F.I
208	Phillips	Carol Joan	Hope Cottage, E.F.I
209	Phillips	Paul David	Hope Cottage, E.F.I
210	Phillips	Shula Louise	Hope Cottage, E.F.I
211	Phillips	Terence	Hope Cottage, E.F.I
212	Pitaluga	Nicholas Alexander Robinson	Gibraltar Station, E.F.I
213	Pitaluga	Robin Andreas McIntosh	Gibraltar Station, E.F.I
214	Platt	Claire	Lakelands Farm, W.F.I
215	Pole-Evans	Carole Suzan	Saunders Island, W.F.I
216	Pole-Evans	David Llewellyn	Saunders Island, W.F.I
217	Pole-Evans	Louise Suzan	Saunders Island, E.F.I
218	Pole-Evans	Shirley Helen	Manybranch, W.F.I
219	Pole-Evans	Suzan	Saunders Island, W.F.I
220	Pole-Evans	William Reginald	Manybranch, W.F.I
221	Poncet	Dion Michael	Beaver Island, W.F.I
222	Poncet	Jerome Pierre	Beaver Island, W.F.I
223	Poncet	Leiv Sigismond	Beaver Island, W.F.I
224	Porter	Joan	Shallow Harbour, W.F.I
225	Reeves	Ronald James	Port Howard, W.F.I
226	Reid	Emily Margaret	North Arm, E.F.I
227	Rendell	Michael	Bleaker Island, E.F.I
228	Robertson	Ann	Port Stephens, W.F.I
229	Robertson	Dion Sebastian	Port Stephens, W.F.I
230	Robertson	Drew Alexander	Port Stephens, W.F.I
231	Robertson	Paul Jonathan	Port Stephens, W.F.I
232	Robertson	Peter Charles	Port Stephens, W.F.I
233	Ross	Marie	Port Louis, E.F.I
234	Ross	William Henry	No. 8 Walker Creek, E.F.I
235	Sackett	Pauline	No. 22 Fitzroy Farm, E.F.I
236	Shepherd	Colin David	Goose Green, E.F.I
237	Short	Andrez Peter	Swan Inlet, E.F.I
238	Short	Elaine Elizabeth	Bleaker Island, E.F.I
239	Short	John Mark	Port Howard, W.F.I
240	Short	Robert Charles	Bleaker Island, E.F.I
241	Short	Robert George	Rancho Grande, E.F.I
242	Sinclair	Serena Samantha	Bold Cove Farm, W.F.I
243	Sinclair	Simon Keith	Fitzroy Farm, E.F.I
244	Smith	Caroline	Fitzroy Farm, E.F.I
245	Smith	Derek	Rincon Grande, E.F.I
246	Smith	Julia Trinidad	Rincon Grande, E.F.I
247	Smith	Kaylee Simone	Lakelands Farm, W.F.I
248	Smith	Terence George	North Arm, E.F.I
249	Steen	Gail	Paragon House Lafonia, E.F.I
250	Steen	Vernon Robert	Paragon House Lafonia, E.F.I
251	Stevens	Liam Bodie	Port Sussex, E.F.I
252	Stevens	Richard James	Port Sussex, E.F.I
253	Stevens	Toni Donna	Port Sussex, E.F.I

254	Strange	Ian John	New Island, W.F.I
255	Street	David Charles	Plot 13A Fitzroy Ridge, E.F.I
256	Street	Edith Mary	Plot 13A Fitzroy Ridge, E.F.I
257	Summers	Nichola Jane	Cape Dolphin, E.F.I
258	Taylor	Christopher John	No.19 Goose Green, E.F.I
259	Tellez	Rodolfo	Goose Green E.F.I
260	Thom	John Currie	No. 22 Fitzroy Farm, E.F.I
261	Thorsen	Gloria Penelope	Teal Inlet, E.F.I
262	Thorsen	Kristiane Annergret Helena	Teal Inlet, E.F.I
263	Towersey	Diane Katherine	Port Stephens, W.F.I
264	Turner	Arthur Leonard Pitaluga	Rincon Grande, E.F.I
265	Turner	Elaine Ellen	Rincon Grande, E.F.I
266	Tuson	Michael Anthony	Saunders Island, W.F.I
267	Tuson	Olwen Carol	Saunders Island, W.F.I
268	Velasquez	Arleen	Johnsons Harbour, E.F.I
269	Velasquez	Oscar Hernan	Johnsons Harbour, E.F.I
270	Wallace	Helen Jean	Albemarle Station, W.F.I
271	Watson	Glenda Joyce	Long Island, E.F.I
272	Watson	Neil	Long Island, E.F.I
273	White	Allan Paul George	Pebble Island, W.F.I
274	White	Georgina	New Island, W.F.I
275	Whitney	Daniela Grace	Mount Kent Farm, E.F.I
276	Whitney	Dennis	Arkvilla MPA Plot, E.F.I
277	Whitney	Sara Marie	Home Farm Douglas, E.F.I
278	Whitney	Tyrone	Home Farm, Douglas, E.F.I
279	Whitney	Zoe Jane	Mount Kent Farm, E.F.I
280	Wilkinson	Rosemary	Dunnose Head, W.F.I
281	Woodward	James Gregory	Little Chartres Farm, W.F.I
282	Woodward	Lesley Ann	Little Chartres Farm, W.F.I
283	Young	Julie	Pond House, Darwin, E.F.I

Register of Electors for Stanley Constituency at 16 October 2013

1	Adams	John Harvey	21 Ross Road East
2	Adams	Marjorie Rose	21 Ross Road East
3	Adams-Leach	Shirley	4 Moody Street
4	Adeoye	Anneliese Rose	25 Shackleton Drive
5	Alazia	Andrew	36 Callaghan Road
6	Alazia	Freda Evelyn	KEMH
7	Alazia	George Robert	9 Thatcher Drive
8	Alazia	Jason Neville	5 Villiers Street
9	Alazia	Sandra Marie	36 Callaghan Road
10	Alazia	Yvonne	Flat 2, 6 Jersey Road
11	Alazia-McLaughlin	Colleen	3 Narrows View
12	Aldridge	Brian George	17 James Street
13	Aldridge	Caroline Mary	2 McKay Close
14	Aldridge	Diana Mary	17 James Street
15	Aldridge	Kenneth John	2 McKay Close
16	Aldridge	Nina Ann	2 Mountain View
17	Aldridge	Stephen John	13 Hansen Hill
18	Allan	Joyce Ena	39 Ross Road
19	Allan	Valerie Anne	6A Jeremy Moore Avenue
20	Allen	Jacqueline Esther	26 Callaghan Road
21	Almonacid	Orlando	1 Villiers Street
22	Almond	Adrian Arthur James	4 Allardyce Street
23	Anderson	Brian	20 Murray Heights
24	Anderson	Carol Anne	22 Endurance Avenue
25	Anderson	Eddie	22 Endurance Avenue
26	Anderson	Jamie Falkland	18 Murray Heights
27	Anderson	Jenny	8 Goss Road
28	Anderson	Margaret Kathleen	18 Murray Heights
29	Anderson	Paul James	9 Fieldhouse Close
30	Anderson	Reginald Stanford	18 Murray Heights
31	Anderson	Richard Louis	7 Yates Place
32	Anderson	Stephen Robert	25 Callaghan Road
33	Anderson	Tony James	8 Goss Road
34	Anderson	William John Stanley	6B St Mary's Walk
35	Anderson-Smith	Georgina Carol	11 Fitzroy Road East
36	Anthony	Enid Elizabeth	6 Dairy Paddock Road
37	Appleby	Amelia	15 Fieldhouse Close
38	Arkhipkin	Alexander Ivanovich	13 Biggs Road
39	Arkhipkina	Nadezhda	13 Biggs Road
40	Armstrong-Ford	Karen Jane	2 Sullivan Street
41	Arthur-Almond	Daphne Margaret	4 Allardyce Street
42	Arthur-Almond	Hannah Rachael	4 Allardyce Street
43	Arthur-Almond	Rebecca Kathryn	4 Allardyce Street
44	Ashbridge	Corina Rose	116 Davis Street
45	Ashworth	Iain	5A Kent Road
46	Bagley	Corey Darren	9 Murray Heights
47	Bahamonde Salazar	Luis Alberto	Flat 2 Hebe Street
48	Baker	Alison Margaret	12 Endurance Avenue
49	Barker	Jane Elizabeth Diana	5 Pitaluga Place

50	Barker	Philip Craig	5 Pitaluga Place
51	Barkman	Teslyn Siobhan	6 Watson Way
52	Barlow	Andrea Joanna	Mullet Creek
53	Barlow	Martyn Liam	Mullet Creek
54	Barnes	Dierdre	8 Discovery Close
55	Barnes	Karen Rose	26 Ross Road West
56	Barnes	Marlene Estela	Malvina Flat Ross Road
57	Barnes	Marshall	8 Discovery Close
58	Barnes	Paul	26 Ross Road West
59	Barnes Acevedo	Melisa Beverley	40 Ross Road West
60	Barton	Alison Mary	6 Villiers Street
61	Barton	Arthur John	6 Villiers Street
62	Barton	David Arthur	6 Villiers Street
63	Barton	John David	6 Villiers Street
64	Barton	Julian George	6 Villiers Street
65	Bates	Barbara	8 Watson Way
66	Bates	James William	8 Watson Way
67	Beckett	Vivien Delia	2 Discovery Close
68	Bedford	Kita Muriel	13 Jersey Road
69	Benjamin	Sheena Marie	18 Callaghan Road
70	Berntsen	Brenda Diann Joanna	6 McKay Close
71	Berntsen	Cecilia Del Rosario	14 St Marys Walk
72	Berntsen	Christian Olaf Alexander	15A James Street
73	Berntsen	Erica Dawn	7 Biggs Road
74	Berntsen	Falkland	10 Fitzroy Road
75	Berntsen	Gene Stanley	8 Fieldhouse Close
76	Berntsen	Harley-Dee	3D Jersey Road
77	Berntsen	John Alexander	Flat 1, 7 Jeremy Moore Ave
78	Berntsen	Kenneth Frederick	1 Racecourse Road East
79	Berntsen	Lucas Delhi John	YMCA
80	Berntsen	Matthew John	5 Murray Heights
81	Berntsen	Olaf Christian Alexander	35 Eliza Crescent
82	Berntsen	Patrick	10A James Street
83	Berntsen	Rachel Ena	15A James Street
84	Berntsen	Robyn Chanelle	5 Fieldhouse Close
85	Berntsen	Saphena Anya Jane	4 Police Cottages
86	Berntsen	Sarah Jane	11 Fitzroy Road
87	Berntsen	Trevor John	6 McKay Close
88	Berntsen	Trina Mary Shirlene	Flat 4, 5 J.M.A
89	Berntsen	Valdamar Lars	14 St Marys Walk
90	Besley-Clark	Barbara June	16 Ross Road West
91	Besley-Clark	Norman	16 Ross Road West
92	Betts	Arlette	Lafone House Ross Road
93	Betts	Boonruam Phisil	7 Short Street
94	Betts	Coral Elizabeth	15 Pioneer Row
95	Betts	Daniel William	Flat 3, 3 Jeremy Moore Ave
96	Betts	Dion James	7 Jeremy Moore Avenue
97	Betts	Donald William	7 Jeremy Moore Avenue
98	Betts	George Winston Charles	35 Ross Road West
99	Betts	Ian	1 Villiers Street
100	Betts	Lucia Elizabeth	35 Ross Road West

101	Betts	Michael George	35 Ross Road West
102	Betts	Owen	9B Sullivan Street
103	Betts	Peter James	50A Davis Street
104	Betts	Priscilla Violet Morrison	5 Jeremy Moore Avenue
105	Betts	Scott James Peter	9 Brandon Road
106	Betts	Severine	15 Pioneer Row
107	Betts	Shirley Rose	7 Jeremy Moore Avenue
108	Betts	Stephen	7 Jeremy Moore Avenue
109	Betts	Trudi Ann	50A Davis Street
110	Betts	Tyrone Trevor	7 Short Street
111	Biggs	Ailie Christine	9 Brandon Road
112	Biggs	Alastair Gordon	Trehaile 50 John Street
113	Biggs	Althea Maria	3 Dairy Paddock Road
114	Biggs	Christopher David	Harbour View Knott
115	Biggs	Coleen Margot	9 Moody Street
116	Biggs	Daniel Craig	16 Endurance Avenue
117	Biggs	Edith Joan	Trehaile 50 John Street
118	Biggs	Frances	16 Endurance Avenue
119	Biggs	Kyle Alexander	16 Endurance Avenue
120	Biggs	Lucas Sebastian	16 Endurance Avenue
121	Biggs	Michael Elfed	21 Fitzroy Road
122	Biggs	Patrick	30 Ross Road East
123	Biggs	Peter Julian Basil	16 Endurance Avenue
124	Biles	Kathleen Anne	14 Kent Road
125	Biles	Keith Robert	14 Kent Road
126	Binnie	Linda Rose	6 Fieldhouse Close
127	Binnie	Ronald Eric	6 Fieldhouse Close
128	Binnie	Susana	3 Brandon Road
129	Birmingham	Alexandra Sally	4 Drury Street
130	Birmingham	John	4 Drury Street
131	Birmingham	Joseph John	4 Drury Street
132	Bishop	Nigel Ian	5 Jersey Road
133	Bishop	Tansy Fiona	5 Jersey Road
134	Blackley	Candy Joy	4 Barrack Street
135	Blackley	Maurice	German Camp, Callaghan Road
136	Blackley	Shane David	4 Barrack Street
137	Blake	Alexander Charles	38 Eliza Crescent
138	Blake	Anthony Thomas	14 Watson Way
139	Blake	Larissa Celly	12 Ross Road West
140	Blake	Lionel Geoffrey	1 Ross Road
141	Blake	Mariela	14 Watson Way
142	Blake	Sally Gwynfa	1 Ross Road
143	Blake	Thomas Patrick	12 Ross Road West
144	Blizard	Malvina Mary	51 Fitzroy Road
145	Bloomfield	Arlette Louise	33B Davis Street
146	Blyth	Paz Neri	4A Jeremy Moore Avenue
147	Bolt	Dennis John	4 Watson Way
148	Bonner	Alan Paul	8 Pioneer Row
149	Bonner	Avril Margaret Rose	4 Felton Court
150	Bonner	Cheryl Anne	10 Racecourse Road
151	Bonner	Donald William	Chauffeurs Cottage

152	Bonner	Ewen Shane	9 Discovery Close
153	Bonner	Hayley Trina	41 Ross Road West
154	Bonner	Linda Jane	4A Ross Road West
155	Bonner	Lindsay Jane	6 Ian Campbell Drive
156	Bonner	Nicholas	4A Ross Road West
157	Bonner	Odette Ellen May	1A Capricorn Road
158	Bonner	Paul Roderick	5 John Street
159	Bonner	Richard James	19B Mink Park
160	Bonner	Stevie Coppell	33 Callaghan Road
161	Bonner	Tansie Rebecca	9 Murray Heights
162	Bonner	Terence Leslie	1A Capricorn Road
163	Bonner	Timothy	41 Ross Road West
164	Bonner	Vera Ann	5 John Street
165	Bonner	Vera Joan	Chauffeurs Cottage
166	Booth	Jessie	Racecourse Cottage
167	Booth	Myriam Margaret Lucia	7 Philomel Street
168	Booth	Stuart Alfred	Racecourse Cottage
169	Bowers	Arlene Elizabeth	24 Callaghan Road
170	Bowles	Norma Evangeline	1A Villiers Street
171	Bowles	Sarah	9 Drury Street
172	Bowles	William Edward	1A Villiers Street
173	Bowles	William George Troyd	9 Drury Street
174	Bragger	Edward Laurence	14 Jeremy Moore Avenue
175	Bragger	Stacy John	19 Davis Street
176	Brickle	Paul	32 Fitzroy Road
177	Brock	Juanita Lois	20 Drury Street
178	Brook	Emma Jane	41 Ross Road East
179	Brooks	Cheryl Rose	The Flat 29 Fitzroy Road
180	Browning	Anita Jayne	29 Brandon Road
181	Browning	Edwina	96 Davis Street
182	Browning	Gavin	29 Brandon Road
183	Browning	Henry Stanbury	Lookout Lodge
184	Browning	Joan Lucy Ann	5 Villiers Street
185	Browning	Nathan David	3 Dairy Paddock Road
186	Browning	Rex	35 Davis Street
187	Browning	Richard William	96 Davis Street
188	Browning	Terence Irving	YMCA
189	Browning	Trevor Osneith	5 Villiers Street
190	Brownlee	Andrew Samuel	19 Ross Road East
191	Brownlee	Lynn Frances	19 Ross Road East
192	Brownlee	Michael Stewart	19 Ross Road East
193	Brownlee	Samantha Louise	19 Ross Road East
194	Bryson	Robert John	66 Davis Street
195	Buckett	Kimberley Louise	49 Fitzroy Road
196	Buckett	Ronald Peter	49 Fitzroy Road
197	Buckett	Roy Peter	22 James Street
198	Buckett	Ryan Peter	Flat 3, 7 Jeremy Moore Avenue
199	Buckett	Susan Vera	Mullet Creek, House
200	Buckland	Carole Lynda Jane	8 Moody Street
201	Buckland	Darlene Joanna	5 James Street
202	Buckland	Kristy Lesley Anne	1B Capricorn Road

203	Buckley-Whitney	Helena Jane	2 Pioneer Row
204	Budd	Dennis Raymond	5 Ian Campbell Drive
205	Budd	Grant William	1 Ian Campbell Drive
206	Budd	Pamela Joan	5 Ian Campbell Drive
207	Burston	Caitlin Laura	91 Davis Street
208	Burston	Catherine	91 Davis Street
209	Burston	Stephen Leslie	91 Davis Street
210	Burston	Thomas Stephen	91 Davis Street
211	Bury	Ian Thomas	63 Davis Street
212	Butcher	Michael George	3A Dairy Paddock Road
213	Butcher	Trudi	3A Dairy Paddock Road
214	Butler	Charmaine Sarah	Flat 2, 6 Racecourse Road
215	Butler	Elsie Maud	2 Thatcher Drive
216	Butler	George Joseph	1A Moody Street
217	Butler	Laurence Jonathan	2 Davis Street East
218	Butler	Lucy Mary Rose Ellen Doreen	1A Moody Street
219	Butler	Margaret Orlanda	5 Short Street
220	Butler	Orlanda Betty	2 Davis Street East
221	Buxton	Nicole Gabrielle	9 Ian Campbell Drive
222	Campos Guala	Jessica Paola	9A Sullivan Street
223	Cant	Carol Rosina	24 Goss Road
224	Carey	Anthony Michael	19 Ross Road West
225	Carey	Gladys	19 Ross Road West
226	Carey	Martin Rex	4 Hansen Hill
227	Carey	Mary Ann Margaret	18 Ross Road West
228	Carey	Terence James	18 Ross Road West
229	Cartwright	Stephen	39 Ross Road West
230	Castle	David Peter	26 John Street
231	Castle	Isobel	26 John Street
232	Ceballos	Eulogio Gabriel	28 Endurance Avenue
233	Ceballos	Isabel	12 Brisbane Road
234	Ceballos-Anderson	Alastair Jaime	40 Ross Road
235	Chaloner	Anthony Ross	8 Endurance Avenue
236	Chaloner	Karl Iain Roderick	8 Endurance Avenue
237	Chaloner	Sheila Catherine	25 Ross Road East
238	Chapman	Elsie Mary	23 Fitzroy Road
239	Chapman	Paul	27 Fitzroy Road
240	Chapman	Samantha Helen	27 Fitzroy Road
241	Chater	Anthony Richard	33 Fitzroy Road
242	Chater	Jane	3 Short Street
243	Chater	Kim Andrea	33 Ross Road
244	Chater	Thomas Frederick	3 Short Street
245	Chater	Victoria	37 Ross Road East
246	Chater	William John	37 Ross Road East
247	Cheek	Gerald Winston	9 Biggs Road
248	Cheek	Janet Lynda	35 Ross Road East
249	Cheek	Marie	9 Biggs Road
250	Cheek	Rosalind Catriona	32 Goss Road
251	Cheema	Ahmad Masood	17 Callaghan Road
252	Christie	Darren James	3 Narrows View
253	Christie	Phillippa Josephine	3 Narrows View

254	Clapp	Kevin Christopher	1 Murray Heights
255	Clark	Douglas James	112 Davis Street
256	Clark	Hector	27 Eliza Crescent
257	Clarke	Aaron Charles	13 Davis Street
258	Clarke	Angela Sindy	Flat 9, 6 Jersey Road
259	Clarke	Camilla Marie	8 Drury Street
260	Clarke	Christopher	5 Discovery Close
261	Clarke	David James	17 Ross Road West
262	Clarke	Derek Simon	23 Jeremy Moore Avenue
263	Clarke	Doreen	17 Ross Road West
264	Clarke	Felicity Marie	5 Brandon Road
265	Clarke	Gwynne Edwina	17 Jeremy Moore Avenue
266	Clarke	Ian	3A Ross Road West
267	Clarke	Isabel Joan	12 Fieldhouse Close
268	Clarke	James Martin	KEMH
269	Clarke	Jane Rebecca	12 Fieldhouse Close
270	Clarke	Jeremy Ian Thomas	11 Fitzroy Road
271	Clarke	Joan Patricia Marion	Cemetery Cottage
272	Clarke	Jonathan Terence	Lookout Lodge
273	Clarke	Joseph Gwyn	14A Brandon Road
274	Clarke	Julie Ann	9 Hansen Hill
275	Clarke	Luke Anthony	39 Fitzroy Road
276	Clarke	Margaret Ann	3 'H' Jones Road
277	Clarke	Mari-Ann Lucille	12 Fieldhouse Close
278	Clarke	Marvin Thomas	13 Davis Street
279	Clarke	Ronald John	17 Ross Road West
280	Clarke	Rudy Thomas	8 Drury Street
281	Clarke	Shane Adrian	36 John Street
282	Clarke	Stefen Michael	36 John Street
283	Clarke	Stephen Boyd	12 Fieldhouse Close
284	Clarke	Terence John	17 Jeremy Moore Avenue
285	Clarke	Tracey Clare	23 Jeremy Moore Avenue
286	Clarke	Trudi Ann	13 Davis Street
287	Clarke	Violet Rose	23 Murray Heights
288	Clasen	Donna Monica	15 Davis Street
289	Clasen	Wayne Ian Summers James	15 Davis Street
290	Clausen	Andrea Patricia	13 Jeremy Moore Avenue
291	Clausen	Denzil	24 Murray Heights
292	Clausen	Denzil George Gustavius	13 Jeremy Moore Avenue
293	Clausen	Melanie	54 Davis Street
294	Claxton	Margaret	28 Ross Road East
295	Clayton	Jade Anne	16 St Mary's Walk
296	Clayton	Joshua Jordon	16 St Mary's Walk
297	Clement	Gary	9 Snake Street
298	Clement	Jacqueline Ann	25 Hansen Hill
299	Clement	Jane	Gift Shop Flat, Villiers St
300	Clement	Lee	25 Hansen Hill
301	Clement	Sarah Jane	10 Snake Street
302	Clement	Wayne	10 Snake Street
303	Clifford	Cherie Yvonne	6 Capricorn Road
304	Clifford	John Owen	6 Capricorn Road

305	Clifford	Rhys John David	6 Capricorn Road
306	Clifford	Terri-Sue	Harbour View Knott
307	Clifton	Darwin Lewis	53 Davis Street
308	Clifton	Heidi Monica	10 Pioneer Row
309	Clifton	Marie	16 Fieldhouse Close
310	Clifton	Melvyn	2 Murray Heights
311	Clifton	Neil	8 Anderson Drive
312	Clifton	Stephen Peter	61 Fitzroy Road
313	Clifton	Teresa Ann	12 Callaghan Road
314	Clifton	Valerie Ann	10 Pioneer Row
315	Cockwell	Jennifer Marie	90 Davis Street
316	Cockwell	John Richard	14 Ross Road West
317	Cockwell	Maurice Adam	90 Davis Street
318	Cockwell	Samuel George	14 Ross Road West
319	Cofre	Anya Evelyn	37 Eliza Crescent
320	Cofre	Ashton Laura	9 Eliza Crescent
321	Cofre	Elvio Miguel	37 Eliza Crescent
322	Cofre	Reuben Patrick	37 Eliza Crescent
323	Collier	Victoria Louise	11 Ian Campbell Drive
324	Collins	Brian Richard	41 Davis Street
325	Collins	Christopher Allan	7 John Street
326	Collins	Hazel	41 Davis Street
327	Collins	Michael William Archibald	7 John Street
328	Collins	Steven Paul	7 John Street
329	Collins Finlay	Shiralee	9 Rowlands Rise
330	Connolly	Kevin Barry	1 King Street
331	Cordeiro Otero	Jose Antonio	1 Narrows View
332	Cotter	Caroline Jane	36 Eliza Crescent
333	Cotter	Gillian Naomi	9 Jeremy Moore Avenue
334	Cotter	Jacqueline Ann	28 Ross Road East
335	Cotter	Mary Jane	9 Jeremy Moore Avenue
336	Cotter	Timothy Stewart	9 Jeremy Moore Avenue
337	Courtney	Anthony Clive	30 Goss Road
338	Courtney	Julie Doris	30 Goss Road
339	Courtney	Marc Anthony	30 Goss Road
340	Coutts	John	36 Ross Road West
341	Coutts	Marie Anne	36 Ross Road West
342	Coutts	Olga	33 Ross Road
343	Crabb	Elizabeth Ann	34A Davis Street
344	Crowie	Alan John	17 Ian Campbell Drive
345	Crowie	Ana Bonita	72 Davis Street
346	Crowie	Bradley Rhys	72 Davis Street
347	Crowie	Chester Robert	35 Callaghan Road
348	Crowie	Clare Frances	8 Jersey Road
349	Crowie	Dave Mark	10 James Street
350	Crowie	David Martin	Lookout Lodge
351	Crowie	David Sean	51 Callaghan Road
352	Crowie	Layla Alicia	19 James Street
353	Crowie	Michelle	1 Discovery Close
354	Crowie	Nicola Jane	35 Callaghan Road
355	Crowie	Peter James	21 Murray Heights

356	Crowie	Rachael	10 James Street
357	Crowie	Robert John	35 Callaghan Road
358	Curtis	Alfred William Hamilton	6 Brandon Road West
359	Curtis	Bonnie Elizabeth Hamilton	22 Mink Park
360	Curtis	James Earl Hamilton	5 Fieldhouse Close
361	Curtis	James William Hamilton	19A Mink Park
362	Curtis	Tanya	19A Mink Park
363	Davies	Anthony Warren	7 Callaghan Road
364	Davies	Colin George	15 Ross Road West
365	Davies	Eileen Wynne	15 Ross Road West
366	Davies	Helen Louise	15 Ross Road West
367	Davies	Jacqueline Nancy	7 Callaghan Road
368	Davies	Samantha	Flat 4, Waverley House
369	Davies	Sian Karen	7 Callaghan Road
370	D'Avino	Damaris Priscila	14 Jersey Road
371	D'Avino	Pamela Martha	14 Jersey Road
372	Davis	Doreen Susan	11 Callaghan Road
373	Davis	Ellen Rose	55 Davis Street
374	Davis	Maurice	39 Davis Street
375	Davis	Nicholas	11 Callaghan Road
376	Davis	Roy George Victor	6 Narrows View
377	Davis	Samantha Jane	19 Murray Heights
378	Davis	Stacey Elizabeth	2 Rowlands Rise
379	Davis	William James	4 Yates Place
380	Davis	Yona	37 Davis Street
381	Dent	Elizabeth Jayne	4 Fieldhouse Close
382	Dent	Janice Vanessa	19 Hansen Hill
383	Dent	Stephen John	4 Fieldhouse Close
384	Dickson	Iris	2 Dairy Paddock Road
385	Dickson	Jason Edward	YMCA
386	Dickson	Michael Keith	12 Dairy Paddock Road
387	Dickson	Ronald Edward	2 Dairy Paddock Road
388	Didlick	Imogen Fiona	Flat 10, 6 Jersey Road
389	Didlick	John Charles Hilson	Lookout Lodge
390	Dobbyns	Kathleen Gay	60 Davis Street
391	Dodd	Alison	10 Beaver Road
392	Dodd	Mark Thomas	10 Beaver Road
393	Dodd	Nigel Keith	10 Beaver Road
394	Dodd	Samantha Jane	10 Beaver Road
395	Drysdale	Karen	1 Watson Way
396	Duncan	Robert Alfred	11 Callaghan Road
397	Duvall	Kenneth William	9 Murray Heights
398	Eagle	Rex Edward	13 Eliza Crescent
399	Earnshaw	Jacqueline Elizabeth	37 Ross Road West
400	East	Justin Clive Richard	1 Fieldhouse Close
401	Eccles	Bernard Leslie	18 Jeremy Moore Avenue
402	Eccles	Matthew James	9 Eliza Crescent
403	Eccles	Mhairi-Anne	18 Jeremy Moore Avenue
404	Eccles	Moira Cameron	18 Jeremy Moore Avenue
405	Elbakidze	Natasha Bonita Greenland	10 Mink Park
406	Elbakidze	Zaza	10 Mink Park

407	Ellick	Joanne Marie	11 McKay Close
408	Elliot	Elizabeth Rose	15 Callaghan Road
409	Elliot	Henry James	15 Callaghan Road
410	Elliot	Nathan James	15 Callaghan Road
411	Elliot	Samuel Robert	15 Callaghan Road
412	Ellis	Cyril	24 Ross Road East
413	Ellis	Lucy	11 James Street
414	Ellis	Paul	43 John Street
415	Ellis	Sally Jean	43 John Street
416	Ellis	Valerie	24 Ross Road East
417	Elsby	Barry	Moody Brook House
418	Elsby	Rosalind Alice	14A Brandon Road
419	Elsby	Thomas	14A Brandon Road
420	Eriksen	Fiona Alison	5 Racecourse Road
421	Evans	Duane Richard	Murray Heights
422	Evans	Kyran Binnie	Murray Heights
423	Evans	Michele Paula	Murray Heights
424	Ewing	Gordon	4 Jeremy Moore Avenue
425	Ewing	Irene	4 Jeremy Moore Avenue
426	Eynon	Carol	8 Villiers Street
427	Eynon	David John	8 Villiers Street
428	Faria	April Marie	3A Brisbane Road
429	Faria	Basil Harry	3A Brisbane Road
430	Faria	Maria Anne	3A Brisbane Road
431	Faria	Mary Ann	2A St Mary's Walk
432	Faria	Paul	22 Hansen Hill
433	Faria	Sarah Louise	22 Hansen Hill
434	Faria	Susana Caroline Berntsen	22 Hansen Hill
435	Felton	Faith Dilys	8 Murray Heights
436	Felton	Scott Daniel	41 Callaghan Road
437	Felton	Sonia Ellen	Gardner's Cottage
438	Felton-Eagle	Trudi Eileen	13 Eliza Crescent
439	Ferguson	Ellen Rose	51 Callaghan Road
440	Ferguson	Finlay James	Flat 2, Moody Street
441	Ferguson	John William	47 Ross Road East
442	Ferguson	Robert John Andrew	47 Ross Road East
443	Ferguson	Rose	6 Thatcher Drive
444	Ferguson	Stephanie Janet	47 Ross Road East
445	Ferguson	Thelma	4A St Mary's Walk
446	Ferriby	Debora Susana	56 Davis Street
447	Ferriby	Lee Robert	56 Davis Street
448	Fiddes	Douglas Graham	The Stables Moody Brook
449	Fiddes	Gardner Walker	3 Watson Way
450	Fiddes	Julia Bertrand	6 Rowlands Rise
451	Fiddes	Kelly Melody	YMCA
452	Fiddes	Melody Christine	3 Watson Way
453	Finlay	Andrew John	9 Rowlands Rise
454	Finlayson	Iris Heather	3 Capricorn Road
455	Finlayson	Kimberly Elizabeth	26 Ross Road East
456	Finlayson	Marc Ian	19 James Street
457	Finlayson	Marilyn Christine	24 James Street

458	Finlayson	Peter	24 James Street
459	Finlayson	Phyllis	6 Brandon Road
460	Fisher-Smith	Julie Anne	8 Fieldhouse Close
461	Floyd	Michael	7 Pitaluga Place
462	Floyd	Michael Anthony	7 Pitaluga Place
463	Floyd	Stephen Paul	26 Hansen Hill
464	Floyd	Tracy	26 Hansen Hill
465	Fogerty	Richard Edwin John	Stone Cottage Airport Road
466	Ford	Alison Jane Marie	9 Jersey Road
467	Ford	Arthur Henry	6 Drury Street
468	Ford	Cara Michelle	5A Kent Road
469	Ford	Chloe Elizabeth	Y.M.C.A
470	Ford	Christine	6 Drury Street
471	Ford	Christopher James	6 Felton Court
472	Ford	Colin Stewart	15 Kent Road
473	Ford	Colleen Mary	12 Davis Street
474	Ford	Daniel Timothy	15 Kent Road
475	Ford	Darrel Michael	54 Davis Street
476	Ford	Debbi Louisa	6 Felton Court
477	Ford	Donna Marie	22 Murray Heights
478	Ford	Gerard Allan	12 Hansen Hill
479	Ford	Jonathan	3 Pitaluga Place
480	Ford	Julie Ann	3 Pitaluga Place
481	Ford	Leann Caroline	15 Kent Road
482	Ford	Leonard	9 Jersey Road
483	Ford	Mandy	1 James Street
484	Ford	Marvyn Neil	68 Davis Street
485	Ford	Mikaela Jayne	15 Kent Road
486	Ford	Neil Frazer	6 Drury Street
487	Ford	Paul Edward	2 Sullivan Street
488	Ford	Simon	1 James Street
489	Forrest	Jennifer Carol	6 Fitzroy Road East
490	Forrest	Michael John	6 Fitzroy Road East
491	Forster	Amanda	9 Fieldhouse Close
492	Forster	Gwyneth May	10 Drury Street
493	Forster	James	10 Drury Street
494	Forster	Lynne	12 Endurance Avenue
495	Fowler	Alan Claude	34 Fitzroy Road
496	Fowler	Daniel Martin	2 Glasgow Road
497	Fowler	John Andrew Thomas	2 Glasgow Road
498	Fowler	Vanessa Kay	34 Fitzroy Road
499	Fowler	Veronica Mary	1 Narrows View
500	France	Graham Brian	7 Snake Hill
501	France	Ian Peter	4 Sullivan Street
502	Freeman	Carl Francis	Maiden Haven Cottage
503	Freeman	Dianne May	Maiden Haven Cottage
504	Freer	Edward Craig	7 Fitzroy Road East
505	Freer	Matthew Paul	7 Fitzroy Road East
506	Freer	Pamela Jane	7 Fitzroy Road East
507	Freer	Stephen Paul James	7 Fitzroy Road East
508	French	Breda Marie	Flat 3, 6 Jersey Road

509	French	Robert Alan	12 Narrows View
510	George	Kevin Charles	26 Ross Road East
511	George	Robert Ziggy	26 Ross Road East
512	Gilbert	Christopher Paul	11 Ian Campbell Drive
513	Gilbert	Mark Ian	22 Jeremy Moore Avenue
514	Gilbert	Neil Robert	22 Jeremy Moore Avenue
515	Gilbert	Robert Ernest	22 Jeremy Moore Avenue
516	Gilbert	Sharon	11 Ian Campbell Drive
517	Gilson-Clarke	Martyn Ian	11A Racecourse Road
518	Gisby	Annie	37 Ross Road East
519	Glanville	Adam James	12 James Street
520	Gleadell	Ian Keith	2 Yates Place
521	Goodwin	Bonita Colleen	21 Eliza Crescent
522	Goodwin	Catherine Dawn	8 Hansen Hill
523	Goodwin	Cheveze John Douglas	YMCA
524	Goodwin	Colin Valentine	86 Davis Street
525	Goodwin	Derek Samuel	21 Eliza Crescent
526	Goodwin	Emily Rose	7 Brisbane Road
527	Goodwin	Gareth Kevin	15 Hansen Hill
528	Goodwin	Hazel Rose	7 Thatcher Drive
529	Goodwin	June Elizabeth	86 Davis Street
530	Goodwin	Mandy Hazel Minnell	31 Ross Road West
531	Goodwin	Margaret Ann	3H Jones Road
532	Goodwin	Margo Jane	5C Hansen Hill
533	Goodwin	Marie-Bernard Therese	15 Hansen Hill
534	Goodwin	Rachel Karen	31 Ross Road West
535	Goodwin	Robin	31 Ross Road West
536	Goodwin	Robin Christopher	27 Callaghan Road
537	Goodwin	Simon James	8 Hansen Hill
538	Goodwin	Una	27 Callaghan Road
539	Goodwin	William John Maurice	7 Brisbane Road
540	Gordon	Robert James Alexander	8 Murray Heights
541	Goss	Annagret	16 Jeremy Moore Avenue
542	Goss	Carole-ann	2A Capricorn Road
543	Goss	Eric Miller	2 Fitzroy Road East
544	Goss	Ian Ernest Earle	98 Davis Street
545	Goss	Jane Alexander	98 Davis Street
546	Goss	Morgan Edmund	16 Jeremy Moore Avenue
547	Goss	Sandra Kathleen	11 Kent Road
548	Goss	Sherilee Christine	98 Davis Street
549	Goss	Shirley Ann	2 Fitzroy Road East
550	Goss	Simon Peter Miller	11 Kent Road
551	Goss	Susan Diann	98 Davis Street
552	Goss	William Henry (jnr)	7 Brandon Road
553	Gough	Ivan Carl	8 John Street
554	Gough	Phyllis Candy	8 John Street
555	Gough	Tanzey Jayne	8 John Street
556	Gray	Patricia May	22 Ross Road West
557	Green	David William	4 Discovery Close
558	Greenland	James Andrew William	21 St Mary's Walk
559	Greenough	Brandon	6 Murray Heights

560	Greenough	Geoffrey	14 Endurance Avenue
561	Greenough	Wanda Rose	14 Endurance Avenue
562	Grimmer	Edward	21 Hansen Hill
563	Hadden	Alexander Burnett	8A St Mary's Walk
564	Hadden	Sheila Peggy	8A St Mary's Walk
565	Halliday	Bethan Rosina	5 Drury Street
566	Halliday	Cathy Anne	5 Drury Street
567	Halliday	Jeffrey James	9A Philomel Street
568	Halliday	Julie Ann	9A Philomel Street
569	Halliday	Raynor	9 Brisbane Road
570	Hancox	Alice Fiona	5 McKay Close
571	Hancox	Emily Clare	5 McKay Close
572	Hansen	Douglas John	6 Fitzroy Road
573	Hansen	Keva Elizabeth	1 Dairy Paddock Road
574	Hansen	Terence Joseph	41 Eliza Crescent
575	Hardcastle	Eileen Beryl	7 Ross Road East
576	Hardcastle	Simon Brook	7 Ross Road East
577	Harris	Angela Jane	10 Haskard Rise
578	Harris	Brian Frederick	Felton Stream
579	Harris	Christopher James	5 Ross Road East
580	Harris	Dennis Sefton	19 Callaghan Road
581	Harris	Heather	3 Ross Road East
582	Harris	Jill Yolanda Miller	19 Fitzroy Road
583	Harris	Karl Henry	10 Haskard Rise
584	Harris	Leeann Watson	11 Dairy Paddock Road
585	Harris	Leslie Sidney	19 Fitzroy Road
586	Harris	Michael Ronald	3 Ross Road East
587	Harris	Ralph Aaron	11 Dairy Paddock Road
588	Harris	Wendy Ann	19 Callaghan Road
589	Harvey	Sheila	8 Barrack Street
590	Hawthorn	Christopher	6B Gleadell Close
591	Hawthorn	David	25 Eliza Crescent
592	Hawthorn	Elane Maria	14 Scoresby Close
593	Hawthorn	Mary Catherine	5A Brisbane Road
594	Hawthorn	Ryan	6B Gleadell Close
595	Hayward	Marjorie	4B St Mary's Walk
596	Hayward	Neville	29 Fitzroy Road
597	Hayward	Pauline May	29 Fitzroy Road
598	Heathcock	Andrew James	7 Drury Street
599	Heathman	Abbie Louise	15 Eliza Cove Road
600	Heathman	Malcolm Keith	15 Eliza Cove Road
601	Heathman	Mandy Gail	15 Eliza Cove Road
602	Heathman	Nyree	7 Allardyce Street
603	Heathman	Sally Hermione	15 Eliza Cove Road
604	Hemming	Graeme John	10 Murray Heights
605	Henry	Adam Robert	8 Beaver Road
606	Henry	Alan Richard	8 Beaver Road
607	Henry	Donna Louise	14A Brandon Road
608	Henry	Patricia Denise	8 Beaver Road
609	Henry-Roberts	Dominic Patrick Alexander	5 Narrows View
610	Hernandez Manterola	Miguel Angel	3 Murray Heights

611	Hernandez Tревello	Maria Elena	3 Murray Heights
612	Hewitt	Bernice Marilyn Sarah	7 Moody Street
613	Hewitt	Charles David James Murdo	YMCA
614	Hewitt	Christine Alison Elizabeth	12A Brandon Road
615	Hewitt	Frances Agnes	KEMH
616	Hewitt	Gary George	3 Hebe Place
617	Hewitt	Margaret Ann	3 Hebe Place
618	Hewitt	Tara Marie	3 Hebe Place
619	Hills	David John	19 Scoresby Close
620	Hirtle	Christine	5 Capricorn Road
621	Hirtle	Debbie Ann	2B Capricorn Road
622	Hirtle	Leonard Lloyd	2 Ian Campbell Drive
623	Hirtle	Michael Barry	2 Ian Campbell Drive
624	Hirtle	Rose Ann Shirley	4 Villiers Street
625	Hirtle	Zane Eric	12 Drury Street
626	Hobman	Anilda Marilu	5 Police Cottages
627	Hobman	Kyle John	YMCA
628	Hobman	Luis Alfonso	5 Police Cottages
629	Howatt	Derek Frank	4 Racecourse Road
630	Howatt	Suzanna Margaret	4 Racecourse Road
631	Howe	Adam Marcus Timothy	36 Davis Street
632	Howe	Alexander Luke Desmond	36 Davis Street
633	Howe	Alison Delia	36 Davis Street
634	Howe	Paul Anthony	36 Davis Street
635	Howe	Thomas Craig Samuel	36 Davis Street
636	Howells	Roger	112A Davis Street
637	Hoy	Gabriella Daisy	7 Biggs Road
638	Humphreys	Bruce Adam	7 Dean Street
639	Humphreys	Dennis James	7 Dean Street
640	Humphreys	Hannah Elaine	12 Mink Park
641	Humphreys	Nina Elizabeth	7 Dean Street
642	Hutton	Elizabeth Isabella	3 John Street
643	Hutton	Philip	3 John Street
644	Igao	Alejandro Neri	Flat 3, 6 Racecourse Road
645	Igao	Noel Neri	10 Goss Road
646	Igao	Pauline Lynx	10 Goss Road
647	Inglis	Alison Anne MacKenzie	9 Short Street
648	Irvine	Andrew Grant McKenzie	9 McKay Close
649	Jackson	Kathleen	7 Drury Street
650	Jackson	Malcolm	7 Drury Street
651	Jackson	Mark Malcolm	5 Drury Street
652	Jacobsen	Alistair	1A Philomel Street
653	Jacobsen	Catherine Joan	1A Philomel Street
654	Jacobsen	Cathy	8 Fitzroy Road
655	Jacobsen	Tanzi	19 Scoresby Close
656	Jacobsen	Toni Rhona	1A Philomel Street
657	Jaffray	Anika Doreen	2 Arch Green
658	Jaffray	Arlette Sharon	7 Jersey Road
659	Jaffray	Ashley Dereck Porter	17 Ross Road East
660	Jaffray	Catriona Mhairi	24 Hansen Hill
661	Jaffray	Dereck Charles	2 Arch Green

662	Jaffray	Dominic Summers	YMCA
663	Jaffray	Eileen	5 Hebe Street
664	Jaffray	Estelle Anita	11 Snake Hill
665	Jaffray	Eva Lynn	47 Callaghan Road
666	Jaffray	Frank Alexander	1 Gleadell Close
667	Jaffray	Gerard Alan	47 Callaghan Road
668	Jaffray	Helen Rose	84 Davis Street
669	Jaffray	Ian	5 Hebe Street
670	Jaffray	Ingrid Joyce	9 Fitzroy Road
671	Jaffray	Janet	3 Fitzroy Road East
672	Jaffray	John	3 Fitzroy Road East
673	Jaffray	John Summers	84A Davis Street
674	Jaffray	John Willie	21 Watson Way
675	Jaffray	June Elizabeth	17 Ross Road East
676	Jaffray	Kenneth Ian	7 Jersey Road
677	Jaffray	Lisa Jane	7 Hebe Street
678	Jaffray	Nicole Dawn	5 Hebe Street
679	Jaffray	Phyllis	21 Watson Way
680	Jaffray	Shaun Melvyn	28 Davis Street
681	Jaffray	Stephen James	5 James Street
682	Jaffray	Tanya Fiona	21 Hansen Hill
683	Jaffray	Terrence Roy	5 Hebe Street
684	Jaffray	Terri-Ann	24 Endurance Avenue
685	Jaffray	Tony	84 Davis Street
686	Jaffray	Tracy	James Street
687	Jaffray Bryson	Joanna Phyllis	66 Davis Street
688	Jamieson	Malcolm William	5 Nutt Cartmell Close
689	Jamieson	Patricia Anne	5 Nutt Cartmell Close
690	Jennings	Hamish Warren	9 Davis Street
691	Jennings	Leeanne Kate	9 Davis Street
692	Jennings	Nancy Elizabeth	7 Philomel Street
693	Jennings	Roy	9 Davis Street
694	Jennings	Stephen	5 Fitzroy Road
695	Johnson	Christopher David	11 Rowlands Rise
696	Johnson	Lily Ann	5A Hebe Street
697	Johnson	Michael Neil	30 Jersey Road
698	Jones	Deena Marie	6 Allardyce Street
699	Jones	Evan Glynn	12 Endurance Avenue
700	Jones	Kevin Richard	3A Brandon Road
701	Jones	Yvonne Malvina	Flat 1, 6 Racecourse Road
702	Jonson	Amy Elizabeth	41 Eliza Crescent
703	Jonson	Nicole Frances	30 Endurance Avenue
704	Jordan	Cara Jane	12 Goss Road
705	Joshua	Josephine Mary	7 Gleadell Close
706	Joshua	Rosemond Patricia	3 Felton Stream
707	Keane	Alva Rose Marie	18 Davis Street
708	Keane	Olaf James	18 Davis Street
709	Keane	Thomas James	18 Davis Street
710	Keenleyside	Charles Desmond	3 Pioneer Row
711	Keenleyside	Manfred Michael Ian	2 Snake Hill
712	Keenleyside	Nanette Barbara	2 Snake Hill

713	Kelly	Phillip Sean	13 Nutt Cartmell Close
714	Kelly	Sandy Bridget	13 Nutt Cartmell Close
715	Kenny	Erling	20 James Street
716	Kidd	John Nathan	7 Ross Road West
717	Kidd	Lillian Rose Orissa	7 Ross Road West
718	Kiddle	Robert Karl	Flat 2, 1 Moody Street
719	Kilmartin	Clovis Sebastian	3 Davis Street East
720	King	Anna Constance Eve	34 Ross Road
721	King	Glynis Margaret	Stanley Arms Flat
722	King	Michelle Beverly	4 Biggs Road
723	King	Peter Thomas	10 Jeremy Moore Avenue
724	King	Robert John	22/24 Davis Street
725	King	Rosemarie	10 Jeremy Moore Avenue
726	King	Roxanne McCarthy	39 Fitzroy Road
727	Kirkham	Campbell Joseph	5 Capricorn Road
728	Knight	Margaret Anne	6 Yates Place
729	Kultschar	John William	4 Davis Street East
730	Kultschar	Richard Paul	5 Brisbane Road
731	Kultschar	Yvonne Rosina	4 Davis Street East
732	Ladron De Guevara	Simon	22/24 Davis Street
733	Ladron De Guevara Barnes	Jeremy Marshall	22/24 Davis Street
734	Ladron De Guevara Vilches	Carmen Benilda	22/24 Davis Street
735	Laffi	Atilio Segundo	3 Brisbane Road
736	Laffi	Kathleen Mary	3 Brisbane Road
737	Lang	Colin David	2 Brisbane Road
738	Lang	David Geoffrey	28 Goss Road
739	Lang	James Patrick	2 Davis Street
740	Lang	Leah Falalimpa	2 Davis Street
741	Lang	Sandra Shirleen	3 Yates Place
742	Lang	Theresa Margaret	28 Goss Road
743	Lang	Valma Emily	8A Moody Street
744	Lang	Wendy Diane	2 Brisbane Road
745	Lapham	Stephen William	18 Hansen Hill
746	Lapham	Suzanna	18 Hansen Hill
747	Larsen	Ellen	6A Moody Street
748	Larsen	Ronald Ivan	2 Anderson Drive
749	Larsen	Yvonne	2 Anderson Drive
750	Lazo	Javier Waldemar Sanchez	80 Davis Street
751	Lazo	Joanna Rose	80 Davis Street
752	Leach	Nigel Jon	4 Moody Street
753	Lee	Carole	15 Ian Campbell Drive
754	Lee	Gladys	11 Drury Street
755	Lee	Karen Jane	14 Davis Street
756	Lee	Mandy John	15 James Street
757	Lee	Owen Henry	4 Pioneer Row
758	Lee	Rodney William	15 Ian Campbell Drive
759	Lee	Victoria Jane	Flat 4 Church House
760	Lennie	Gordon Carnie	9 Narrows View
761	Lewis	David James	3 Ian Campbell Drive
762	Lewis	Jason	9 Short Street
763	Lewis	Pamela Irene	3 Ian Campbell Drive

764	Leyland	Frank	10 Brandon Road
765	Leyland	Vera	10 Brandon Road
766	Liddle	Alison Catherine	3A Hebe Street
767	Limburn	Monica	2 Brandon Road
768	Limburn	Sean Roderick	2 Brandon Road
769	Livermore	Anton	82 Davis Street
770	Livermore	Doreen Emily	82 Davis Street
771	Livermore	Isla Karen	Flat 3, 30 Jersey Road
772	Livermore	Kirsty Nicole	8 Marmont Row
773	Livermore	Verity Anne	8 Murray Heights
774	Lloyd	Christopher Sturdee	12 McKay Close
775	Lloyd	Natalie Anne	12 McKay Close
776	Lloyd	Roanna Eileen	8 Ross Road
777	Loftus	Geoffrey	15 Biggs Road
778	Loftus	Sara	15 Biggs Road
779	Lowe	Katrina Louise	5 McKay Close
780	Luxton	Anna	4 Biggs Road
781	Luxton	Michael	1A Pioneer Row
782	Luxton	Nicola	1A Pioneer Row
783	Luxton	Robin	1 Jersey Road
784	Luxton	Stephen Charles	Mullet Creek House
785	Luxton	Wendy Jennifer	1 Jersey Road
786	Luxton	Winifred Ellen	15 Fitzroy Road
787	Luxton	Zoe	2 Glasgow Road
788	Lyse	Linda Margaret	65 Fitzroy Road
789	Macaskill	Angus Lindsay	8 Jeremy Moore Avenue
790	Macaskill	John	34 Ross Road West
791	Macaskill	Robert John	1A Brisbane Road
792	Macaskill	Tracey Jayne	1A Brisbane Road
793	MacDonald	Alexander Colin	41 Eliza Crescent
794	MacDonald	Andrew James	29 Callaghan Road
795	MacDonald	Derek George	30 Endurance Avenue
796	MacDonald	Irene	Flat 3, 5 Jeremy Moore Avenue
797	Maciello	Jorge Diego	33 Ross Road
798	Maciello	Susan Ovedia Franz	33 Ross Road
799	Maddocks	Robert Charles	11 Murray Heights
800	Marsh	Samantha Ann	7 Jersey Road
801	Martin	Lee Anthony	7 McKay Close
802	Martin	Lisa Maria	7 McKay Close
803	May	Angela Jane	11 Sullivan Street
804	May	Bruce Raymond	9 Kent Road
805	May	Bryan Roy	21 Jeremy Moore Avenue
806	May	Connie	9 Kent Road
807	May	Heather	1 Glasgow Road
808	May	Jonathan Roy	12 Jeremy Moore Avenue
809	May	Lucinda Vikki	12 Jeremy Moore Avenue
810	May	Monica	21 Jeremy Moore Avenue
811	May	Roger	11 Sullivan Street
812	May	Tiphanie	9 Callaghan Road
813	May	William Albert	1 Glasgow Road
814	McBain	Arthur	29 Goss Road

815	McBain	Rhoda Margaret	29 Goss Road
816	McCallum	Bettina Kay	14 Drury Street
817	McCallum	Christopher John	8A Jeremy Moore Avenue
818	McCallum	Rampai	14A Drury Street
819	McCallum	Shanice	YMCA
820	McCallum	Timothy Andrew	14A Drury Street
821	McCormick	Dale Ronald	24 Eliza Crescent
822	McCormick	Pauline Margaret Ruth	29 Callaghan Road
823	McCormick	Richard Paul	29B Callaghan Road
824	McCormick	Samantha Laura	Flat 1, 3 Jersey Road
825	McCormick	Tamara Ann	Flat 8, 6 Jersey Road
826	McCormick	Wayne Stanley James	12 Endurance Avenue
827	McCrea	Robert Thomas	25 Ross Road West
828	McDade	Priscilla Alison	12 St Marys Walk
829	McGill	Cara Jane	Flat 6, Jersey Road
830	McGill	Daniel Stanford	2 James Street
831	McGill	Darrel Ian	20 Jeremy Moore Avenue
832	McGill	David William	Gardeners Cottage South
833	McGill	Diane Beverley	2 James Street
834	McGill	Doris Mary	1 Philomel Place
835	McGill	Gary	15 Brandon Road
836	McGill	Glenda	1C Capricorn Road
837	McGill	Heather Margaret	Gardeners Cottage South
838	McGill	Ian Peter	1C Capricorn Road
839	McGill	Len Stanford	2 James Street
840	McGill	Odette Susan	15 Brandon Road
841	McGill	Teresa Rose	26 Ross Road East
842	McKay	Bono John	21 Ross Road West
843	McKay	Clara Mary	20 Ross Road West
844	McKay	Heather Valerie	16 Eliza Crescent
845	McKay	Jeannie Paullina	2 Allardyce Street
846	McKay	Jennifer Coral	24 Eliza Crescent
847	McKay	John David Toby	51 Callaghan Road
848	McKay	Lauren Joyce	21 Ross Road West
849	McKay	Mandy Rose	51 Callaghan Road
850	McKay	Melvyn Andrew	55 Davis Street
851	McKay	Michael John	64 Davis Street
852	McKay	Michelle Jane	64 Davis Street
853	McKay	Neil	60 Davis Street
854	McKay	Paul Anthony	Flat 1, Moody Street
855	McKay	Peter John	21 Ross Road West
856	McKay	Rex	16 Eliza Crescent
857	McKay	Stacey Jane	7 Biggs Road
858	McKee	Miranda	12 Watson Way
859	McKee	Richard Buick	12 Watson Way
860	McKenzie	Alice Maud	11 Thatcher Drive
861	McKenzie	Charles Alexander Albert J	11 Thatcher Drive
862	McLaren	Caroline Mary	8A John Street
863	McLaren	Kevin Derek Charles	3D Jersey Road
864	McLaren	Tony Eugene Terence	10 Moody Street
865	McLeod	David	49 Callaghan Road

866	McLeod	Glenda Otadoy	49 Callaghan Road
867	McLeod	Henry Donald Alexander	16 Fieldhouse Close
868	McLeod	Ian	17 Davis Street
869	McLeod	Ian James	7 Ian Campbell Drive
870	McLeod	Janet Wensley	75 Davis Street
871	McLeod	Janice	2 Ross Road West
872	McLeod	Joan May	13 Murray Heights
873	McLeod	John (2)	23 Hansen Hill
874	McLeod	Mally	17 Davis Street
875	McLeod	Margaret Ann	13 Fitzroy Road East
876	McLeod	Michael William	5 Short Street
877	McLeod	Pearl Mary Ann	18 Brandon Road
878	McLeod	Robert	75 Davis Street
879	McLeod	Robert John	2 Ross Road West
880	McLeod	Valorie Marcela	7 Ian Campbell Drive
881	McMullen	June	8 Brandon Road
882	McMullen	Lucille Anne	6A John Street
883	McMullen	Matthew John	5 Fieldhouse Close
884	McMullen	Tony	8 Brandon Road
885	McPhee	Denise	4 Brandon Road West
886	McPhee	Justin Owen	4 Brandon Road West
887	McPhee	Kenneth John	8B St Marys Walk
888	McRae	Charlotte Melize	18 Jersey Road
889	McRae	Elvis Richard	18 Jersey Road
890	McRae	Gloria Linda	9 Snake Hill
891	McRae	Kerry Jane	15 Sullivan Street
892	McRae	Michael	2A 'H' Jones Road
893	Middleton	Callum William	13 McKay Close
894	Middleton	Caren	4 Rowlands Rise
895	Middleton	Caroline Ann	7 James Street
896	Middleton	Dennis Michael	Dolphin Cottage
897	Middleton	Joan Eliza	8 James Street
898	Middleton	Leif Miles Prindle	5 St Mary's Walk
899	Middleton	Leonard	67 Fitzroy Road
900	Middleton	Megan Shirley Rebecca	79 Davis Street
901	Middleton	Murray Alexander	4 Rowlands Rise
902	Middleton	Nevin Alexander	4 Rowlands Rise
903	Middleton	Phillip John	5 St Marys Walk
904	Middleton	Sharon Elizabeth	Dolphin Cottage
905	Middleton	Stephanie Anne	13 McKay Close
906	Middleton	Yvonne Allison	50 Davis Street
907	Miller	Andrew Nigel	7 Villiers Street
908	Miller	Bruce Graham	46 John Street
909	Miller	Carol	Marine Cottage
910	Miller	Gail Marie	6A Brisbane Road
911	Miller	Janet Mary	Market Garden, Airport Rd
912	Miller	Jayne Elizabeth	27 Davis Street
913	Miller	Jeanette	46 John Street
914	Miller	Samuel Andrew	27 Davis Street
915	Miller	Simon Roy	Marine Cottage
916	Miller	Steven Geoffrey	4 Beaver Road

917	Miller	Timothy John Durose	Market Garden, Airport Rd
918	Miller	Warren Joseph	46 John Street
919	Mills	Terence Kenneth	1 Thatcher Drive
920	Milne	Teresa	Colonia Cottage, John Street
921	Minnell	Adrian James	8 Moody Street
922	Minnell	Ella Josephine	17 Ian Campbell Drive
923	Minnell	Hazel Eileen	5 Yates Place
924	Minnell	Michelle Rose	1 Brandon Road
925	Minnell	Tamara Rose	1 Brandon Road
926	Minnell Goodwin	Joanne Hazel Rose	9 Murray Heights
927	Minto	Alistair Daem	Flat 5, 1 J.M.A
928	Minto	Barbara Pennisi	9 Fitzroy Road
929	Minto	Christian Ian	18 Endurance Avenue
930	Minto	Dilys Rose	18 Endurance Avenue
931	Minto	Graham Stewart	12 Brisbane Road
932	Minto	Karen Joleen	12 Brisbane Road
933	Minto	Laura Jayne	7 Villiers Street
934	Minto	Patrick Andrew	3B Jersey Road
935	Minto	Sally Ann	12 Brisbane Road
936	Minto	Sean Daem	18 Endurance Avenue
937	Minto	Timothy Ian	18 Endurance Avenue
938	Minto	Ximena Ida	Flat 1 Moody Street
939	Miranda	Augusto	3 Thatcher Drive
940	Miranda	Carmen	8 Anderson Drive
941	Miranda	Ramon	3 Drury Street
942	Miranda	Winifred Dorothy	3 Drury Street
943	Mitchell	Paige	16 Fieldhouse Close
944	Mitchell	Shane Leon	16 Fieldhouse Close
945	Moffatt	Angela	20 Ross Road East
946	Moffatt	James	20 Ross Road East
947	Moffatt	Jay	5 Gleadell Close
948	Moffatt	Sean	20 Ross Road East
949	Molkenbuhr	Lee Charles	19 Sullivan Street
950	Molkenbuhr-Smith	Sara Jayne	1 Callaghan Road
951	Montgomerie	Delen Ann Nicola	1 McKay Close
952	Morris	Alana Marie	4 Callaghan Road
953	Morris	David	4 Callaghan Road
954	Morris	Jason Paul	59 Fitzroy Road
955	Morris	Trevor Alan	1 Moody Street
956	Morrison	Dana Justine	108 Davis Street
957	Morrison	Edgar Ewen	5 Racecourse Road
958	Morrison	Fayan	54 John Street
959	Morrison	Graham Stewart	34A Davis Street
960	Morrison	Guy Damian	15 Brandon Road
961	Morrison	Jacqueline Denise Anita	13 Ian Campbell Drive
962	Morrison	Joan Margaret	3 Felton Court
963	Morrison	John	14 Scoresby Close
964	Morrison	Joleen Coleen	3 Felton Court
965	Morrison	Keiran Kenneth	Police Cottages
966	Morrison	Kenneth	13 Ian Campbell Drive
967	Morrison	Lena	108 Davis Street

968	Morrison	Leslie Theodore Norman	108 Davis Street
969	Morrison	Lewis Ronald	55 Davis Street
970	Morrison	Marcus Lewis	2A Capricorn Road
971	Morrison	Michael John	10 Fitzroy Road East
972	Morrison	Nanette Rose	46 Davis Street
973	Morrison	Nigel Peter	3 Felton Court
974	Morrison	Paul Roderick	3 Racecourse Road East
975	Morrison	Richard Lowry	1 Biggs Road
976	Morrison	Roxanne	13 Ian Campbell Drive
977	Morrison	Russell John Allan	16 Mink Park
978	Morrison	Stewart	46 Davis Street
979	Morrison	Susan Margaret	10 Fitzroy Road East
980	Morrison	Tamara	2A' H' Jones Road
981	Morrison	Violet Sarah	6B St Mary's Walk
982	Morrison	William Roderick Halliday	54 John Street
983	Morrison-Sanchez	Angely Susanne	16 Mink Park
984	Munro	Grant Mackintosh	69 Fitzroy Road
985	Murphy	Andrew Paul	2 King Street
986	Murphy	Ann Susan	2 King Street
987	Nannig Vargas	Robert Richard	Tigh Na Mara Moody Brook
988	Napier	Lily	2 Racecourse Road
989	Napier	Roderick Bertrand	2 Racecourse Road
990	Neilson	Barry Marwood	6 Barrack Street
991	Neilson	Edward Sydney	6 Barrack Street
992	Neilson	Harold Ian	74 Davis Street
993	Neilson	Margaret	6 Barrack Street
994	Newell	Joseph Orr	3 Villiers Street
995	Newman	Andrew Raymond	51 Ross Road East
996	Newman	Mariene	11 Jeremy Moore Avenue
997	Newman	Terence	24 Endurance Avenue
998	Newton	Elizabeth Eleanor	19B Mink Park
999	Nightingale	Karl Richard	1 Sullivan Street
1000	Nightingale	Sian Yvonne	1 Sullivan Street
1001	Norman	Heather Thelma	6A Pioneer Row
1002	Nutter	Arthur Albert	9 Brandon Road
1003	Nutter	Josephine Lesley	9 Brandon Road
1004	Ojeda Gallardo	Roberto Miguel Alejandro	9A Sullivan Street
1005	Olmedo	Alex	4 Biggs Road
1006	Olmedo Apablaza	Marcelo Rodrigo	24 Callaghan Road
1007	Ormond	Christina Helen	6 Goss Road
1008	Ormond	Kevin Michael Patrick J	6 Goss Road
1009	Ormond	Krysteen Alison	6 Goss Road
1010	Ormond	Terriane Helen	2 Gleadell Close
1011	Owen	Sally	1 Biggs Road
1012	Oyarzo	Henry Hernan Guala	Flat 2 Jeremy Moore Avenue
1013	Padgett	Keith	Sullivan House, Ross Road West
1014	Padgett	Valerie Janet	Sullivan House, Ross Road West
1015	Paice	Corrinne	3 Racecourse Road
1016	Paice	Craig Arthur	3 Racecourse Road
1017	Parke	James Fred	25 Ross Road West
1018	Parke	Janet Margaret	25 Ross Road West

1019	Passfield	Kenneth Alexander	2A Brandon Road West
1020	Paver	Bernadette Marguerite	Moody Brook House
1021	Payne	Dilys Agnes	2 Racecourse Road East
1022	Payne	Samantha Jane	2 Racecourse Road East
1023	Payne	St. John Peter	2 Racecourse Road East
1024	Peck	Burnerd Brian	4 Thatcher Drive
1025	Peck	Carol Margaret	10 Fitzroy Road East
1026	Peck	Christine	21 Jersey Road
1027	Peck	David John	15 Villiers Street
1028	Peck	David Patrick	5 Sullivan Street
1029	Peck	Davina Margaret	Lady Hunt House
1030	Peck	Eleanor Margaret	10 Davis Street
1031	Peck	Farrah Louise	5 Moody Street
1032	Peck	Gordon Pedro James	34 Eliza Crescent
1033	Peck	Harwood John Charles	26 Eliza Crescent
1034	Peck	James	2 Barrack Street
1035	Peck	Joshua Dolan	10 Fitzroy Road East
1036	PED		6 Beaver Road
1037	Ped	Mila Boybanting	33 Eliza Crescent
1038	Ped	Remelia Anastasia	YMCA
1039	Peirega	Naomi Renee	1 Hebe Street
1040	Perkins	Vivienne Esther Mary	33 John Street
1041	Perry	Hilda Blanche	6A St Marys Walk
1042	Peters	Patricia Ann	30 Eliza Crescent
1043	Pettersson	April Samantha	4 Beaver Road
1044	Pettersson	Derek Richard	3 Anderson Drive
1045	Pettersson	Trudi Ann	3 Anderson Drive
1046	Phillips	David Albert	35 Fitzroy Road
1047	Phillips	David Dawson	35 Fitzroy Road
1048	Phillips	Elisa	35 Fitzroy Road
1049	Phillips	Jordan Liam	YMCA
1050	Phillips	Lynda	16 Brandon Road
1051	Pitt	Myra May	6A Pioneer Row
1052	Plato	Darren Richard	Tenacres Flat
1053	Plato	Martin Neil	2 Hebe Place
1054	Plato	Wendy Ann	2 Hebe Place
1055	Plunkett	Mark Penson	22 Endurance Avenue
1056	Pole-Evans	Amy Rose	4 McKay Close
1057	Pole-Evans	John	16 Ross Road East
1058	Pole-Evans	Lisa	74 Davis Street
1059	Pole-Evans	Marcus Samuel	4 McKay Close
1060	Pole-Evans	Martin	12 Murray Heights
1061	Pole-Evans	Michael Anthony	4 McKay Close
1062	Pollard	Andrew Keith	2 Hansen Hill
1063	Pollard	Elizabeth Eve	23 Ross Road East
1064	Pollard	John	23 Ross Road East
1065	Pollard	Mark John	4 Hebe Place
1066	Pompert	Joost Herman Willem	11 Ross Road West
1067	Poncet	Jeremy Nigel	2 Brandon Road West
1068	Poncet	Sally Elizabeth	2 Brandon Road West
1069	Poole	Christopher William	37 Fitzroy Road

1070	Poole	Evelyn May	31 Fitzroy Road
1071	Poole	Jody May	13 Hansen Hill
1072	Poole	Juliet Hazel	28 Davis Street
1073	Poole	Michael James	19 Davis Street
1074	Poole	Nancy Margaret	1 Racecourse Road
1075	Poole	Raymond John	1 Racecourse Road
1076	Poole	Ross William	52 John Street
1077	Poole	Ryan James	11 Hansen Hill
1078	Poole	Steven Charles	11 Hansen Hill
1079	Poole	Toby Raymond	19 Davis Street
1080	Poole	William John	31 Fitzroy Road
1081	Porter	Marcus James	5 Jeremy Moore Avenue
1082	Pratlett	Patricia Carol Ann	10 A James Street
1083	Prindle-Middleton	Stella Margaret	5 St Mary's Walk
1084	Pring	Bernadette Jane Spencer	5A Ross Road West
1085	Pring	Geoffrey Alan	5A Ross Road West
1086	Prior	Claudette	1 Goss Road
1087	Prior	Malcolm	1 Goss Road
1088	Quinto Salluca	Luis Alberto	88 Davis Street
1089	Reddick	Keith John	By-Pass Road
1090	Reeves	Jill Edith	12 Hansen Hill
1091	Reeves	Michael	3A Hebe Street
1092	Regalado	Roxanne	25 Shackleton Drive
1093	Reid	Ann	3A Hansen Hill
1094	Reid	Beverley Rose	12 James Street
1095	Reid	Colleen Rose	9 Fitzroy Road East
1096	Reid	John Alexander	7 Fitzroy Road
1097	Reid	Joseph Reynold Benjamin	41 Eliza Crescent
1098	Reid	Pamela Ruth	14 Jersey Road
1099	Reid	Paula	5 Biggs Road
1100	Reid	Reynold Gus	5 Biggs Road
1101	Rendell	Nicholas Simon Oliver	5 Moody Street
1102	Rendell	Phyllis Mary	8 Ross Road West
1103	Richards	Shirley	8A James Street
1104	Riddell	Jacob David	33 Davis Street
1105	Roberts	Aaron Huw	13 Rowlands Rise
1106	Roberts	Bradley Gerard	49 Ross Road East
1107	Roberts	Cheryl Ann Spencer	49 Ross Road East
1108	Roberts	David Anthony	1 Mountain View
1109	Roberts	Laura May	4 Kent Road
1110	Roberts	Lynn	3 Gleadell Close
1111	Roberts	Peter James	49 Ross Road East
1112	Roberts	Simon Theodore Nathaniel	5 Narrows View
1113	Robertson	Janet	11 Ross Road West
1114	Robertson	Leigh Francesca	37 Ross Road
1115	Robson	Alison Emily	15 Villiers Street
1116	Robson	Cherry Rose	5 Philomel Street
1117	Robson	Jodie	1 Philomel Place
1118	Robson	Miranda Gaye	10 Hansen Hill
1119	Robson	Patricia Jayne	18 Ross Road East
1120	Robson	Phyllis Ann	1 Philomel Place

1121	Robson	Raymond Nigel	10 Hansen Hill
1122	Robson	William Charles	18 Ross Road East
1123	Ross	Allan John	1 Short Street
1124	Ross	Christine Aislinn	9 Discovery Close
1125	Ross	Claudio Javier Ampuero	7 Narrows View
1126	Ross	Gabrielle Leigh	5 Felton Court
1127	Ross	Glenn Stephen	23 Watson Way
1128	Ross	Janet	23 Watson Way
1129	Ross	Kerri-Anne	23 Watson Way
1130	Ross	Kevin John	12 Snake Hill
1131	Ross	Lachlan Neil	14 Fieldhouse Close
1132	Ross	Rebecca Jane	Flat 3, 6 Jersey Road
1133	Ross	Roy	19 Jersey Road
1134	Ross	Sheena Margaret	5 Felton Court
1135	Ross	Shirley Vyona	1 Short Street
1136	Rowland	Charlene Rose	19 Jeremy Moore Avenue
1137	Rowland	John Christopher	19 Jeremy Moore Avenue
1138	Rowland	Sarah Anne	9 Hansen Hill
1139	Rowlands	Daisy Malvina	39 John Street
1140	Rowlands	Dorinda Roberta	3 Hebe Street
1141	Rowlands	Jane Louise	13 Callaghan Road
1142	Rowlands	Neil	3 Hebe Street
1143	Rowlands	Robert John	13 Callaghan Road
1144	Rozee	Betty Ellen	16 Davis Street
1145	Rozee	Derek Robert Thomas	16 Davis Street
1146	Rozee	Karen Michella	3 Discovery Close
1147	Sackett	Albert John	25A Ross Road East
1148	Sackett	Jacqueline	25 Callaghan Road
1149	Sackett	Michael John Carlos	25 Callaghan Road
1150	Sanchez	Jennifer Helen	26 Endurance Avenue
1151	Sanchez Ladron De Guevara	Karen Pamela	5 Brisbane Road
1152	Sawle	Felicity Anne Hermione	Seaview Cottage Ross Road
1153	Sawle	James Christopher	Seaview Cottage Ross Road
1154	Sawle	Judith Margaret	Seaview Cottage Ross Road
1155	Sawle	Richard	Seaview Cottage Ross Road
1156	Senociain Short	Kylie Deborah	6 Police Cottages
1157	Shcherbich	Zhanna Nikolaevna	13 Biggs Road
1158	Shelbourne	Carolyn Wendy	2 Moody Street
1159	Shepherd	Anna Jenine	6 Brisbane Road
1160	Shepherd	Darren Harold	6 Brisbane Road
1161	Shepherd	Ramsey	1A Hansen Hill
1162	Shepherd	Roy	4 Felton Court
1163	Shepherd	Sarah Jayne	4 Felton Court
1164	Shillitoe	Helena De Fatima	The Brook Moody Brook
1165	Shillitoe	Ryan Lawrence	The Brook Moody Brook
1166	Shillitoe	Stephen Bruce	4 Mink Park
1167	Short	Alison	9 Pioneer Row
1168	Short	Brenda	11 Barrack Street
1169	Short	Celia Soledad	7 Pitaluga Place
1170	Short	Christina Ethel	12 Brandon Road
1171	Short	Clint Andrez Robert	48 Davis Street

1172	Short	Derek Patrick	53 Callaghan Road
1173	Short	Emily Christina	1 Fitzroy Road East
1174	Short	Gavin Phillip	6 Police Cottages
1175	Short	Isabel Rose	6 Davis Street
1176	Short	Jason Francis	6 Davis Street
1177	Short	Liam Michael Felton	41 Callaghan Road
1178	Short	Lyndsay Marie	48 Davis Street
1179	Short	Marc Peter	7 Anderson Drive
1180	Short	Marlene Cindy	9 Pitaluga Place
1181	Short	Montana Tyrone	4 Dairy Paddock Road
1182	Short	Patrick Warburton	6 Davis Street
1183	Short	Peter Robert	1 Fitzroy Road East
1184	Short	Richard Edward	9 Pitaluga Place
1185	Short	Riley Ethroe	11 Barrack Street
1186	Short	Sara Jane	Murray Heights
1187	Short	Vilma Alicia	4 Dairy Paddock Road
1188	Simpson	Bertha Veronica	8 Rowlands Rise
1189	Simpson	James Alexander Bruce	7 Racecourse Road
1190	Simpson	John Frederick	8 Rowlands Rise
1191	Sinclair	Veronica Joyce	21 Ross Road West
1192	Skene	Greta Winnora Miller	22 Ross Road East
1193	Smallwood	Margo Ameer	105 Davis Street
1194	Smallwood	Michael Anthony	105 Davis Street
1195	Smith	Aidan James	5A Davis Street
1196	Smith	Andrew John	11 Fitzroy Road East
1197	Smith	Antony David	33A Davis Street
1198	Smith	Anya Deirdre	8 Eliza Crescent
1199	Smith	Colin David	6 James Street
1200	Smith	Crystal Rose	3 Police Cottages
1201	Smith	Elenore Olive	3 Brisbane Road
1202	Smith	Ellis Nia	8 Fieldhouse Close
1203	Smith	George Patterson	15 Watson Way
1204	Smith	Gerard Alexander	8 Barrack Street
1205	Smith	Gina Ruth Mary	3 John Biscoe Road
1206	Smith	Heather	19 Watson Way
1207	Smith	Ian Lars	5 Brandon Road
1208	Smith	Ileen Rose	28 Ross Road West
1209	Smith	James Terence	3 Fitzroy Road West
1210	Smith	Jennifer Ethel	6 Watson Way
1211	Smith	Jenny Lorraine	15 Watson Way
1212	Smith	John	28 Ross Road West
1213	Smith	John Derek	8 Eliza Crescent
1214	Smith	Martyn James	6A Ross Road West
1215	Smith	Michael Edmund	39 Eliza Crescent
1216	Smith	Nadia Louise	11 Brandon Road
1217	Smith	Natalie Marianne	6 James Street
1218	Smith	Nora Kathleen	5 Fitzroy Road East
1219	Smith	Osmund Raymond	3 Brisbane Road
1220	Smith	Paul	1 Callaghan Road
1221	Smith	Robin Charles	19 Watson Way
1222	Smith	Roy Alan	11 Brandon Road

1223	Smith	Susan	17 Jersey Road
1224	Smith	Tyssen John Richard	3 John Biscoe Road
1225	Socodo	Phoebe Esther	16 Jersey Road
1226	Spicer	Mark Anthony	16 St Mary's Walk
1227	Spicer	Susan	16 St Marys Walk
1228	Spink	Roger Kenneth	The Brook Moody Brook
1229	Spinks	Malvina Ellen	8 Yates Place
1230	Spruce	Helena Joan	Milestone, 29 Ross Road West
1231	Spruce	Mark Felton	6 Anderson Drive
1232	Spruce	Terence George	Milestone, 29 Ross Road West
1233	Steen	Allan Graham	15 Sullivan Street
1234	Steen	Barbara Ingrid	39 Ross Road West
1235	Steen	Karen Lucetta	32 Fitzroy Road
1236	Steen	Kimberley Joanna	21 St Mary's Walk
1237	Steen	Stacey Louise	24 Fitzroy Road
1238	Stenning	Anna Russalka	5B Ross Road West
1239	Stenning	Timothy Charles	5B Ross Road West
1240	Stephenson	Dylan	YMCA
1241	Stephenson	Jason	87A Davis Street
1242	Stephenson	Joan Margaret	Moody Valley House
1243	Stephenson	Katrina	4 Davis Street
1244	Stephenson	Zachary	4 Davis Street
1245	Stevens	Caris Kirsten	30 Davis Street
1246	Stevens	Ishmael Llewellyn	10 Ian Campbell Drive
1247	Stevens	Kathleen Rose	10 Ian Campbell Drive
1248	Stevens	Kelly-Marie	26 Ross Road East
1249	Stevens	Paul Theodore	6 Dairy Paddock Road
1250	Stevens	Valerie Ann	6 Dairy Paddock Road
1251	Stewart	Celia Joyce	14 Allardyce Street
1252	Stewart	Daniel Duane	18 Jersey Road
1253	Stewart	Duane William	17 Scoresby Close
1254	Stewart	Hulda Fraser	24 Ross Road West
1255	Stewart	Ian Bremner	34 Ross Road East
1256	Stewart	Irene Anne	6 Discovery Close
1257	Stewart	Kenneth Barry	Flat 5, 6 Jersey Road
1258	Stewart	Lesley Lauren	34 Ross Road East
1259	Stewart	Pam Ellen	18 Endurance Avenue
1260	Stewart	Ruth Jane	17 Scoresby Close
1261	Stewart	Sheila Olga	34 Ross Road East
1262	Stewart-Reid	Carol Ellen Eva	7 Fitzroy Road
1263	Stewart-Reid	Roisin Mary Adreanna	7 Fitzroy Road
1264	Strange	Maria Marta	The Dolphins, Snake Street
1265	Strange	Shona Marguerite	6B Ross Road West
1266	Stroud	Mark Adrian	10 Sullivan Street
1267	Sullivan	Jonathan Francis	Mullet Creek
1268	Summers	Brian	1 Ross Road East
1269	Summers	Dorothy Constance	42 Eliza Crescent
1270	Summers	Edith Catherine	5 Dean Street
1271	Summers	Irvin Gerard	1 Anderson Drive
1272	Summers	Jacqueline	11 Pioneer Row
1273	Summers	Jonathan Derek	5 Allardyce Street

1274	Summers	Judith Orissa	1 Ross Road East
1275	Summers	Lynn Jane	20 Jeremy Moore Avenue
1276	Summers	Michael Kenneth	6A Brisbane Road
1277	Summers	Michael Victor	11 Pioneer Row
1278	Summers	Naomi Christine	4 Anderson Drive
1279	Summers	Owen William	5 Brandon Road West
1280	Summers	Rowena Elsie	5 Allardyce Street
1281	Summers	Roy	32 Eliza Crescent
1282	Summers	Sheila	1 Anderson Drive
1283	Summers	Sybella Catherine Ann	1 Ross Road West
1284	Summers	Sylvia Jean	8 Racecourse Road
1285	Summers	Terence	1 Ross Road West
1286	Summers	Tony	8 Racecourse Road
1287	Summers	Veronica	5 Brandon Road West
1288	Sutcliffe	Lynsey Claire	1 Moody Street
1289	Sutcliffe	Michael Ian	Lookout Lodge
1290	Sutherland	John Gall	3 Mountain View
1291	Sytchov	Dmitri	1 Felton Court
1292	Sytchov	Vladimir	1 Felton Court
1293	Sytchova	Natalia Mikhaylovna	1 Felton Court
1294	Sytchova	Ulia	1 Felton Court
1295	Taylor	Anne Louise	4 Drury Street
1296	Taylor	Graham	55 Fitzroy Road
1297	Taylor	Ruth Eleanor	55 Fitzroy Road
1298	Teale	Colin Edwin	8 Brisbane Road
1299	Tellez	Arturo	Flat 4, 1 Jeremy Moore Ave
1300	Tellez	Tylor Mathew James	18 Jersey Road
1301	Thain	Craig John	8 Davis Street
1302	Thain	John	8 Davis Street
1303	Thain	Stephanie Ann	8 Davis Street
1304	Thom	Dorothy Irene	47 Fitzroy Road
1305	Thom	Norma Ann	92 Davis Street
1306	Thomas	Andrew Neil	11 Jersey Road
1307	Thomas	Jacqueline Joyce	3 Moody Street
1308	Thomas	Jane Lilian Louisa	11 Jersey Road
1309	Thomas	Justin Paul	3 Moody Street
1310	Thorsen	Carol Margaret	10 Beaver Road
1311	Thorsen	David Moller	10 Beaver Road
1312	Toolan	George Benjamin	13 Sullivan Street
1313	Toolan	Rose Mary	13 Sullivan Street
1314	Toolan	Stephen David John	13 Sullivan Street
1315	Triggs	David William	3 Fieldhouse Close
1316	Triggs	Diane	3 Fieldhouse Close
1317	Triggs	Michael David	3 Fieldhouse Close
1318	Trinidades Burucua	Dahiana	14 Watson Way
1319	Tuckwood	John Rodney	1 Drury Street
1320	Turner	Betty Ann	8 Fitzroy Road East
1321	Turner	Howard Guy	8 Fitzroy Road East
1322	Turner	Joanne Elizabeth	61 Fitzroy Road
1323	Turner	Ronald	KEMH
1324	Tyrrell	Garry Bernard	1 Beaver Road

1325	Tyrrell	Gina Michelle	1 Beaver Road
1326	Valler	Glyndwr Huw	Flat 6, 1 Jeremy Moore Ave
1327	Velasquez	Eva Irma Linda	16 Brandon Road
1328	Velasquez	Evan Oscar	36 John Street
1329	Vidal Roberts	Leona Lucila	1 Mountain View
1330	Vilchez Valverde	Maria Yhovana	88 Davis Street
1331	Villalon	Hector Ricardo	Lookout Lodge
1332	Villegas	Caroline	7 Fieldhouse Close
1333	Villegas	Pedro Francisco	7 Fieldhouse Close
1334	Vincent	Elliott Lawrence	10 Endurance Avenue
1335	Vincent	Janette Mary	10 Endurance Avenue
1336	Vincent	Matthew Stephen	10 Endurance Avenue
1337	Vincent	Stephen Lawrence	10 Endurance Avenue
1338	Wade	Donald Harold	Cabin No 12, St Mary's Walk
1339	Wade	June Rose Elizabeth	17 Murray Heights
1340	Wallace	Fraser Barrett	10 John Street
1341	Wallace	Ian	28 Brandon Road
1342	Wallace	James Barrett	38 Ross Road West
1343	Wallace	Maria Lilian	38 Ross Road West
1344	Wallace	Michael Ian	23 Callaghan Road
1345	Wallace	Stuart Barrett	38 Ross Road West
1346	Wallace	Una	23 Callaghan Road
1347	Wallace-Nannig	Fiona Alice	Tigh Na Mara, Moody Brook Road
1348	Ward	Alison Denise	9 Anderson Drive
1349	Ward	Dennis James	9 Anderson Drive
1350	Watson	Andrew James	9 James Street
1351	Watson	Ben	7 Moody Street
1352	Watson	Dominic Robert	YMCA
1353	Watson	Joanne	9 James Street
1354	Watson	Lisa Marie	33 Davis Street
1355	Watson	Paul	20 Endurance Avenue
1356	Watt	Stephen Robert	11 Narrows View
1357	Watt	Sylvia Ann	11 Narrows View
1358	Watts	Patrick James	13 Brisbane Road
1359	Webb	Gary Colin	58 Davis Street
1360	Webb	Loretta Isobel	58 Davis Street
1361	White	Judy Marie	Flat 1, 3 Jeremy Moore Av
1362	White	Victoria Jane	3 Biggs Road
1363	Whitney	Frederick William	1 Police Cottages, 9 Ross Rd
1364	Whitney	Jason	15 Ross Road East
1365	Whitney	Kurt Ian	2 Pioneer Row
1366	Whitney	Lana Rose	22 Eliza Crescent
1367	Whitney	Susan Joan	1 Police Cottages, 9 Ross Rd
1368	Wilkinson	Alistair Graham	5 Felton Court
1369	Wilkinson	David Clive Walter	24 Goss Road
1370	Wilkinson	Johan	5 Felton Court
1371	Wilkinson	Robert John	2A Brisbane Road
1372	Williams	Christian Leonard Edward John	5 McKay Close
1373	Williams	Glen	33 Ross Road East
1374	Williams	Kirsty Michelle	40 Eliza Crescent
1375	Williams	Lee Perry Adrian John	40 Ross Road West

1376	Williams	Margaret Elizabeth	33 Ross Road East
1377	Williams	Marlene Rose	23 Ross Road West
1378	Williams	Ray Allan	30 Eliza Crescent
1379	Williamson	Kathleen Laura	5 McKay Close
1380	Williamson	Rachel Mary	5 McKay Close
1381	Wilson	Stephen John	1 Davis Street West
1382	Wilson	Tara	1 Davis Street West
1383	Wylie	Ashley Craig Robert	1 Jersey Road
1384	Wylie	Julian Richard	1 McKay Close
1385	Zuvic-Bulic	Kuzma Mario	Holdfast House, Holdfast Rd
1386	Zuvic-Bulic	Saul Kuzma	16A Ross Road West
1387	Zuvic-Bulic	Sharon Marie	Holdfast House, Holdfast Rd
1388	Zuvic-Bulic	Zoran Mario	Holdfast House, Holdfast Rd

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Six pound and fifty pence.

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FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 October 2013

No. 17

Appointment

Sebastian David Reid, Assistant Roads Engineer, Public Works Department, 19.09.13.

Laria Marengo, Project Manager-GIS Specialist, Policy Unit, 23.09.13.

Margaret Joy Shackleton, Contracts Engineer, Public Works Department, 30.09.13.

Lucy Agnes Franek, Staff Nurse, Health and Social Services Department, 08.10.13.

Ewen Shane Bonner, Plant Operator/Handyperson, Public Works Department, 14.10.13.

Gaynor Wendy Richards, Learning Support Assistant, Education Department, 14.10.13.

Victoria Anne Jackson, Senior Public Policy Officer, Policy Unit, 14.10.13.

Neil Russell Judd, Senior Agricultural Advisor, Natural Resources Department, 17.10.13.

Krysteen Alison Ormond, Public Relations and Media Manager, Executive Management, 22.10.13.

Completion of contract

Leonard Lloyd Hirtle, Plant Operator/Handyperson, Public Works Department, 11.10.13.

Completion of contract

Claire Mitchell, Financial Accountant, Treasury, 02.10.13.

Kenneth Snape, Building Advisor, Environmental Planning Office, 03.10.13.

Alberto Monllor Hurtado, Scientific Fisheries Observer, Natural Resources Department, 08.10.13.

Renewal of contract

Claire Mitchell, Financial Accountant, Treasury, 03.10.13.

Promotion

Abbie Louise Heathman, from Senior Sports Attendant to Leisure Centre Manager, Leisure Centre, Central Services, 01.10.13.

Kelly Melody Fiddes, from Senior Sports Attendant to Deputy Leisure Centre Manager, Leisure Centre, Central Services, 01.10.13.

Samantha Laura McCormick, from Sports Attendant to Administrator, Leisure Centre, Central Services, 01.10.13.

Cara Michelle Ford, from Clerk to Administration Officer, Customs and Immigration, Emergency Services, 21.10.13.

Resignation

Faith Dilys Felton, Painter/Handyperson, Public Works Department, 20.09.13.

Jonathan Derek Summers, Building Maintenance Co-ordinator, Public Work Department, 23.09.13.

Daniel Betts, Tyre Fitter, Public Works Department, 26.09.13.

Glyn Hockey, Social Worker, Health and Social Services Department, 01.10.13.

Adrianna Janine Merrey, Agricultural Apprentice, Training Centre, 09.10.13.

Beatriz Lopez Gutierrez, Scientific Fisheries Observer, Natural Resources Department, 14.10.13.

Bjorn Kyle Eriksen, Sports Attendant, Central Services, 25.10.13.

Retirement

Robert John McLeod, General Foreman, Public Works Department, 11.10.13.

Transfer

Julie Ann Fisher-Smith, from Administration Officer, Customs and Immigration, Emergency Services to Personal Assistant, Health and Social Services Department, 21.10.13.

Angela Jane May, from Clerk, Health and Social Services Department to Administration Officer, Legislature Department, Executive Management, 21.10.13.

NOTICES

No. 73 1 October 2013
Land Ordinance (Title 45.2)
section 11A
Vesting Deed

Further to an application made by **Jennifer Carol Forrest** of 16 Kent Road, Stanley, Falkland Islands, pursuant to section 11A of the Land Ordinance (notice of which application was published in the Gazette on 31 August 2013) I hereby give notice that I have this day executed a Vesting Deed in the form set out hereafter

“**WHEREAS** on application having been made to me Elizabeth Jayne Reid, Registrar General pursuant to section 11A of the Land Ordinance by **JENNIFER CAROL FORREST** of 16 Kent Road, Stanley, Falkland Islands, I am satisfied that the said Jennifer Carol Forrest is entitled to be registered as the owner in fee simple absolute in possession of the land described in the Schedule to this deed **NOW THEREFORE** by this deed I do declare that the estate in fee simple absolute in possession of the said land is vested in the said Jennifer Carol Forrest **SUBJECT** only to such matters as are mentioned in Crown Grants 211 and 237 and to such easements rights privileges and encumbrances as may have been created prior to the date of this deed

SCHEDULE
(Description of land)

ALL THAT piece or parcel of land situate and known as 8 Ross Road East, Stanley, Falkland Islands measuring approximately 800 square metres more or less shown for identification purposes only edged and hatched red on the plan annexed hereto”

Any person aggrieved by the decision of the Registrar General to execute a Vesting Deed in the form set out above may appeal to the Supreme Court within thirty days of the publication in the Gazette of this Notice in accordance with the provisions of section 11A of the Land Ordinance.

Dated 1 October 2013

E. J. DENT,
Registrar General.

No. 74

22 October 2013

Falkland Islands Constitution Order 2008
section 81

**Appointment of Member of the
Public Accounts Committee**

1. Under section 81(1)(a) of the Falkland Islands Constitution Order 2008 the Governor appoints **Stephen John Dent** to be a member of the Public Accounts Committee.

2. This appointment has effect from 22 October 2013 for two years, expiring on 22 October 2015, unless terminated sooner.

Dated 22 October 2012

N. R. Haywood C.V.O.,
Governor.

No. 75

23 October 2013

Altamar Enterprises Limited
Company number: 9481

Take notice that in accordance with the provisions of section 652A of the Companies Act 1985, the requirements of the said section having been complied with, the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated 23 October 2013

E. J. DENT,
Registrar of Companies.

No. 76

23 October 2013

Altamar Heroya Primero Limited
Company number: 11075

Take notice that in accordance with the provisions of section 652A of the Companies Act 1985, the requirements of the said section having been complied with, the above named company will be removed from the Register of Companies upon the expiry of three months from the publication of this notice in the Gazette unless good cause do be shown as to why such action should not be taken.

Dated 23 October 2013

E. J. DENT,
Registrar of Companies.

No. 77

28 October 2013

Members' Remuneration (Amendment) Ordinance 2013
section 2
Commencement Notice

1. Section 2 of the Members' Remuneration (Amendment) Ordinance 2013 (No 12 of 2013) provides that the Ordinance

comes into force on a day appointed by the Governor by notice published in the Gazette.

2. I give notice that the Ordinance will come into force on 8 November 2013.

Dated 28 October 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 78 28 October 2013

Minimum Wage Ordinance 2013
section 2
Commencement Notice

1. Section 2 of the Minimum Wage Ordinance 2013 (No 10 of 2013) provides that the Ordinance comes into force on a date appointed by the Governor by notice published in the Gazette (and that the Governor may appoint different dates for different provisions to come into force).

2. I give notice that the Minimum Wage Ordinance comes into force on 1 December 2013.

Dated 28 October 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 79 28 October 2013

Minimum Wage (Initial Rates) Order
article 2
Commencement Notice

1. Article 2 of the Minimum Wage (Initial Rates) Order 2013 (SR&O No 14 of 2013) provides that the order comes into force on a date appointed by the Governor by notice published in the Gazette.

2. I give notice that the Minimum Wage (Initial Rates) Order 2013 comes into force on 1 December 2013.

Dated 28 October 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 80 28 October 2013

Minimum Wage (Calculation of Hours Worked)
Regulations
regulation 2
Commencement Notice

1. Regulation 2 of the Minimum Wage (Calculation of Hours Worked) Regulations 2013 (SR&O No 15 of 2013) provides

that the regulations come into force on a date appointed by the Governor by notice published in the Gazette.

2. I give notice that the Minimum Wage (Calculation of Hours Worked) Regulations 2013 come into force on 1 December 2013.

Dated 28 October 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 81 28 October 2013

Minimum Wage (Calculation of Amount Paid) Regulations
regulation 2
Commencement Notice

1. Regulation 2 of the Minimum Wage (Calculation of Amount Paid) Regulations 2013 (SR&O No 16 of 2013) provides that the regulations come into force on a date appointed by the Governor by notice published in the Gazette.

2. I give notice that the Minimum Wage (Calculation of Amount Paid) Regulations 2013 come into force on 1 December 2013.

Dated 28 October 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 82 30 October 2013

Electoral Ordinance (Title 30.1)
General Election - 7 November 2013

Appointment of Election Officials

In accordance with section 100(1) of the Electoral Ordinance, the following persons have been appointed to be election officials for the purpose of the General Election as indicated:-

Town Hall, Stanley	
Bernice Hewitt	Polling Clerk/Count
Stephen Dent	Count

Dated 30 October 2013

K. PADGETT,
Returning Officer.



FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

6 November 2013

No. 18

NOTICES

No. 83

5 November 2013

Electoral Ordinance (Title 30.1)
General Election - 7 November 2013

Appointment of Election Official

In accordance with section 100(1) of the Electoral Ordinance, the following person has been appointed to be an election official for the purpose of the General Election as indicated:-

Supernumerary:
Lydia Eneida Morrison

Dated 5 November 2013

K. PADGETT,
Returning Officer.

No. 84

6 November 2013

Electoral Ordinance (Title 30.1)
General Election - 7 November 2013

Appointment of Election Official

In accordance with section 100(1) of the Electoral Ordinance, the following person has been appointed to be an election official for the purpose of the General Election as indicated:-

Supernumerary:
Idah Lorato Motsamai

Dated 6 November 2013

K. PADGETT,
Returning Officer.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Fifty pence.

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FALKLAND ISLANDS GAZETTE

Extraordinary

PUBLISHED BY AUTHORITY

Vol. 122

8 November 2013

No. 19

NOTICES

No. 85 7 November 2013

Electoral Ordinance (Title 30.1)
section 127
Election of Legislative Assembly Members
Camp Constituency

I the undersigned, Keith Padgett, being the Returning Officer at this General Election of three members for the Legislative Assembly for the Camp Constituency do hereby give notice of the result of the General Election for the Camp Constituency as follows:-

Votes Cast:- 675	Spoilt:- 1
EDWARDS Roger Anthony	162 Votes
GILDING Melanie Carol	124 Votes
HALFORD Sharon	56 Votes
HANSEN Ian	129 Votes
RENDELL Phyllis Mary	204 Votes
Rejected ballot papers	1
(1) want of an official mark	0
(2) voting for more candidates than voter is entitled to	0
(3) writing or mark by which voter could be identified	0
(4) unmarked	1
(5) void for uncertainty	0

I therefore declare:

1. RENDELL Phyllis Mary
2. EDWARDS Roger Anthony
3. HANSEN Ian

to be duly elected to serve on the Legislative Assembly until the General Election in the year 2017.

Dated 7 November 2013

K. PADGETT,
Returning Officer.

No. 86 7 November 2013

Electoral Ordinance (Title 30.1)
section 127
Election of Legislative Assembly Members
Stanley Constituency

I the undersigned, Keith Padgett, being the Returning Officer at this General Election of five members for the Legislative Assembly for the Stanley Constituency do hereby give notice of the result of the General Election for the Stanley Constituency as follows:-

Votes Cast:- 4750	Spoilt:- 2
BARKMAN Teslyn Siobhan	292 Votes
BESLEY-CLARK Norman	148 Votes

BIRMINGHAM John	285 Votes
BLACKLEY Candy Joy	138 Votes
BUCKLAND Carole Lynda Jane	96 Votes
CHEEK Janet Lynda	333 Votes
ELSBY Barry	893 Votes
FELTON Faith	45 Votes
POOLE Michael James	957 Votes
SHORT Gavin Phillip	844 Votes
SUMMERS Michael Victor	719 Votes
Rejected ballot papers	2
(1) want of an official mark	0
(2) voting for more candidates than voter is entitled to	1
(3) writing or mark by which voter could be identified	0
(4) unmarked	0
(5) void for uncertainty	1

I therefore declare:

1. POOLE Michael James
2. ELSBY Barry
3. SHORT Gavin Phillip
4. SUMMERS Michael Victor
5. CHEEK Janet Lynda

to be duly elected to serve on the Legislative Assembly until the General Election in the year 2017.

Dated 7 November 2013

K. PADGETT,
Returning Officer.



FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

30 November 2013

No. 20

Appointment

Richard Paul McCormick, Crossing Warden/Handyman, Education Department, 15.10.13.

Daniela Alejandra Cardenas Flores, Learning Support Assistant Falkland Islands Community School, Education Department, 21.10.13.

Raycrestle Falalimpa Josue, Clerk, Health and Social Services Department, 21.10.13.

Moyra Ann Pierce, Health Visitor, Health and Social Services Department, 28.10.13.

Stephen Butler, Head of Environmental Planning, Executive Management, 31.10.13.

Trudi Ann Betts, Clerk, Health and Social Services Department, 01.11.13.

Laura Jane Street, Court Assistant, Central Services, 01.11.13.

Maria Fernanda Tapia, Dental Nurse, Health and Social Services Department, 11.11.13.

Daniella Dawn Curtis, Sports Attendant, Leisure Centre, Central Services, 14.11.13.

Guillermo Baigorri, Painter/Handyperson, Public Works Department, 18.11.13.

Marine Jacqueling Helene Quintin, Fisheries Observer, Natural Resources Department, 18.11.13.

Completion of contract

Bernard John Meehan, Fisheries Protection Officer, Natural Resources Department, 02.11.13.

Promotion

Harley Dee Berntsen, from Sports Attendant to Duty Supervisor, Leisure Centre, Central Services, 18.10.13.

Resignation

Darren James Christie, Public Relations and Media Manager, Executive Management, 15.10.13.

Dilys Agnes Payne, Computer Co-ordinator, Central Services, 24.10.13.

Derek MacDonald, Plant Operator/Handyman, Public Works Department, 01.11.13.

Barry Elsby, Medical Officer, Health and Social Services Department, 07.11.13.

Sarah Louise Faria, Clerk, Public Works Department, 29.11.13.

Transfer

Gaynor Wendy Richards, from Learning Support Assistant, Falkland Islands Community School, Education Department, to Station Enquiry Officer, Emergency Services, 04.11.13.

NOTICES

No. 87

8 November 2013

Customs Ordinance 2003 section 7(3)

Appointment of Temporary Customs Officer

In exercise of the powers conferred by section 7(3) of the Customs Ordinance 2003, I appoint the following person to be a temporary Customs Officer:-

Sgt Andrew John Ackers – L8292272 from 1 November 2013 to 1 May 2014.

Dated 8 November 2013

R. J. KING,
Collector of Customs.

No. 88

13 November 2013

Somio Fishing Limited
Company number: 11696

Notice is hereby given that the above named company was struck-off the Register of Companies pursuant to section 652A of the Companies Act 1985 on 31 October 2013.

Dated 13 November 2013

E. J. DENT,
Registrar of Companies.

No. 89

13 November 2013

Index of Retail Prices

The calculation of the Index for the quarter ended 30 September 2013 has now been completed. A summary of the Index for the last four quarters is shown below:-

Date	Index	Annual % Increase/ (Decrease)	Quarter % Increase/ (Decrease)
31.12.12	165.56	5.9	2.0
31.03.13	165.01	3.7	(0.3)
30.06.13	165.50	2.6	0.3
30.09.13	166.43	2.6	0.6

Dated 13 November 2013

L. LYSE,
for Financial Secretary.

No. 90

14 November 2013

Customs Ordinance 2003
section 7(3)

Appointment of Temporary Customs Officer

In exercise of the powers conferred by section 7(3) of the Customs Ordinance 2003, I appoint the following persons to be temporary Customs Officers:-

Cpl Andrew John Froggatt – Q8444391 from 5 November 2013 to 5 May 2014; and

Cpl Nicholas James Sellars – P8501026 from 7 November 2013 to 7 May 2014.

Dated 14 November 2013

R. J. KING,
Collector of Customs.

No. 91

15 November 2013

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at <http://www.legislation.gov.uk> :-

2013 No 2598 – The Syria (Restrictive Measures) (Overseas Territories) (Amendment) (No 2) Order 2013; and

2013 No 2599 – The Democratic People's Republic of Korea (Sanctions) (Overseas Territories) (Amendment) (No 2) Order 2013.

Dated 15 November 2013

B. I. STEEN,
for Attorney General.

No. 92

27 November 2013

Merchant Shipping Ordinance 2001
section 4
Appointment of Surveyors of Ships

Background

A Memorandum of Understanding concerning maritime administration in the Falkland Islands was made with the Department of Transport and the Government of the Falkland Islands on 1 December 2005.

Under the terms of the memorandum, surveys of ships relating to the maritime administration in the Falkland Islands may be undertaken by surveyors from the Maritime and Coastguard Agency.

The Maritime and Coastguard Agency will charge and recover survey fees directly from the customers at Maritime and Coastguard Agency's specified hourly rate in accordance with Maritime and Coastguard Agency policy and agreements with Her Majesty's Treasury.

Appointment

1. Section 4(2) of the Merchant Shipping Ordinance 2001 (No 15 of 2001) provides that the Governor may appoint persons to be surveyors of ships for the purposes of any enactment relating to merchant shipping or fishing vessels having effect in the Falkland Islands and may also remove any person so appointed.

2. Section 4(3) provides that surveyors of ships may be appointed either as a ship surveyor or as an engineer surveyor or as both.

3. Section 4(4) provides that surveyors of ships may be appointed either generally or for any particular purpose.

4. I, June Sandra Tyler-Haywood, Acting Governor of the Falkland Islands, in exercise of my powers under section 4(2) of the Merchant Shipping Ordinance 2001:-

i. revoke all previous appointments of surveyors of ships made under section 4(2) of the Merchant Shipping Ordinance 2001 in connection with the Memorandum of Understanding made with the Department of Transport and the Falkland Islands Government on 1 December 2005; and

ii. appoints and authorises any surveyor of the Maritime and Coastguard Agency of the United Kingdom to conduct statutory ship and engineering surveys and sign statutory ships documents on its behalf subject to that surveyor:-

(a) already being appointed under sections 256(2) and 256(6) of the United Kingdom Merchant Shipping Act 1995; and

(b) being authorised under the Maritime and Coastguard Agency's Surveyor's Customised Award Scheme for the intended type and class of survey.

5. This appointment takes effect from the date below and continues in effect until it is revoked.

Dated 27 November 2013

J. S. Tyler-Haywood,
Acting Governor.

No. 93

29 November 2013

Application for Falkland Islands Status

Notice is hereby given that:

David George Benjamin;
Joan Janet Benjamin;
Chedwin Norman Knipe;
Susan Jane Helena Knipe; and
Julian Lemarc Patrick Yon,

have applied through the Principal Immigration Officer to be granted Falkland Islands Status by the Governor. Any person who knows of any reason why Status should not be granted, should send a written and signed statement of the facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 December 2013.

Dated 29 November 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 94

29 November 2013

Application for Naturalisation

Notice is hereby given that:

Monica Del Rosario Lehyt Bravo; and
Elena Mikhaylovna Jurgens,

are applying to His Excellency the Governor for naturalisation. Any person who knows of any reason why naturalisation should not be granted is invited to send a written and signed statement of the facts to the Immigration Officer, Customs and Immigration Department, Stanley no later than 21 December 2013.

Dated 29 November 2013

C. W. SHELBOURNE,
Immigration Officer.

No. 95

30 November 2013

Register of Members' Interests

The information contained in this Register is provided by every member of the Legislative Assembly and the Attorney General

in accordance with clause 22 of the Falkland Islands Legislative Assembly Standing Rules and Orders.

The information is current to 30 November 2013.

Information to be provided

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

1. Remunerated directorships, whether or not in companies incorporated in the Falkland Islands, including directorships which are unremunerated, but where remuneration is paid through another company in the same group.

2. Remunerated employment, office or profession.

3. Clients in respect of whom the Member holds a general retainer or in respect of whom he has in the last 12 months, or expects in the next 12 months, to provide services for payment where a member of the public might reasonably think that the Member's conduct in or in relation to the business of the Legislative Assembly might have been or might be influenced by the client's interests.

4. Sponsorships. Any form of sponsorship or financial or material support of a Member which involves any payment, benefit or advantage whether to the Member or any other person with whom the Member is closely connected.

5. Gifts, benefits and hospitality.

6. Overseas visits relating to or arising out of membership of the Legislative Assembly where the cost of any such visit has not been borne wholly by the Member or out of the Falkland Islands public funds.

7. Any gifts or material benefits or advantages received by the Member or the Member's spouse or partner from or on behalf of overseas Governments, organisations or persons.

8. Land or property of a substantial value or from which a substantial income is gained.

9. The names of companies or other bodies in which the Member, or his spouse or partner has, to his knowledge, either solely, or with or on behalf of his spouse, partner or children under the age of 18 years, a beneficial interest in shareholdings of a nominal value greater than one percent of the issued share capital, or if less than one percent of more than £25,000.

10. Any relevant interest not covered by one of the main categories which falls within the main purpose of the Register, which is to provide information on any pecuniary benefit which a Member receives and which might reasonably be thought by others to influence his or her actions, speeches or votes in the Legislative Assembly or actions taken in his or her capacity as a Member of the Legislative Assembly OR which the Member considers might be thought by others to influence his or her actions in a similar manner, (even though the Member receives no financial benefit).

Notification of registrable interests

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

Janet Lynda Check

1. Director Consolidated Fisheries Ltd incorporated in the Falkland Islands
Unicorn Adventure Ltd (unremunerated)
Kelper Stores Ltd (unremunerated)
2. Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. House and Land 35 Ross Road East
Johnsons Harbour Farm
Joint ownership of land on San Carlos River
9. Kelper Stores Ltd
Consolidated Fisheries Ltd
Unicorn Adventure Ltd
10. Director/Trustee Falklands Conservation (UK charitable company)
Trustee South Georgia Heritage Trust
Trustee Falkland Islands Museum and National Trust
Share in Falkland Farmer

Roger Anthony Edwards

1. Nil
2. Member of Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Royal Navy Pension, HM Paymaster General
8. Lake Sullivan House, Fox Bay
8 Sullivan Street
9. Share in Falkland Farmers Ltd
10. Nil

Barry Elsby

1. Nil
2. Member of the Legislative Assembly
3. Was employed as a full time doctor by FIG until 07.11.13
4. Nil
5. Nil
6. Nil
7. Various books placed in Gilbert House library
8. House and land in the Falkland Islands owned jointly with my wife
9. I retain 800 shares in Argos Ltd and 550 in Borders and Southern for my children
Shares in Falkland Farmers
10. My wife runs her own medical company, Medica South. I have no interest or directorship in this. I have never worked for this company.

Ian Hansen

1. Nil
2. Member of the Legislative Assembly
Income from Main Point Farm
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Main Point Farm
9. Nil
10. Nil

Michael James Poole

1. Nil
2. Member of the Legislative Assembly
Falkland Islands Fishing Companies Association (due to finish 31.01.14)
3. Nil
4. Treasurer of the Falkland Islands Overseas Games Association and Flying Santa Appeal at KEMH
5. Nil
6. Travel cost relating to SSL Board and CPA Conference
7. Travel cost relating to SSL Board and CPA Conference
8. 19 Davis Street – part owned with Mr T Poole
31 Fitzroy Road (shop only) rental income of £150 per month
9. Nil
10. Nil

Phyllis Mary Rendell

1. Nil
2. Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. 8 Ross Road West co-owned with M Rendell
Bleaker Island co-owned with M Rendell
9. 121,000 Seafish shares M Rendell
10. Trustee YMCA
Trustee New Island Conservation Trust
Trustee Susan Whitley Trust
Justice of the Peace
6,000 Argos Resources Ltd shares co-owned with M Rendell
5,190 Borders and Southern Petroleum shares co-owned with M Rendell
1,210 FOGL shares co-owned with M Rendell
4,365 Desire Petroleum shares P M Rendell

Gavin Phillip Short

1. Nil
2. Sure - Employee
Falkland Islands Security Services – Security Officer
Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. Nil
10. Director SAAS
Vice Chair General Employees Union
Tenant of Falkland Islands Government Housing

Michael Victor Summers OBE

1. Quark Fishing Ltd
Pioneer Seafood Ltd
Concordia Ltd
2. Managing Director – Pioneer Seafoods Ltd
Member of the Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Falkland Islands Commonwealth Games Association – attendance at CGF meetings
7. Nil

8. 11 Pioneer Row
12 Pioneer Row
Mount Maria House, Port Howard
9. Quark Fishing Ltd 25.1%
Pioneer Seafood Ltd 50%
Concordia Ltd 50%
10. Trustee, FI YMCA
Trustee, Stanley Golf Club
Chairman, Falkland Islands Overseas Games Association

Keith Padgett

1. Nil
2. Chief Executive, FIG
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Apartment in UK jointly owned with spouse
9. Nil
10. Nil

Nicola Granger

1. Nil
2. Financial Secretary, FIG
3. Nil
4. Nil
5. Nil
6. Nil
7. Nil
8. Nil
9. 3 Biggs Road, Stanley
House, UK
10. Nil

Mark David Lewis

1. Nil
2. Attorney General, FIG
3. Nil
4. Nil
5. Nil
6. Nil

7. Nil
8. Nil
9. Nil
10. Nil

Keith Biles

1. Nil
2. Speaker of the House, Legislative Assembly
3. Nil
4. Nil
5. Nil
6. Nil
7. Pensioner – Standard Chartered Bank Overseas Staff Pension Fund
Pensioner – UK State Pension Scheme
8. Joint Owner – House and Land 14 Kent Road
Joint Owner – House and Land New House Farm, East Falklands
9. Nil
10. Unremunerated:
Company Secretary – Energise Group Ltd
Company Secretary – Falkland Islands Chamber of Commerce (Ltd)
Director (Trustee) Falklands Conservation (a UK Limited Company and Registered Charity)
Share Holdings:
Minority share holder: Energise Group Ltd,
Falkland Islands Holdings Ltd (a quoted UK Limited Company)
Pecuniary Interest:
Décor Services Ltd

Dated 30 November 2013

C. PRIOR,
Clerk of the Legislative Assembly.



FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. 122

31 December 2013

No. 21

Appointment

Aimee Meadows, Head of Courts and Tribunals, Central Services Department, 21.11.13.

Tobi Adeoye, Sports Attendant, Central Services Department, 25.11.13.

Simon Alan Rowe, Crown Counsel, Attorney General's Chambers, 28.11.13.

Anya Evelyn Cofre, Receptionist/Clerk, Health and Social Services Department, 01.12.13.

Shona Marguerite Strange, Senior Constable, Emergency Services Department, 01.12.13.

Tessa Davies-Berntsen, Sports Attendant, Central Services Department, 02.12.13.

David Peter Full, Building Advisor, Executive Management, 02.12.13.

Jessica Briony Jones, Scientific Fisheries Observer, Natural Resources Department, 02.12.13.

Brendon Lee, Scientific Fisheries Observer, Natural Resources Department, 02.12.13.

Karen Lorimer, Constable, Emergency Services Department, 02.12.13.

Emily Hancox, Public Relations and Media Assistant, Executive Management, 03.12.13.

Bernard John Meehan, Senior Fisheries Protection Officer, Natural Resources Department, 05.12.13.

Tanya Kim Wilkinson, Staff Nurse, Health and Social Services Department, 05.12.13.

Christopher Eugene Peck, Fisheries Protection Officer, Natural Resources Department, 09.12.13.

Mukhtar Ahmad Uqaili, Medical Officer – General Practitioner, Health and Social Services Department, 09.12.13.

Jonathan Hadley, Staff Nurse, Health and Social Services Department, 12.12.13.

Alice Fiona Hancox, Customs and Immigration Officer, Emergency Services Department, 12.12.13.

Completion of contract

Simon John Catton, Roads Engineer, Public Works Department, 13.12.13.

Marie-Julie Roux, Stock Assessment Scientist, Natural Resources Department, 20.12.13.

Determination of contract

Normann Ford, Constable, Emergency Services Department, 16.11.13.

Promotion

Simon James Goodwin, from Customs and Immigration Officer to Team Supervisor, Customs and Immigration, Emergency Services Department, 11.11.13.

Roger May, Assistant Foreman to Foreman, Highways Section, Public Works Department, 01.12.13.

Resignation

Duane Richard Evans, Plumber, Property and Municipal Section, Public Works Department, 05.12.13.

Caris Kirsten Stevens, Junior Technical Assistant, Design and Contracts Section, Public Works Department, 12.12.13.

Denise McPhee, Senior Learning Support Assistant, Education Department, 21.12.13.

John Gall Sutherland, Assistant Foreman, Highways Section, Public Works Department, 21.12.13.

Lee Perry Adrian John Williams, Licensed Aircraft Engineer, Falkland Islands Government Air Service, Central Services Department, 31.12.13.

Transfer

Roy Summers, from Senior Fisheries Protection Officer to Assistant Marine Officer, Natural Resources Department, 02.12.13.

Ian Peter France, from Customs and Immigration Officer, Emergency Services Department, to Firefighter, Stanley Airport, Central Services Department, 10.12.13.

Andrew John Finlay, from Cemetery Caretaker/Handyperson, Property and Municipal Section, to Tyre Fitter, Plant and Vehicle Section, Public Works Department, 25.12.13.

NOTICES

No. 96 3 December 2013

Customs Ordinance 2003 section 7(3)

Appointment of Temporary Customs Officer

In exercise of the powers conferred by section 7(3) of the Customs Ordinance 2003, I appoint the following person to be a temporary Customs Officer:-

FS Shaun Taylor – R8220288 from 18 November 2013 to 17 May 2014.

Dated 3 December 2013

R. J. KING,
Collector of Customs.

No. 97 16 December 2013

Customs Ordinance 2003 section 7(3)

Appointment of Temporary Customs Officer

In exercise of the powers conferred by section 7(3) of the Customs Ordinance 2003, I appoint the following person to be a temporary Customs Officer:-

Cpl Robbie Grant – C8517209 from 25 November 2013 to 24 May 2014.

Dated 16 December 2013

R. J. KING,
Collector of Customs.

No. 98

17 December 2013

Taxes Ordinance section 5

Appointment of Deputy Commissioner of Taxation

1. Section 5(4) of the Taxes Ordinance 1997 (Title 69.1) confers power on the Governor to appoint a Deputy Commissioner of Taxation.

2. In exercise of my powers under section 5(4) of the Taxes Ordinance, I appoint the substantive holder of the post of Head of Finance to be Deputy Commissioner of Taxation.

3. This appointment has effect from 20 November 2013 and continues in effect until terminated.

Dated 17 December 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 99

17 December 2013

Harbour Ordinance section 4

Oil in Territorial Waters Ordinance section 2

Appointment of Deputy Harbour Master

1. Section 4 of the Harbour Ordinance (Title 57.3) provides that the Governor may appoint a Deputy Harbour Master.

2. Section 2(1) of the Oil in Territorial Waters Ordinance (Title 34.3) provides that the Harbour Master means and includes any person appointed by the Governor for the purpose of enforcing the provisions of the Ordinance.

3. In exercise of my powers under section 4 of the Harbour Ordinance and under section 2(1) of the Oil in Territorial Waters Ordinance, I appoint Roy Summers to be Deputy Harbour Master for the purposes of enforcing those Ordinances and for all other purposes.

4. This appointment has effect from the date of signature, and continues in effect whilst the appointee continues to hold the post of Assistant Marine Officer, unless terminated sooner.

Dated 17 December 2013

N. R. HAYWOOD C.V.O.,
Governor.

No. 100

20 December 2013

Application for Permanent Residence

Notice is hereby given that:-

**Ross Munro Alan Peters; and
Paula Cristina Munoz Garcia**

have applied to the Principal Immigration Officer to be granted a Permanent Residence Permit.

Any person who knows of any reason why a permit should not be granted should send a written and signed statement of the

facts, giving grounds for their objection, to the Immigration Officer, Customs and Immigration Department, Stanley by 21 January 2014.

Dated 20 December 2013

C. W. SHELBOURNE,
Immigration Officer.

Erratum

Volume 122, Gazette No 17 dated 31 October 2013, in Resignation – Glyn Hockey, Social Worker should read **Glyn Hockney, Social Worker.**

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Two pound

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

31 January 2013

No. 1

The following are published in this Supplement –

Aerodromes Regulations 2013 (SR&O No 1 of 2013); and

Road Traffic (Demining Operations) Order 2013 (SR&O No 2 of 2013).

SUBSIDIARY LEGISLATION

AVIATION

Aerodromes Regulations 2013

S. R. & O. No: 1 of 2013

Made: 31 January 2013

Published: 31 January 2013

Coming into force: see regulation 2

I make the following order under section 4 of the Aerodromes Ordinance (No 19 of 2012) on the advice of Executive Council.

PART 1 INTRODUCTION

1. Title

These regulations are the Aerodromes Regulations 2013.

2. Commencement

These regulations come into force on a day appointed by the Governor by notice published in the *Gazette*.

3. Interpretation

In these regulations —

“the AN(OT)O” means the Air Navigation (Overseas Territories) Order 2007 (SI 2007 No 3468, as amended by SI 2008/3125 and SI 2011/327).

“authorised person” means —

(a) the Director;

(b) a person appointed in writing by the Director to be an authorised person for the purposes of these regulations;

“Director” means either —

(a) the Director of Civil Aviation; or

(b) a person appointed in writing by the Director of Civil Aviation to carry out functions of the Director;

“relevant aircraft operations” means aircraft operations —

- (a) to which article 103(1) of the AN(OT)O does not apply; but
- (b) which are not excepted by article 150 of the AN(OT)O.

PART 2 AUTHORITY TO OPERATE AERODROME

4. Authority to operate aerodrome

A person may only operate an aerodrome to the extent that the operation of that aerodrome is covered by one or more of the following —

- (a) an approval under regulation 5;
- (b) a permission under regulation 8;
- (c) a certificate under article 105 of the AN(OT)O;
- (d) a notification under article 104 of the AN(OT)O;
- (e) an exemption under article 146 of the AN(OT)O;
- (f) an exception under article 150 of the AN(OT)O.

PART 3 APPROVED AERODROMES

5. Power for Director to approve aerodromes

(1) The Director may approve aerodromes as places where relevant aircraft operations may be carried out.

(2) Approvals may be —

- (a) granted indefinitely or for a limited period;
- (b) may be limited to specified types of operation;
- (c) may be made subject to conditions.

(3) The Director may vary, suspend or revoke approvals.

6. Aerodrome Manual

(1) Before approving an aerodrome, the Director must be satisfied that there is an Aerodrome Manual for the aerodrome that includes provisions intended to ensure the safe operation of the aerodrome in a manner acceptable to the Director.

- (2) When approving an aerodrome, the Director must appoint a person (who need not be the operator of the aerodrome) to be responsible for maintaining the Aerodrome Manual.
- (3) While an aerodrome is approved, the appointed person must ensure that —
 - (a) the Aerodrome Manual is properly maintained; and
 - (b) amendments and additions are made whenever necessary to keep it up to date.
- (4) The appointed person must notify the Director about amendments or additions to the Aerodrome Manual whenever they are made.
- (5) If the Director requires amendments or additions to be made to the Aerodrome Manual to ensure the safe operation of the aerodrome, the appointed person must —
 - (a) make those amendments or additions; and
 - (b) notify the Director when this has been done.

7. Duties on operators of approved aerodromes

- (1) The operator of an approved aerodrome must take all reasonable steps to ensure that the aerodrome is operated safely.
- (2) The operator must also take all reasonable steps to ensure that the aerodrome is operated in accordance with —
 - (a) its approval (including conditions to which that approval is subject);
 - (b) the Aerodrome Manual.

PART 4 PERMITTED OPERATIONS

8. Power for Director to permit operations

- (1) The Director may permit relevant aircraft operations to be carried out.
- (2) Permission may be —
 - (a) granted for —
 - (i) one or more specified operations; or
 - (ii) a series of operations over a period (which may be indefinite or limited);
 - (iii) a category of operations over a period (which may be indefinite or limited);
 - (b) made subject to conditions; and

(c) issued to either —

(i) one or more persons specified in the permission;

(ii) generally (other than those whom the Director excludes from it).

(3) The Director may vary, suspend or revoke permissions.

9. Duties on those carrying out permitted operations

(1) A person carrying out a permitted operation must take all reasonable steps to ensure that the operation is carried out safely.

(2) That person must also take all reasonable steps to ensure that the operation is carried out in accordance with the permission (including conditions to which the permission is subject).

PART 5 IMPROVEMENT NOTICES

10. Improvement notices: circumstances in which one may be issued

(1) An authorised person may issue an improvement notice if the authorised person considers that the way in which an aerodrome approved under regulation 5 is being operated does not meet the requirements of these regulations.

(2) An authorised person may also issue an improvement notice if the authorised person considers that the way in which an operation permitted under regulation 8 is being carried out does not meet the requirements of these regulations.

11. Improvement notice: service

(1) The authorised person may either —

(a) serve the improvement notice on one or more persons who, in the authorised person's opinion, are in charge of the aerodrome or responsible for the operation; or

(b) leave the notice in a conspicuous place at —

(i) the aerodrome; or

(ii) the place where the operation is taking place.

(2) If those methods are either impossible or impracticable, the authorised person may issue the notice by taking reasonable steps designed to ensure that the notice comes to the attention of the person in charge of the aerodrome or responsible for the operation.

12. Improvement notices: contents

(1) The authorised person must specify in an improvement notice —

(a) what action the authorised person considers reasonably needs to be taken to ensure that the requirements of these regulations are met;

- (b) the reasons for requiring that action to be taken; and
 - (c) a reasonable period within which the action must be taken.
- (2) If more than one action to be taken is specified in an improvement notice —
- (a) the authorised person may specify different periods within which each action must be taken; and
 - (b) each period specified must be reasonable.
- (3) The authorised person may also specify in an improvement notice —
- (a) that the approval or permission is suspended until the Director lifts the suspension; or
 - (b) in the case of a general permission or a permission issued to more than one person, that the person issued with the improvement notice is excluded from operating under that permission until the Director lifts the exclusion.

13. Improvement notices: duties following issue

A person to whom an improvement notice is issued must —

- (a) take all reasonable steps to ensure that the action specified in the notice is taken within the period specified in the notice for that action to be taken; and
- (b) by the end of the same period, provide the Director with information about the steps that have been taken.

14. Improvement notices: lifting of suspension or exclusion

- (1) The Director will only lift a suspension or exclusion once satisfied that the necessary action has been taken to ensure that the requirements of the regulations are now being (or will be) met.
- (2) The Director may make inquiries or inspections to establish —
- (a) what action has been taken;
 - (b) whether it has been taken properly; and
 - (c) whether the regulations are now being (or will be) met.
- (3) The Director may impose additional conditions on an approval or permission (or vary existing ones) when lifting a suspension or exclusion.

**PART 6
POWERS OF AUTHORISED PERSONS**

15. Authorised persons: power to require provision of information

- (1) An authorised person may require one or more persons to provide information regarding —

- (a) the operation of an aerodrome;
 - (b) the carrying out of relevant aircraft operations.
- (2) The authorised person must specify a reasonable period within which the information must be provided.
- (3) The person required to provide information must take all reasonable steps to provide the information to the authorised person within the period that was specified.
- (4) If a person required to provide information cannot provide the information within the specified period, the person must —
- (a) provide as much of the information as possible within the specified period; and
 - (b) by the end of that period, explain why the remaining information has not been provided.

16. Authorised persons: power to enter aerodromes, etc

- (1) An authorised person may enter an aerodrome (and premises at the aerodrome) in order to check whether the requirements of these regulations are being (or have been) met.
- (2) The power of entry may (if necessary) be exercised by reasonable force.
- (3) The authorised person must, if asked by anyone else present, produce evidence of authority.
- (4) The authorised person may take —
- (a) one or more other persons to assist; and
 - (b) equipment or materials that may reasonably be required.
- (5) If the aerodrome or premises are unoccupied, the authorised person must leave them as effectively secured against entry as the authorised person found them.

17. Authorised persons: powers of inspection, etc

- (1) The powers in this regulation apply whether or not the authorised person has entered an aerodrome (or premises at the aerodrome) using the power of entry.
- (2) The authorised person may require anyone at the aerodrome or premises to provide facilities, assistance or information.
- (3) The authorised person may —
- (a) conduct searches and inspections;
 - (b) take photographs and recordings;
 - (c) conduct tests.

(4) The authorised person —

(a) may require the production of items and substances;

(b) may inspect them; and

(c) may take and retain possession of them (or samples from them) as evidence or for later testing or analysis.

(5) The authorised person may —

(a) inspect and copy records (in whatever form they are held) or remove such records to enable them to be copied;

(b) inspect and check the operation of —

(i) a computer;

(ii) equipment linked to or associated with a computer; or

(iii) material which is (or has been) used in connection with the records;

(c) require a person in charge of (or otherwise concerned with the operation of) the computer, apparatus or material to provide the authorised person with assistance that person reasonably requires (including providing the authorised person with necessary passwords or anything else required for access); and

(d) if a record is kept by means of a computer, require the record to be produced in a form in which it may be taken away.

PART 7 APPEALS

18. Appeals

(1) Appeals to the Governor may be made under this regulation against the following decisions —

(a) by the Director —

(i) not to grant an approval or permission;

(ii) to impose conditions on an approval or permission;

(iii) to exclude a person from a general permission or

(iv) to vary, suspend or revoke an approval or permission;

(v) not to lift a suspension or exclusion; or

- (vi) to require amendments or additions to be made to an Aerodrome Manual; or
- (b) by an authorised person —
 - (i) to serve an improvement notice;
 - (ii) to specify one or more actions in an improvement notice;
 - (iii) to specify a particular period within which an action must be taken;
 - (iv) to suspend an approval or permission; or
 - (v) to exclude a person from a permission.
- (2) An appeal against a decision may only be made by a person directly affected by it.
- (3) The Governor may decide to deal with the appeal personally (acting with discretion) or to refer it to arbitration between the Director and the person making the appeal.
- (4) If the Governor decides to deal with an appeal personally —
 - (a) the Governor may adopt whatever procedure seems appropriate for the conduct of the appeal (provided that it is consistent with requirements of procedural fairness); and
 - (b) the Governor may (but need not) take expert advice on specific issues independently of the Director and the person making the appeal.

PART 8 OFFENCES

19. Operating aerodrome without authority or in breach of authority

- (1) It is an offence for a person to operate an aerodrome in breach of regulation 4.
- (2) It is an offence for a person to operate an aerodrome approved under regulation 5 in breach of a duty in regulation 7.
- (3) It is an offence for a person to carry out an operation permitted under regulation 8 in breach of a duty in regulation 9.

20. Failure to maintain Aerodrome Manual, etc

It is an offence for a person appointed to be responsible for maintaining the Aerodrome Manual not to comply with a duty on that person under regulation 6.

21. Failure to take steps to comply with improvement notice, etc

It is an offence for a person to whom an improvement notice has been issued not to comply with a duty on that person under regulation 13.

22. Obstruction, etc

(1) It is an offence for a person intentionally to hinder or obstruct an authorised person in the course of enforcing these regulations.

(2) It is an offence for a person not to comply with a duty on that person under regulation 15(3) or 15(4).

(3) Unless the person has a reasonable excuse, it is an offence for a person to fail to provide an authorised person with a facility, assistance or information that the authorised person reasonably requires that person to provide under regulation 17(2).

23. Provision of false or misleading information

(1) Paragraph (2) applies to—

(a) every person providing information in connection with the granting, renewal or variation of an approval or permission;

(b) every person required to provide information under regulation 13, 15 or 17(2);

(c) every person providing information in connection with an appeal; and

(d) every person providing information to the Director or another authorised person in connection in some other way with —

(i) an approval or permission;

(ii) relevant aircraft operations.

(2) It is an offence for a person to whom this paragraph applies either —

(a) intentionally to provide information that is false or misleading in a material particular; or

(b) to be reckless as to whether the information is false or misleading in a material particular.

24. Penalties

The penalties that may be imposed on a person convicted of an offence against a regulation in this Part are —

(a) a fine of up to level 4 on the standard scale;

(b) imprisonment for up to 6 months; or

(c) a fine of up to level 4 on the standard scale and imprisonment for up to 6 months.

**PART 9
FEES AND CHARGES**

25. Fees and charges

(1) The Director may impose reasonable fees and charges for work carried out and costs incurred in relation to the following actions —

(a) considering an application for an approval or permission (or for the renewal or variation of an approval or permission);

(b) considering a request to lift a suspension or exclusion;

(2) The Governor may impose reasonable fees and charges for work carried out and costs incurred in relation to appeals made under regulation 18.

26. Fees and charges: tariff

The Director must establish (and maintain) a non-discriminatory tariff for fees and charges to be imposed under regulation 25(1).

27. Fees and charges: recovery

Fees and charges authorised by regulation 25 will be recoverable either —

(a) summarily as a civil debt; or

(b) as a simple contract debt in a court of competent jurisdiction.

Made 31 January 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the Regulations)

These regulations are made under the Aerodromes Ordinance (No 19 of 2012), which allows the Governor to make regulations dealing with the operation and use of aerodromes and with other aircraft operations.

The regulations operate in conjunction with UK legislation that applies in the Falkland Islands: the Air Navigation (Overseas Territories) Order 2007 SI 2007 No 3468, as amended by SI 2008/3125 and SI 2011/327). That Order is referred to as “the AN(OT)O” in the Regulations.

Regulation 2 provides that the Regulations will not come into force until a later date, yet to be determined.

Regulation 3 defines a number of terms used elsewhere in the Regulations.

The most important of these is “relevant aircraft operations”, which limits the scope of the Regulations in some respects. Relevant aircraft operations are ones for which the AN(OT)O does not require certification of aerodromes where they take place but which are not covered by an exception in the AN(OT)O that covers most of its provisions.

Neither “aerodrome” nor “aircraft” are defined in *regulation 3*. They are defined in the Aerodromes Ordinance (No 19 of 2012):

“aerodrome” —

- (a) means an area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft; and
- (b) includes an area or space (whether on the ground, on the roof of a building or somewhere else) which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically; but
- (c) does not include an area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed; and

“aircraft” means a machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.

Regulation 4 imposes a requirement that anyone operating an aerodrome must have authority to do so, either under these Regulations or under the AN(OT)O. Under *regulation 19(1)*, operating an aerodrome without authority is a criminal offence with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison.

Part 3 deals with the approval of aerodromes

Regulation 5 gives the Director (which means either the Director of Civil Aviation or someone acting on behalf of the Director of Civil Aviation) the power to grant approvals for aerodromes. However, approval can only be granted for relevant flying operations: approval does not take the place of certification under the AN(OT)O if that is required for the operations carried out at an aerodrome.

Regulation 6 deals with the requirement for every approved aerodrome to have an Aerodrome Manual and for it to be kept up to date. Under *regulation 6(2)*, the Director must appoint the aerodrome operator or someone else to maintain the Aerodrome Manual. Under *regulation 20*, it is an offence for the appointed person not to comply with their obligations and the maximum penalty for that offence is a level 4 fine (currently, £2,000) and/or 6 months in prison.

Regulation 7 imposes two key duties on aerodrome operators: a general duty to operate the aerodrome safely; and, more specifically, to operate the aerodrome in accordance with the

approval and the Aerodrome Manual. Under *regulation 19(2)*, failing to comply with either of those duties is a criminal offence with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison.

Under *regulation 23*, it is an offence to provide information which is false or misleading (or to be reckless about whether or not it might be) in connection with an approval and the maximum penalty for that offence is a level 4 fine (currently, £2,000) and/or 6 months in prison.

Part 4 deals with permission for relevant aircraft operations

Regulation 8 gives the Director the power to grant permission for relevant aircraft operations. This may be required at unapproved aerodromes or for operations outside the scope of an approval. Again, permission does not take the place of an exemption under the AN(OT)O if certification would be required for an operation.

Regulation 8(3) allows for general permissions to be granted but also allows for the Director to exclude people from general permissions, if need be.

Regulation 9 imposes two key duties on those carrying out relevant aircraft operations under a permission: a general duty to carry out the operation safely; and, more specifically, to carry out the operation in accordance with the permission. Under *regulation 19(3)*, failing to comply with either of those duties is a criminal offence with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison.

Under *regulation 23*, it is an offence to provide information which is false or misleading (or to be reckless about whether or not it might be) in connection with a permission and the maximum penalty for that offence is a level 4 fine (currently, £2,000) and/or 6 months in prison.

Parts 5 and 6 deal with enforcement of the Regulations: Part 5 deals with the power for authorised persons to issue improvement notices; and Part 6 deals with authorised persons' other powers

Regulation 10 provides that an authorised person has the power to issue an improvement notice if the requirements of the regulations (including the requirement to comply with an approval or permission and its conditions and also with the Aerodrome Manual for an approved aerodrome) are not being met and *regulation 11* deals with how they are issued.

Regulation 12 deals with the contents of improvement notices: they need to say what needs to be done to meet the requirements of the Regulations; why it needs to be done; and when it needs to be done. Under *regulation 12(3)*, an authorised person can also suspend an approval or permission or exclude someone from a permission.

Under *regulation 13*, a person who has been issued with an improvement notice must take steps to carry out the required action within the time allowed and must tell the Director what has been done. Under *regulation 21*, not taking all reasonable steps to comply with an improvement notice is a criminal offence with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison. Failing to notify the Director is also a criminal offence against *regulation 20* and has the same maximum penalty. Providing false or misleading information when notifying the Director (or being reckless about whether or not it might be false or misleading) is an offence against *regulation 23* with the same maximum penalty again.

Regulation 14 deals with the lifting of a suspension or exclusion that an authorised person has imposed under *regulation 12(3)*. The decision to lift a suspension or exclusion is one for the Director, who must be satisfied that the necessary action has been taken and can carry out investigations for that purpose. Providing false or misleading information in connection with a request to lift a suspension or exclusion (or being reckless about whether or not it might be false or misleading) is an offence against *regulation 23* with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison.

Regulation 15 allows authorised persons to require the provision of information about aerodromes and relevant aircraft operations. Under *regulation 22(2)*, failing to provide information when required is a criminal offence with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison. Providing false or misleading information (or being reckless about whether or not it might be false or misleading) is an offence against *regulation 23* with the same maximum penalty.

Regulation 16 gives authorised persons a power of entry to aerodromes and premises at aerodromes.

Regulation 17 gives authorised persons powers of inspection and investigation.

Obstructing an authorised officer or failing to provide facilities, information or assistance when required are criminal offences against *regulation 22(1) and 22(3)* (respectively) with maximum penalties of a level 4 fine (currently, £2,000) and/or 6 months in prison.

Part 7 deals with appeals

Regulation 18 deals with appeals against regulatory decisions by the Director and enforcement decisions by authorised persons. Appeals can be made to the Governor who can either deal with them directly or refer them to arbitration. *Regulation 25(2)* allows for fees and charges to be made in relation to appeals.

Providing false or misleading information in connection with an appeal (or being reckless about whether or not it might be false or misleading) is an offence against *regulation 23* with a maximum penalty of a level 4 fine (currently, £2,000) and/or 6 months in prison.

Part 8 deals with offences and penalties

Regulation 19 deals with the offences about operating an aerodrome without authority or in breach of an approval or permission or an Aerodrome Manual.

Regulation 20 deals with the offences relating to the maintenance of the Aerodrome Manual.

Regulation 21 deals with the offences relating to improvement notices.

Regulation 22 deals with the offence of obstructing an authorised person and failing to comply with requirements to provide information or other assistance when required to do so.

Under *regulation 23*, it is an offence in various situations connected with the operation of the Regulations to provide information which is false or misleading or to be reckless about whether or not it might be.

Regulation 24 provides for the maximum penalties for offences against the Regulations: a level 4 fine (currently, £2,000) and/or 6 months in prison.

Part 9 deals with fees and charges

Regulation 25(1) allows the Director to impose fees and charges in relation to approvals and permissions and also in relation to requests to lift suspensions and exclusions. However, under *regulation 26*, these would have to be based on a non-discriminatory tariff.

Regulation 25(2) allows the Governor to impose fees and charges in relation to appeals.

Regulation 27 provides for the recovery of unpaid fees and charges.

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Road Traffic (Demining Operations) Order 2013

S. R. & O. No. 2 of 2013

Made: 31 January 2013
Published: 31 January 2013
Coming into force: 1 February 2013

I make this order under section 59 of the Road Traffic Ordinance (Title 63.1) on the advice of the Executive Council.

1. Title

This order is the Road Traffic (Demining Operations) Order 2013.

2. Commencement and expiry

(1) This order comes into force on 1 February 2013.

(2) This order expires on 30 June 2013.

3. Interpretation

In this order —

“authorised person” means —

- (a) the Director of Public Works;
- (b) a person in charge of demining operations;
- (c) a police officer; or
- (d) a person acting on behalf of either —
 - (i) the Director of Public Works; or
 - (ii) a person in charge of demining operations;

“closed road” means either —

- (a) while the whole of the controlled road is closed to traffic under article 4(1), the controlled road; or

(b) while part of the controlled road is closed to traffic under article 4(1), that part;

“consent” means consent given —

- (a) orally, whether in person or by telephone or radio; or
- (b) in writing;

“controlled road” means the part of the Stanley-Darwin Road that is between the following points —

- (a) the south-west corner of the triangular junction between the Stanley-Darwin Road and the road known as Sapper Hill Road;
- (b) the cattle grid near the junction between the Stanley-Darwin Road and the track heading in a south-easterly direction towards Beckside Farm;

“prohibited activity” means one or more of the following —

- (a) pedestrian activity;
- (b) driving, propelling, pushing, pulling or towing a vehicle;
- (c) being in charge of a stationery vehicle;
- (d) being in or on a vehicle as a passenger; or
- (e) riding, driving or leading one or more animals.

“the Stanley-Darwin Road” means the road (including Stanley Bypass) from Hillside Camp, Stanley to Darwin; and

“vehicle” includes —

- (a) a pedal cycle, skateboard, scooter, moped or motorcycle; or
- (b) a trailer, cart or carriage.

4. Temporary road closures

(1) A person in charge of demining operations may, with the consent of a police officer holding the rank of sergeant or above, close the controlled road (or part of it).

(2) The road must only be closed under paragraph (1) for as long as necessary to protect the health and safety of —

- (a) those engaged in demining operations; and
- (b) those who would otherwise be using the closed road.

5. Prohibitions during road closures

(1) While the road is closed under article 4(1), no person may —

(a) proceed onto or remain on the closed road —

(i) with or without a vehicle; and

(ii) with or without one or more animals; or

(b) do anything which is a prohibited activity on, along or next to the carriageway of the closed road.

(2) Paragraph (1) does not apply to —

(a) an authorised person;

(b) anyone engaged in demining operations.

6. Duty to display signs

(1) While the road is closed under article 4(1), it is the duty of the person in charge of demining operations to ensure that —

(a) one or more signs are displayed at each end of the closed road indicating that the road is closed; and

(b) the signs can be readily seen and read or understood by persons intending to use the closed road.

(2) Signs put in place in accordance with paragraph (1) need not comply with the requirements of the Traffic Signs Regulations (SR&O No. 30 of 1999).

7. Power to erect physical barriers

While the road is closed under article 4(1), authorised persons may erect physical barriers to prevent or restrict access to the road.

8. Signs and physical barriers: prohibitions

No person (other than an authorised person) may move, remove, damage, deface or otherwise interfere with —

(a) a sign displayed under article 6; or

(b) a physical barrier erected under article 7.

9. Offences

(1) It is an offence for a person to contravene a prohibition in article 5(1) or 8.

(2) It is a further offence for a person to continue to contravene a prohibition in section 5(1) or 8 when instructed not to do so by an authorised person.

(3) No offence under paragraph (1) or (2) is committed by a person in relation to an act or omission for which that person had either —

(a) lawful authority; or

(b) reasonable excuse.

10. Penalties

A person found guilty of an offence against article 9 is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Made 31 January 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE

(not part of the order)

This order allows for part of the Stanley–Darwin Road (commonly known as the MPA road) to be closed during demining operations to be carried out in the vicinity of that road during the early months of 2013. However, the road can only be closed when necessary to protect health and safety.

While the road is closed, proceeding onto it or remaining there will be prohibited, as will various other traffic-related activities. The order makes doing any of these things while the road is closed an offence, punishable by a fine of up to £4,000.

The order requires signs to be displayed while the road is closed and it also allows for physical barriers to be erected. It makes interfering with signs and/or barriers an offence, also punishable by a fine of up to £4,000.

The order will expire on 30 June 2013.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Five pound.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

7 February 2013

No. 2

The following are published in this Supplement –

Mullet Creek Track Regulations 2013 (SR&O No 3 of 2013);

Building Designation (63 Fitzroy Road, Stanley) Order 2013 (SR&O No 4 of 2013);

Referendum (Campaign) Rules 2013 (SR&O No 5 of 2013);

Agricultural Returns Bill 2013;

Administration of Justice (Amendment) Bill 2013; and

Falkland Islands Development Corporation Bill 2013.

SUBSIDIARY LEGISLATION

ENVIRONMENTAL PROTECTION

Mullet Creek Track Regulations 2013

(S.R. & O. No: 3 of 2013)

Made: 4 February 2013

Published: 7 February 2013

Coming into force: in accordance with regulation 2

I make these regulations under section 10(c)(ii) of the Stanley Common Ordinance (Title 34.5) on the advice of the Executive Council.

1. Title

These regulations are the Mullet Creek Track Regulations 2013.

2. Commencement

These regulations shall come into force on publication in the *Gazette* of the notification of the approval of them by resolution of the Legislative Assembly.

3. Interpretation

In these regulations —

(a) “the Mullet Creek track” means the track leading from its junction on Sapper Hill with the Stanley-MPA Road heading south across Stanley Common to Mullet Creek; and

(b) “the access track” means an access track, approximately 25 metres in length, to be constructed to provide a link between the Mullet Creek track and the European Space Agency Galileo Station site as shown on the representations appearing in the Schedule to these Regulations.

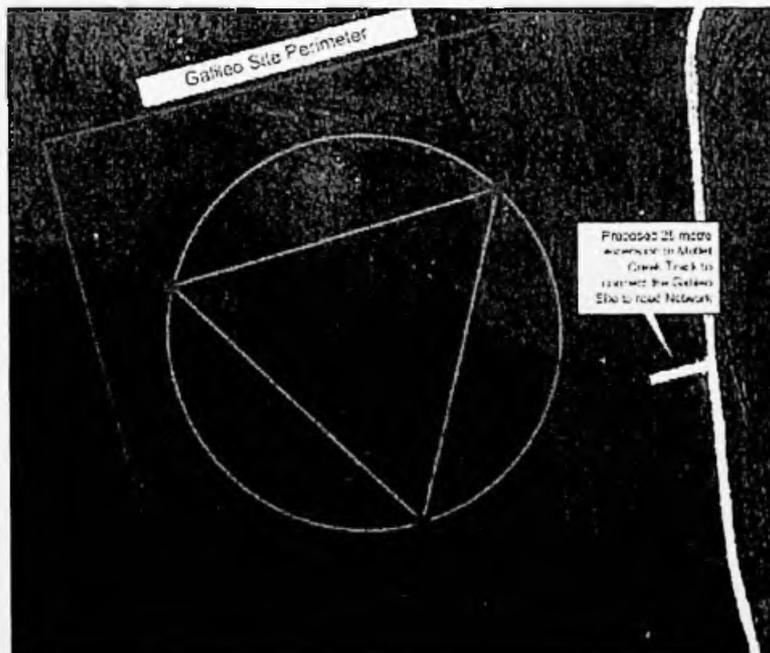
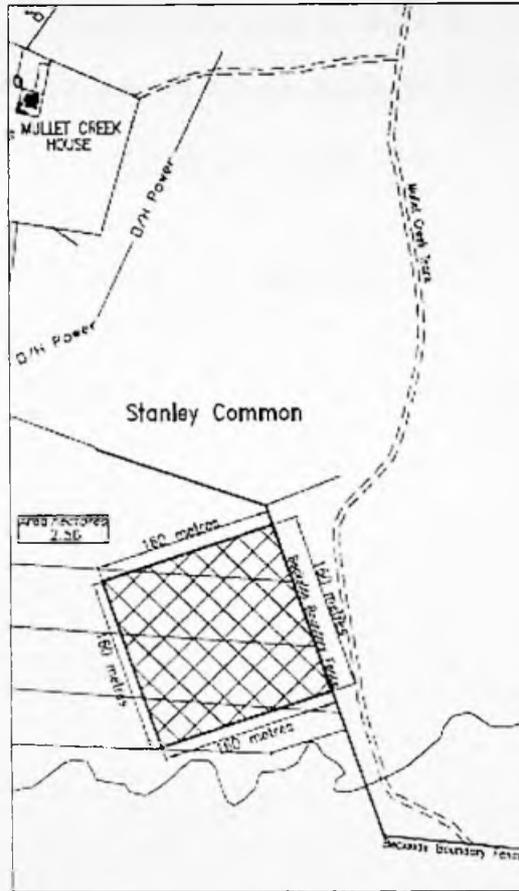
4. Permitted development for purposes of road construction

Under these regulations Cable and Wireless South Atlantic Limited are permitted to carry out such works and operations as are reasonably necessary to —

(a) make the existing Mullet Creek track more accessible to construction traffic by straightening a short section of, and installing a culvert in, the track; and

(b) construct, and thereafter maintain, the access track.

SCHEDULE
(representations referred to in regulation 3(b))



Made 4 February 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

These regulations permit the construction and maintenance of an access track on Stanley Common to link the European Space Agency Galileo Station site with the Mullet Creek track. The works include works to Mullet Creek track to straighten a section and install a culvert to make the track more accessible to construction traffic.

SUBSIDIARY LEGISLATION

PLANNING AND BUILDING

Building Designation (63 Fitzroy Road, Stanley) Order 2013

S. R. & O. No: 4 of 2013

Made: 4 February 2013

Published: 7 February 2013

Coming into force: on publication

I make this order under section 65(1) of the Planning Ordinance (Title 55.3) on the advice of Executive Council —

1. Title

This order is the Building Designation (63 Fitzroy Road, Stanley) Order 2013.

2. Commencement

This order comes into force on publication in the Gazette.

3. Designation

The buildings listed in the Schedule are designated as buildings of special architectural and historic interest.

SCHEDULE

63 Fitzroy Road (to include an outbuilding formerly used as a bakery), Stanley, East Falkland.

Made 4 February 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not forming part of the Order)

This order designates the buildings listed in the Schedule as buildings of special architectural and historic interest. Planning permission is required for their demolition, alteration or extension.

SUBSIDIARY LEGISLATION

ELECTIONS

Referendum (Campaign) Rules 2013

S.R & O. No. 5 of 2013

ARRANGEMENT OF PROVISIONS

Rule

Part 1

Introduction

1. Title
2. Commencement
3. Interpretation

Part 2

Restrictions on campaigning

4. Restrictions on campaigning: FIG
5. Restrictions on campaigning: public bodies
6. Restrictions on campaigning: restricted persons
7. Restrictions on campaigning: employees of FIG and public bodies
8. Restrictions on campaigning: MLAs

Part 3

Expenditure limits

9. Limits on relevant expenditure

Part 4

Registration

10. Registration: individuals
11. Registration: private bodies

Part 5

Returns by registered individuals and registered private bodies

12. Returns: relevant expenditure
13. Returns: financial support received

Part 6

Publication

14. Publication: list of registered individuals and registered private bodies and summaries of returns made by them

Part 7
Compliance notices

15. Compliance notices: circumstances in which one may be issued
16. Compliance notices: contents
17. Compliance notices: service
18. Compliance notices: duties following issue
19. Compliance notices: request for review

Part 8
Offences and penalties

20. Causing or permitting FIG or a public body to engage in relevant campaigning activity or to provide financial support for relevant campaigning activity
21. Restricted persons: engaging in relevant campaigning activity or providing financial support for relevant campaigning activity
22. FIG/public body employees: engaging in relevant campaigning activity during work time or using FIG/public body resources for relevant campaigning activity
23. MLAs: using FIG resources for relevant campaigning activity or claiming payment in respect of relevant campaigning activity
24. Incurring relevant expenditure in excess of £10,000
25. Failing to comply with compliance notice
26. Providing false or misleading information
27. Offences by private bodies
28. Penalties

Schedule – Campaigning activities

SUBSIDIARY LEGISLATION

ELECTIONS

Referendum (Campaign) Rules 2013

S. R. & O. No. 5 of 2013

Made: 7 February 2013

Published: 7 February 2013

Coming into force: on publication

I make the following rules under section 14(1)(a) of the Referendum (Falkland Islands Political Status) Ordinance (No 16 of 2012).

I am satisfied that —

(a) as required by section 14(2), the rules are designed to ensure (as far as reasonably possible) that the referendum about the political status of the Falkland Islands will be conducted freely and fairly; and

(b) as required by section 14(3), the rules comply with the requirements of Chapter 1 of the Constitution (and, in particular, sections 1(c)(ii), 13, 14 and 16 of the Constitution).

**PART 1
INTRODUCTION**

1. Title

These rules are the Referendum (Campaign) Rules 2013.

2. Commencement

These rules come into force on publication in the *Gazette*.

3. Interpretation

In these rules —

“authorised officer” means —

(a) the Chief Referendum Officer;

(b) a referendum officer to whom functions under these rules have been delegated;

“campaign period” means the period —

(a) starting on date on which these rules are published in the *Gazette*; and

(b) ending on —

(i) if the Referendum is held on 10 and 11 March 2013, 11 March 2013; or

(ii) if the Referendum is postponed under section 7 of the Ordinance, the last date on which voting in the Referendum takes place;

“expenditure” includes the incurring of liabilities (whenever those liabilities are or will be met and even if they will never be met);

“financial support” includes —

(a) direct financial support (such as: making donations in money or in kind; or reimbursing others for expenses they have incurred);

(b) indirect financial support (such as: giving discounts for goods, services and facilities; waiving debts; or assuming others’ liabilities); and

(c) promises to provide financial support;

“FIG” means the Falkland Islands Government;

“MLA” means an elected member of the Legislative Assembly;

“person” includes —

(a) a private body;

(b) a public body; or

(c) a body politic;

“private body” —

(a) means —

(i) a body corporate that is not a public body; or

(ii) an unincorporated association; and

(b) includes a company or a partnership;

“public body” means each of the following —

(a) the Falkland Islands Development Corporation;

(b) Falkland Islands Meat Company Limited;

(c) the Falkland Islands Museum and National Trust;

(d) the Falkland Islands Tourist Board; and

(e) Falklands Landholdings Limited;

“the Referendum” means the referendum about the political status of the Falkland Islands to be held under the Referendum Ordinance; and

“the Referendum Ordinance” means Referendum (Falkland Islands Political Status) Ordinance;

“Referendum purposes” means one or more of the following purposes —

- (i) promoting a particular outcome for the Referendum;
- (ii) seeking to persuade one or more persons to vote in a particular way in the Referendum;
- (iii) seeking to persuade one or more persons to refrain from voting in a particular way in the Referendum;
- (iv) seeking to persuade one or more persons to abstain from voting at all in the Referendum;

“registered” means —

- (a) in relation to an individual, registered under rule 10; and
- (b) in relation to a private body, registered under rule 11;

“relevant campaigning activity” means one or more of the activities listed in the left-hand column of the Schedule when it is (or they are) undertaken —

- (a) in the Falkland Islands;
- (b) during the campaign period; and
- (c) for Referendum purposes;

“relevant expenditure” —

- (a) means expenditure which is incurred in relation to relevant campaigning activity;
- (b) is to be interpreted, in relation to specific activities listed in the left-hand column of the Schedule, in accordance with the notes in the right-hand column of the Schedule; and
- (c) also includes financial support given to one or more others in respect of (or towards) relevant campaigning activity undertaken by them;

“restricted person” has the meaning given by rule 6(2).

PART 2
RESTRICTIONS ON CAMPAIGNING

4. Restrictions on campaigning: FIG

(1) FIG may not —

- (a) engage in relevant campaigning activity;
- (b) financially support (beforehand, at the time or after the event) relevant campaigning activity by anyone else.

(2) Paragraph (1) does not prevent FIG from —

- (a) taking steps to circulate the official information leaflet under section 9 of the Ordinance;
- (b) publishing information in accordance with —
 - (i) the Electoral Ordinance (Title 30.1); or
 - (ii) the Referendum Ordinance (and arrangements and rules made under it, including these rules);
- (c) engaging in activities which —
 - (i) encourage —
 - (aa) those who are (or may be) entitled to register as electors to apply to be registered;
 - (bb) those who are registered as electors to apply for postal, proxy or postal proxy votes;
 - (cc) those who are registered as electors to vote at the Referendum; but
 - (ii) do not seek to persuade anyone to vote in a particular way in the Referendum;
- (d) providing information about the arrangements made for the conduct of the Referendum;
- (e) answering specific requests for information made to it by others;
- (f) providing information that has specifically been requested from it by others.

(3) Paragraph (1) also does not prevent MLAs from engaging in relevant campaigning activity in their capacity as MLAs.

5. Restrictions on campaigning: public bodies

(1) No public body may —

- (a) engage in relevant campaigning activity;

(b) financially support (beforehand, at the time or after the event) relevant campaigning activity by anyone else.

(2) Paragraph (1) does not prevent a public body from —

(a) answering specific requests for information made to it by others;

(b) providing information that has specifically been requested from it by others.

6. Restrictions on campaigning: restricted persons

(1) No-one who is (or has been, during the campaign period) a restricted person may —

(a) engage in relevant campaigning activity;

(b) financially support (beforehand, at the time or after event) relevant campaigning activity by anyone else.

(2) The following persons are restricted persons —

(a) the Chief Executive (as Chief Referendum Officer);

(b) if a person is appointed under section 10(4) of the Ordinance to act as Chief Referendum Officer at times when the Chief Executive is unable to act as Chief Referendum Officer, that person;

(c) each person appointed under section 11(1) of the Ordinance to be a referendum officer;

(d) each person appointed under section 12(1) of the Ordinance to be a member of referendum staff;

(e) each person who is a police officer or a reserve police officer.

(3) In the case of a person who becomes a restricted person during the campaign period, the prohibition in paragraph (1) only applies to that person from the date on which the person becomes a restricted person.

(4) In the case of a person who has been a restricted person during the campaign period, the prohibition in paragraph (1) continues to apply to that person (even if the person ceases to be a restricted person).

(5) Paragraph (1) does not prevent a restricted person from carrying out (in the course of that person's duties) an activity which is permitted by rule 4(2).

(6) Paragraph (1) also does not prevent a restricted person (other than the Chief Referendum Officer, a person who has been appointed to act as Chief Referendum Officer or a referendum officer) from displaying referendum material in or about —

(a) a private vehicle belonging to or driven by the restricted person; or

(b) the restricted person's home and its curtilage.

7. Restrictions on campaigning: employees of FIG and public bodies

(1) Paragraph (2) applies to everyone employed by —

(a) FIG; or

(b) a public body.

(2) No person to whom this paragraph applies may —

(a) engage in relevant campaigning activity during their working hours in the employment of FIG or a public body; or

(b) make use of the resources of FIG or a public body for relevant campaigning activity.

(3) Paragraph (2) does not prevent a person employed by FIG or a public body from carrying out (in the course of that person's duties for FIG or the public body) an activity which is permitted by rule 4(2) or rule 5(2).

(4) For the purposes of this rule, MLAs are not to be regarded as employees of FIG when acting in their capacity as MLAs.

8. Restrictions on campaigning: MLAs

(1) MLAs may not —

(a) make use of the resources of FIG for relevant campaigning activity; or

(b) claim payment under the Members' Remuneration Ordinance (No 13 of 2009) for allowances or expenses in respect of relevant campaigning activity.

(2) Paragraph (1) does not prevent MLAs from engaging in relevant campaigning activity in their capacity as MLAs at their own expense.

**PART 3
EXPENDITURE LIMITS**

9. Limits on relevant expenditure

(1) An individual or a private body may only incur relevant expenditure in excess of £1,000 if that individual or body either —

(a) is already registered; or

(b) registers as soon as possible after it becomes apparent (or should have done) to the person or body that relevant expenditure in excess of £1,000 has been (or is likely to be) incurred by that person or body.

(2) A registered individual or a registered private body must not incur relevant expenditure in excess of £10,000.

**PART 4
REGISTRATION**

10. Registration: individuals

(1) An individual who wishes to become a registered individual must notify the Chief Referendum Officer in writing.

(2) The notification must —

(a) include the following information —

(i) the individual's full name; and

(ii) the individual's home address; and

(iii) an e-mail address at which the individual may be contacted;

(b) be signed by the individual or a person who has authority to act on the individual's behalf.

(3) An authorised person must register each individual who complies with paragraphs (1) and (2) (and notify the individual accordingly as soon as possible after this has been done).

11. Registration: private bodies

(1) A person who wishes for a private body to become a registered private body must notify the Chief Referendum Officer in writing.

(2) The notification must —

(a) include the following information —

(i) either —

(aa) in the case of a body corporate, its legal name;

(bb) in the case of an unincorporated association, the name by which it is usually known (or, if it does not have one, a name by which it wishes to be known);

(ii) the name of one or more individuals with authority from the body to act on its behalf;

(iii) one of the following —

(aa) the private body's registered address;

(bb) the address of the private body's principal place of business; or

(cc) the home address of an individual who has authority to act on behalf of the private body; and

(iv) an e-mail address via which the private body (or someone with authority to act on its behalf) may be contacted; and

(b) be signed by a person who has authority to act on behalf of the private body.

(3) An authorised person must register each private body who complies with paragraphs (1) and (2) (and notify the private body accordingly as soon as possible after this has been done).

PART 5

RETURNS BY REGISTERED INDIVIDUALS AND REGISTERED PRIVATE BODIES

12. Returns: relevant expenditure

(1) As soon as possible after an individual or private body has been notified about having been registered, the individual or private body must make a return to the Chief Registration Officer about the relevant expenditure that the individual or private body has incurred since the start of the campaign period.

(2) Every registered individual and every registered private body must make further returns to the Chief Referendum Officer at weekly intervals during the rest of the campaign period about the relevant expenditure that the individual or private body has incurred.

(3) Every registered individual and every registered private body must make a final return to the Chief Referendum Officer within 35 days after the end of the campaign period.

(4) Each return made by an individual or a private body must contain the following information —

(a) the total amount of relevant expenditure incurred by the individual or private body throughout the campaign period; and

(b) a breakdown of each item of that relevant expenditure with details of —

(i) the amount or value involved;

(ii) the campaigning activity for which it was incurred; and

(iii) the person to whom —

(aa) the payment was made;

(bb) the liability incurred; or

(cc) the financial support provided.

(5) Every final return made after the end of the campaign period must be accompanied by copies of bills, receipts or other documents evidencing each item of relevant expenditure.

(6) In the case of a private body, a return to be made by it under this rule must be made by an individual with authority to act on its behalf.

13. Returns: financial support received

(1) Paragraph (3) applies whenever —

(a) a registered individual or registered private body receives financial support from a person during the campaign period for relevant campaigning activity; and

(b) the total amount or value of the financial support for relevant campaigning activity that the registered individual or registered private body has received from that person during the campaign period exceeds £1,000.

(2) Paragraph (3) also applies when an individual or private body becomes registered if the total amount or value of the financial support for campaigning activity that the individual or private body has received from one person during the campaign period already exceeds £1,000.

(3) Whenever this paragraph applies, the individual (or an individual with authority to act on behalf of the private body) must, as soon as possible afterwards, make a return to the Chief Referendum Officer about —

(a) the identity of the person who provided the financial support;

(b) the total amount or value of the financial support for campaigning activity received from that person during the campaign period; and

(c) a breakdown of that financial support with details of —

(i) the nature of each element of financial support received; and

(ii) the amount or value involved for each element.

PART 6 PUBLICATION

14. Publication: list of registered individuals and registered private bodies and summaries of returns made by them

(1) The Chief Referendum Officer is responsible for taking reasonable steps to ensure that the following are made available to the public (throughout the campaign period and for at least 2 years afterwards) —

(a) a list of registered individuals and registered private bodies; and

(b) summaries of the returns made by each registered individual and each registered private body.

(2) The list of registered individuals and registered public bodies —

(a) must be updated during the campaign period as soon as possible after individuals and private bodies are registered; and

- (b) must include the names of the individuals and private bodies who have been registered; but
 - (c) must not include the addresses and e-mail addresses of individuals or private bodies.
- (3) Summaries of returns must be made available as soon as possible after they are made.

PART 7 COMPLIANCE NOTICES

15. Compliance notices: circumstances in which one may be issued

An authorised officer may issue a compliance notice to a person if the authorised officer has reason to think that the person has done either or both of the following things —

- (a) failed to comply with a requirement of these rules;
- (b) breached these rules in some other way.

16. Compliance notices: contents

(1) An authorised officer issuing a compliance notice must specify in the notice —

(a) what action the authorised officer considers reasonably needs to be taken to do one or more of the following things —

- (i) ensuring that the requirements of these rules are met;
- (ii) remedying the breach of the rules;
- (iii) minimising the damage done or caused by the failure to comply (or the breach);

(b) the reasons for requiring that action to be taken; and

(c) a reasonable period within which the action must be taken.

(2) If more than one action to be taken is specified in a compliance notice —

(a) the authorised officer may specify different periods within which each action must be taken; and

(b) each period specified must be reasonable.

17. Compliance notices: service

An authorised officer issuing a compliance notice must do at least one of the following things —

(a) serve a copy of the compliance notice on the person to whom it is issued;

(b) send a copy of the compliance notice by registered post to the person to whom it is being issued;

(c) take other reasonable steps designed to ensure that the compliance notice comes to the attention of the person to whom it is being issued.

18. Compliance notices: duties following issue

A person who has been issued with a compliance notice must —

(a) take all reasonable steps to ensure that the action specified in the notice is taken within the period specified in the notice for that action to be taken; and

(b) by the end of the same period, provide the authorised officer who issued it (or another authorised officer nominated by the authorised officer who issued it) with information about the steps that have been taken.

19. Compliance notices: request for review

(1) A person who has been issued with a compliance notice may request the Chief Referendum Officer to review the compliance notice.

(2) If a review is requested, the Chief Referendum Officer must, within a reasonable period, review the compliance notice with a view to considering —

(a) whether a compliance notice should have been issued at all;

(b) whether the action required to be taken is appropriate and proportionate; and

(c) whether the period (or periods) within which that action has to be taken is (or are) reasonable.

(3) While a compliance notice is being reviewed, it remains effective and continues to have force.

(4) Once the Chief Referendum Officer has reviewed the compliance notice, the Chief Referendum Officer must do one of the following things within a reasonable period —

(a) confirm the compliance notice and notify the person who requested the review that this has been done;

(b) issue a revised compliance notice and comply with rule 17 in relation to it;

(c) quash the compliance notice and notify the person who requested the review that this has been done.

(5) If the Chief Referendum Officer issues a revised compliance notice, the original compliance notice remains effective and continues to have force until rule 17 is complied with in relation to the revised compliance notice.

PART 8
OFFENCES AND PENALTIES

20. Causing or permitting FIG or a public body to engage in relevant campaigning activity or to provide financial support for relevant campaigning activity

(1) It is an offence for a person to cause or permit FIG to breach the prohibition in rule 4(1).

(2) It is an offence for a person to cause or permit a public body to breach the prohibition in rule 5(1).

21. Restricted persons: engaging in relevant campaigning activity or providing financial support for relevant campaigning activity

It is an offence for a restricted person to breach the prohibition in rule 6(1).

22. FIG/public body employees: engaging in relevant campaigning activity during work time or using FIG/public body resources for relevant campaigning activity

It is an offence for a person employed by FIG (or by a public body) to breach the prohibition in rule 7(2).

23. MLAs: using FIG resources for relevant campaigning activity or claiming payment in respect of relevant campaigning activity

It is an offence for an MLA to breach the prohibition in rule 8(1).

24. Incurring relevant expenditure in excess of £10,000

It is an offence for an individual or a private body (whether or not the individual or the private body is or becomes registered) to incur relevant expenditure in excess of £10,000.

25. Failing to comply with compliance notice

It is an offence for a person to whom a compliance notice has been issued not to take action specified in the compliance notice within the period specified for that action in the compliance notice.

26. Providing false or misleading information

(1) Paragraph (2) applies to every person providing information to the Chief Referendum Officer or an authorised person under these rules.

(2) It is an offence for a person to whom this paragraph applies either —

(a) intentionally to provide information that is false or misleading in a material particular; or

(b) to be reckless as to whether the information is false or misleading in a material particular.

27. Offences by private bodies

If an offence is committed by a private body, an offence is also committed by each person concerned with the management or direction of that private body, including —

(a) the directors and secretary of a company;

(b) the partners in a firm; and

- (c) the office bearers of an unincorporated association.

28. Penalties

A person found guilty of an offence against a provision in this Part is liable on summary conviction to a fine not exceeding £250.

SCHEDULE CAMPAIGNING ACTIVITIES

(rule 3)

<i>Activity</i>	<i>Note</i>
<p>1. Advertising (whatever the nature of the advertisement and whichever medium is used for it), including —</p> <p>(a) advertisements and paid-for announcements —</p> <p style="padding-left: 20px;">(i) in newspapers;</p> <p style="padding-left: 20px;">(ii) on television or radio;</p> <p style="padding-left: 20px;">(iii) on one or more websites;</p> <p style="padding-left: 20px;">(iv) in e-mail services;</p> <p>(b) posters; and</p> <p>(c) leaflets.</p>	<p>Relevant expenditure in respect of advertising includes —</p> <p style="padding-left: 20px;">(a) agency fees;</p> <p style="padding-left: 20px;">(b) design and copywriting costs;</p> <p style="padding-left: 20px;">(c) printing and copying costs; and</p> <p style="padding-left: 20px;">(d) other costs in connection with —</p> <p style="padding-left: 40px;">(i) preparing, producing, distributing or displaying the advertisement; or</p> <p style="padding-left: 40px;">(ii) disseminating it in some other way.</p>
<p>2. Sending unsolicited material to voters (whether addressed to them by name or distributing it via the post office, door to door electronically).</p>	<p>Relevant expenditure in respect of sending unsolicited material addressed to voters includes —</p> <p style="padding-left: 20px;">(a) design and copywriting costs;</p> <p style="padding-left: 20px;">(b) printing and copying costs; and</p> <p style="padding-left: 20px;">(c) other costs incurred in connection with preparing, producing and distributing the material (including the cost of postage).</p>
<p>3. Canvassing (by whatever means and for whatever purpose).</p>	
<p>4. Issuing press releases, holding press conferences and communicating or dealing with the press in other ways.</p>	<p>Relevant expenditure includes —</p> <p style="padding-left: 20px;">(a) agency fees;</p>

- (b) design and copywriting costs;
- (c) costs for venue hire, transport, postage and telecommunications; and
- (d) other costs in connection with —
 - (i) promoting a press conference;
 - (ii) preparing, producing and distributing press releases and other material provided to the press;
 - (iii) preparing, producing and displaying material displayed or shown at a press conference;
 - (iv) disseminating information or material to the press in some other way; and
 - (v) communicating with the press in other ways.

5. Holding rallies or meetings

Relevant expenditure in relation to holding rallies or meetings includes —

- (a) costs for venue hire and transport; and
- (b) other costs in connection with —
 - (i) promoting a rally or meeting;
 - (ii) preparing, producing and distributing press releases and other material provided at a rally or meeting; and
 - (iii) preparing, producing and displaying material displayed or shown at a rally or meeting.

Made 7 February 2013

K. Padgett,
Chief Referendum Officer.

EXPLANATORY NOTE
(not part of the rules)

These rules are issued are made by the Chief Referendum Officer under section 14 of the Referendum (Falkland Islands Political Status) Ordinance (No 16 of 2012).

The rules will be used to regulate the campaign for the referendum on the political status of the Falkland Islands, which is due to be held on 10 and 11 March 2013 (which is referred to in the rules and in this note as “the Referendum”).

The campaign period for the Referendum starts on the date on which these rules are published. Assuming that the Referendum is held on 10 and 11 March 2013 (as planned), the campaign period will end on 11 March 2013. (However, if the Referendum has to be postponed, the campaign period will end instead on the last day on which voting takes place in the Referendum.)

In summary:

- *Part 2* provides for restrictions on campaigning by: FIG; a number of public bodies; and those involved in running the referendum.
- *Part 2* also provides for more limited restrictions on campaigning by: employees of FIG and public bodies; and elected members of the Legislative Assembly (MLAs).
- *Part 3* deals with the limits on how much can be spent on campaigning during the campaign period:
 - Apart from the restrictions in *Part 2*, anyone can campaign in the Referendum without having to register.
 - However, individuals and private bodies who want to spend more than £1,000 on campaigning during the campaign period will have to register with the Chief Referendum Officer under *Part 4* (and will have to make returns under *Part 5*).
 - Individuals and private bodies (whether or not they register with the Chief Referendum Officer) will not be allowed to spend more than £10,000 each on campaigning during the campaign period.
- *Part 4* deals with registration.
- *Part 5* deals with the returns about campaign expenditure and financial support that registered individuals and registered private bodies will have to make.
- *Part 6* deals with the publication of a list of registered individuals and registered private bodies and also of summaries of the returns that they make.
- *Parts 7 and 8* deal with enforcement of these rules by a system of compliance notices and offences.

Rule 3 defines a number of terms that are used elsewhere in the rules, including the key concepts of “relevant campaigning activity” and “relevant expenditure”. Provisions that are relevant to the definition of “relevant campaigning activity” and to the interpretation of “relevant expenditure” are also contained in the *Schedule*.

Part 2 deals with restrictions on campaigning.

Rule 4 imposes restrictions on campaigning by the Falkland Islands Government (FIG):

- *Rule 4(1)* prohibits FIG from campaigning in the Referendum during the campaign period and from financially supporting campaigning by others during the campaign period.
- However, *rule 4(2)* provides that there are a number of things that FIG can still do, even during the campaign period:
 - It can take steps to circulate the official information leaflet, which is intended to provide information about the Referendum in an objective, fair and balanced way.
 - It can publish statutory information about the Referendum.
 - It can take steps to encourage voting in the Referendum (as long as it does nothing to encourage voting one way or the other).
 - It can provide information about arrangements for the Referendum.
 - It can deal with specific requests for information.
- Also, *rule 4(3)* makes it clear that MLAs can campaign in their capacity as MLAs.

Causing or permitting FIG to breach the prohibition is an offence against *rule 20* with a maximum penalty of a £250 fine.

Rule 5 imposes restrictions on a number of public bodies (the Falkland Islands Development Corporation; Falkland Islands Meat Company Limited; the Falkland Islands Museum and National Trust; the Falkland Islands Tourist Board; and Falklands Landholdings Limited):

- *Rule 5(1)* prohibits the public bodies from campaigning in the Referendum during the campaign period and from financially supporting campaigning by others during the campaign period.
- However, *rule 5(2)* provides that the public bodies can still deal with specific requests for information.

Causing or permitting a public body to breach the prohibition is an offence against *rule 21* with a maximum penalty of a £250 fine.

Rule 6 imposes restrictions on restricted persons (the Chief Executive as Chief Referendum Officer, anyone appointed to act as Chief Referendum Officer; referendum officers; referendum staff; police officers; and reserve police officers):

- *Rule 6(1)* prohibits restricted persons from campaigning in the Referendum during the campaign period and from financially supporting campaigning by others during the campaign period.
- *Rules 6(3) and 6(4)* provide that the restrictions apply as soon as a person becomes a restricted person (if that happens during the campaign period) and continue to apply to a person for the rest of campaign period (even if the person stops being a restricted person).
- However, *rules 6(5) and 6(6)* provides that there are a number of things that restricted persons can still do, even during the campaign period:
 - They can, in the course of their duties, do things on behalf of FIG that FIG can do under *rule 4(2)*.
 - Referendum staff, police officers and reserve police officers can still display referendum material in their private vehicles, at their homes and in their gardens.

Breaching the prohibition is an offence against *rule 22* with a maximum penalty of a £250 fine.

Rule 7 imposes limited restrictions on FIG employees and employees of the public bodies covered by *rule 5*:

- *Rule 7(2)* prohibits employees from campaigning during working hours and from using FIG or public body resources for campaigning.
- However, *rule 7(3) and 6(6)* provides that, even during the campaign period, employees can, in the course of their duties, do things on behalf of their employers that their employers can do under *rule 4(2) or rule 5(2)*.

Breaching the prohibition is an offence against *rule 23* with a maximum penalty of a £250 fine.

Rule 8(1) imposes limited restrictions on MLAs: it prohibits them from using FIG resources for campaigning and from claiming allowances and expenses for campaigning. However, *rule 8(2)* makes it clear that MLAs may campaign as MLAs, provided that they do so at their own expense.

Part 3 deals with expenditure limits.

Rule 9 imposes limits on how much individuals and private bodies (companies, partnerships, associations and other bodies, but not the public bodies covered by *rule 5*) can spend on campaigning during the campaign period.

The limits apply to relevant expenditure.

“Relevant expenditure” is defined in *rule 3*. However, in summary:

- It covers money spent (either by making payments or incurring liabilities) in order to influence the outcome of the Referendum by: advertising: sending unsolicited material to voters; canvassing: issuing press releases; holding press conferences; dealing with the press in other ways; and holding meetings and rallies.
- It also covers financial support (eg: making donations in cash or in kind; giving discounts on goods, services and facilities; waiving payments due for goods, facilities and services; assuming others’ liabilities; and making promises of financial support).

Only activities during the campaign are covered and only activities in the Falkland Islands are covered: the key factors are when and where the campaigning takes place, not where the money is spent or when it is paid.

There is a basic limit of £1,000 on spending by each individual and private body – individuals and private bodies may campaign without having to register with the Chief Referendum Officer or make returns to campaign, unless they are going to spend more than that amount.

Individuals and private bodies are only allowed to exceed the £1,000 limit if they register with the Chief Referendum Officer. Even then, there is an upper limit of £10,000 on relevant expenditure during the campaign by each registered individual and each registered private body.

Exceeding the £10,000 limit is an offence against *rule 23* with a maximum penalty of a £250 fine. Failing to register when required to do so would be dealt with by means of a compliance notice under *Part 7* in the first instance – although failure to comply with a compliance notice would be an offence against *rule 24* with a maximum penalty of a £250 fine.

Part 4 deals with registration.

Rules 10 and 11 deal with registration by individuals and private bodies.

Under *rules 10(1) and 10(2)*, to become registered, an individual must submit a signed notification to the Chief Referendum Officer, which must include the individual’s full name, home address and a contact e-mail address.

Under *rules 11(1) and 11(2)*, to register a private body, an individual with authority to act on its behalf must submit a signed notification to the Chief Registration Officer, which must include the name of the body, the name of one or more individuals who have authority to act on the body’s behalf, an address for the body and a contact e-mail address.

Under *rules 10(3) and 11(3)*, the Chief Referendum Officer or a referendum officer must register individuals and private bodies who comply with the requirements for registration and must notify as soon as possible afterwards that they have been registered.

A list of registered individuals and registered private bodies will be made available to the public under *rule 13* during the campaign period and for at least 2 years afterwards.

Part 5 deals with returns by registered individuals and registered private bodies.

Under *rules 12 and 13*, registered individuals and registered private bodies must make a series of returns to the Chief Registration Officer about their relevant expenditure during the campaign period and about financial support that they receive. For a private body, the returns need to be made by an individual to act on its behalf.

Rule 12 deals with returns about relevant expenditure:

- Under *rule 12(1)*, an initial return must be made as soon as possible after an individual or private body has been notified that it has been registered.
- Under *rule 12(2)*, further returns must be made every week after that for the rest of the campaign period.
- Under *rule 12(3)*, a final return must be made within 5 weeks after the end of the campaign period (ie: by 15 April 2013, if the Referendum is held, as planned, on 10 and 11 March 2013).
- *Rule 12(4)* sets out what must be included in each return about relevant expenditure:
 - Each return must include the total amount of the registered individual or registered private body's relevant expenditure during the campaign period – the total given in each return will have to cover the entire time since the start of the campaign period, not just the relevant expenditure since the previous return was made.
 - Each return must also include a detailed breakdown about each item of relevant expenditure – again, these breakdowns will have to cover the entire time since the start of the campaign period, not just the relevant expenditure since the previous return was made.
- Under *rule 12(5)*, the final return must also be accompanied by copies of documentary evidence for each item of relevant expenditure.

Rule 13 deals with returns about financial support for campaigning received by registered individuals and registered private bodies:

- Financial support is defined in *rule 3*. However, in summary, it includes: making donations in cash or in kind; reimbursing expenses; giving discounts on goods, services and facilities; waiving debts; assuming liabilities; and making promises of financial support.
- Under *rule 13(1)*, a return must be made if an individual or private body has already received financial support for campaigning of more than £1,000 (in total) from a single source between the start of the campaign period and the time of registration.

- Under *rule 13(2)*, a return must be also made if a registered individual or a registered private body receives financial support for campaigning and (including that financial support) financial support of more than £1,000 (in total) has been received from the same source since the start of the campaign period.
- *Rule 13(3)* sets out what must be included in each return about financial support received:
 - Each return must identify the source of the financial support.
 - Each return must also state the total financial support received from that source since the start of the campaign period and provide a breakdown of the financial support received.
- Once a return has already been made about financial support from a source of financial support of more than £1,000 (in total), another return will have to be made whenever financial support is received from that source during the rest of the campaign period – further returns will have to state the new total, not just the amount of the additional financial support.

Summaries of returns about relevant expenditure and financial support received are to be made available to the public under *rule 14* during the campaign period and for at least 2 years afterwards.

Failing to provide returns when required to do so would be dealt with by means of a compliance notice under *Part 7* in the first instance – although failure to comply with a compliance notice would be an offence against *rule 24* with a maximum penalty of a £250 fine.

Providing false or misleading information (or being reckless about whether information being provided is false or misleading) is an offence against *rule 25* with a maximum penalty of a £250 fine.

Part 6 deals with publication.

Under *rule 14*, the Chief Referendum Officer is responsible for making available to the public a list of the individuals and private bodies that are registered and summaries of the returns that they make about relevant expenditure and financial support received.

The names of registered individuals and registered public bodies will be made available but not their addresses or e-mail addresses.

The information will be updated throughout the campaign period and it will be made available to the public during the campaign period and for at least 2 years afterwards.

Part 7 deals with compliance notices.

Rule 15 deals with the circumstances in which the Chief Referendum Officer or a referendum officer delegated with functions under these rules (“an authorised officer”) may issue compliance

notices: compliance notices may be issued if there is reason to think that the requirements of these rules are not being met or the rules are being breached.

Rule 16 deals with the contents of compliance notices – the authorised officer must say in the compliance notice —

- what the person to whom the compliance is being issued must do (which could include measures to minimise damage already done, as well as to ensure compliance and/or remedy a breach that can be remedied);
- why the authorised officer thinks it needs to be done; and
- by when the person to whom the compliance is being issued must have done it (and, if the person needs to do more than one thing, that might be different for different things to be done).

Under *rule 17*, the authorised officer must take steps to try and make sure that the compliance notice reaches the person to whom it is being issued.

Under *rule 18(1)*, a person who is issued with a compliance notice must take all reasonable steps to do what is required within the time allowed – failure to do what is required within the time allowed is an offence against *rule 24* with a maximum penalty of a £250 fine.

Under *rule 18(2)*, a person issued with a compliance notice must also report back about what has been done to comply with it. Providing false or misleading information (or being reckless about whether information being provided is false or misleading) is an offence against *rule 25* with a maximum penalty of a £250 fine.

Rule 19 gives a person who has been issued with a compliance notice the right to request the Chief Referendum Officer to review the notice:

- The effect of *rules 19(3) and 19(5)* is that a request for a review does not suspend the effect of the compliance notice while the review is being carried out.
- However, under *rules 19(2) and 19(4)*, the Chief Referendum Officer must re-consider the compliance notice and decide whether to confirm it, vary it or quash it entirely.

Part 8 deals with offences and penalties.

Rule 20 makes it an offence for a person to cause or permit FIG or a public body to breach the prohibition on engaging in relevant campaigning activity or financially supporting relevant campaigning activity by others.

Rule 21 makes it an offence for a restricted person to breach the prohibition on engaging in relevant campaigning activity or financially supporting relevant campaigning activity by others.

Rule 22 makes it an offence for someone employed by FIG or by one of the public bodies covered by *rule 5* to breach the prohibition on engaging in relevant campaigning activity during work time or using the resources of FIG (or the public body) for relevant campaigning activity.

Rule 23 makes it an offence for an MLA to use FIG resources for relevant campaigning activity or to claim allowances or expenses under the Members' Remuneration Ordinance for relevant campaigning activity.

Rule 24 makes it an offence for an individual or private body to exceed the £10,000 upper limit on relevant expenditure during the campaign period.

Rule 25 makes it an offence not to comply with a compliance notice.

Rule 26 makes it an offence to provide false or misleading information under these rules (or to be reckless about whether information being provided is false or misleading).

Under *rule 27*, individuals can be held responsible for offences by private bodies – in particular, this affects: the directors and secretary of a company; the partners in a firm; and the office bearers of an unincorporated association.

Under *rule 28*, the maximum penalty for each of these offences is a £250 fine.

The Schedule contains provisions relevant to the definition of "relevant campaigning activity" and to the interpretation of "relevant expenditure".

Agricultural Returns Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

1. Title
2. Commencement
3. Interpretation
4. Collection and publication of agricultural statistics and information
5. Approved forms
6. Deadline dates
7. Sending approved forms to farmers, etc
8. Requirement to make annual return
9. Offences: failure to comply with duty about annual returns
10. Offences: providing false or misleading information, etc
11. Publication of information from annual returns
12. Use of information from annual returns for other purposes
13. Livestock Ordinance partially repealed
14. Subsidiary legislation

AGRICULTURAL RETURNS BILL 2013

(No: of 2013)

(assented to: 2013)
(commencement: on publication)
(published: 2013)

A BILL

for

AN ORDINANCE

To provide a new legal basis for the collection and publication of statistics and information about agriculture; and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Agricultural Returns Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

3. Interpretation

In this Ordinance —

“agriculture” —

(a) includes using land to —

- (i) keep or breed livestock, poultry or bees; or
- (ii) grow crops, fruit or vegetables; and

(b) also includes horticulture;

“approved form” means the form approved (or re-used) by the Director under section 5;

“deadline date” means the date set by the Director under section 6 by which forms (or parts of forms) must be returned; and

“Director” means either —

(a) the Director of Natural Resources; or

(b) a person appointed by the Director of Natural Resources to carry out some or all of the functions of the Director under this Ordinance.

4. Collection and publication of agricultural statistics and information

It remains a function of the Director to collect and publish statistics and other information about agriculture in the Falkland Islands.

5. Approved forms

(1) Each year, the Director may either —

(a) approve one or more forms to be used for annual returns for that year from farmers, others engaged in agriculture and owners of agricultural land; or

(b) use the same form or forms that were used the previous year (with minor changes, if appropriate).

(2) The Director may approve forms that consist of more than one part.

6. Deadline dates

(1) Each year, the Director will set the deadline date by which completed annual return forms must reach the Director.

(2) If the Director approves more than one form for a year, different dates may be set for different forms.

(3) If the Director approves a form with more than one part, different dates may be set for different parts of the form.

7. Sending approved forms to farmers, etc

(1) Each year, the Director will arrange for the approved form (or forms) to be sent to farmers, others engaged in agriculture and owners of agricultural land.

(2) However, the Director need not arrange for the approved form (or forms) to be sent to all of those persons.

8. Requirement to make annual return

(1) Every person to whom one or more approved forms are sent must make an annual return to the Director on the approved form (or forms, if more than one form is approved for that year).

(2) Every person required to make an annual return must take all reasonable steps to ensure that —

(a) the required information is provided; and

(b) the information provided is accurate.

(3) Completed forms (or parts of forms) must be sent back to the Director so that they reach the Director by the deadline date for that form (or part of a form).

(4) If a person required to make an annual return cannot provide all of the required information by the deadline date, the person must —

(a) by the deadline date —

(i) provide as much of the information as possible; and

(ii) explain why it has not been possible to provide the remaining information; and

(b) provide the remaining information as soon as possible afterwards.

(5) The Director may specify a date by which a person must provide the remaining information and, if so, the person must take all reasonable steps to ensure that the remaining information reaches the Director by that date.

9. Offences: failure to comply with duty about annual returns

(1) It is an offence for a person not to comply with a duty on that person under section 8.

(2) The penalty that may be imposed on a person convicted of an offence against subsection (1) is a fine of up to level 3 on the standard scale.

10. Offences: providing false or misleading information, etc

(1) This section applies to a person whenever the person is providing information (or an explanation) under section 8.

(2) When this section applies to a person, it is an offence for the person —

(a) knowingly to provide information (or an explanation) that is false or misleading in a material way; or

(b) to be reckless as to whether the information (or explanation) being provided is false or misleading in a material way.

(3) The penalty that may be imposed on a person convicted of an offence against subsection (2) is a fine of up to level 5 on the standard scale.

11. Publication of information from annual returns

When publishing statistics and information about agriculture in the Falkland Islands, the Director —

(a) may publish information provided under section 8; and

(b) may also publish information contained in returns previously made under the Livestock Ordinance (Title 5.3); but

(c) may not publish information directly connected with an individual's income or a company's profits or losses.

12. Use of information from annual returns for other purposes

The Director may also use information obtained under section 8 (and information contained in returns previously made under the Livestock Ordinance) for all purposes connected with agriculture in the Falkland Islands.

13. Livestock Ordinance partially repealed

The following provisions of the Livestock Ordinance are repealed —

- (a) sections 23 and 24; and
- (b) the Schedule.

14. Subsidiary legislation

The Governor may make subsidiary legislation that is necessary or convenient for the purposes of this Ordinance.

OBJECTS AND REASONS

This Bill would provide a new legal basis for the collection and publication of agricultural statistics and information, replacing the existing provisions in the Livestock Ordinance (Title 5.3).

Clause 3 defines a number of terms that are used elsewhere in the Bill. In particular: “agriculture” is given a broad definition; and the definition of “Director” would allow the Director of Natural Resources to delegate functions to others.

Clause 4 would allow for continuity with the existing arrangements for collecting and publishing information about agriculture in the Falkland Islands.

Clause 5 deals with the forms to be used for annual returns. It would allow for more than one form to be approved for a year and for forms with more than one part. It would also allow for forms to be re-used (possibly with minor changes) from year to year.

Clause 6 deals with the deadline date by which completed forms must reach the Director.

Together, *clauses 5 and 6* would give an element of flexibility by allowing for the possibility that some information could be collected at different times from other information.

Under *clause 7*, the Director would arrange for approved forms to be sent to farmers, others engaged in agriculture and owners of agricultural land.

Clause 8 deals with the requirement for farmers, others engaged in agriculture and owners of agricultural land to make annual returns:

- Under *clause 8(1)*, all those sent forms would have to make annual returns and they would have to use the approved forms.
- *Clause 8(2)* would impose a duty on those making annual returns to take all reasonable steps to provide complete and accurate information.

- Under *clause 8(3)*, forms would have to be returned by the deadline date set under *clause 6*. (If more than one form is being used or if a form has been divided into more than one part, there might be more than deadline date for different forms or parts.)
- *Clause 8(4)* deals with the situation in which someone cannot – in spite of taking all reasonable steps – provide information by the deadline date. In that case: the person would have until the deadline date to explain why not and provide the rest of the information; and the person would still have to provide that remaining information as soon as possible afterwards. Under *clause 8(5)*, the Director could set a new date by which the remaining information has to be provided.

Under *clause 9*, it would be an offence for someone not to do something that they have to do under *clause 8*. The maximum penalty would be a level 3 fine (currently, £1,000).

Under *clause 10*, a person would commit a more serious offence by providing information (or an explanation) that is false or misleading in more than a trivial way, but only if the person knows that it is false or misleading or if the person is reckless about whether or not it is. The maximum penalty for that more serious offence would be a level 5 fine (currently, £4,000).

Clause 11 would allow the Director to publish information. However, the Director would not be allowed to publish information about individuals' incomes or about companies' profits or losses.

Clause 12 would also allow the Director to use information from annual returns in other ways.

Clause 13 would repeal the existing legislation about annual returns.

Clause 14 would give the Governor (normally, acting on the advice of Executive Council) to make subsidiary legislation.

Administration of Justice (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

PART 1 – INTRODUCTION

1. Title
2. Commencement

PART 2 – AMENDMENT OF ADMINISTRATION OF JUSTICE ORDINANCE

3. Amendment of the Administration of Justice Ordinance
4. Section 2 amended – Interpretation
5. Section 11 amended – Criminal jurisdiction of Summary Court
6. Section 16 replaced – Power of Summary Court to send person to Supreme Court for trial
7. Section 25 repealed – Application of certain provisions of Part 3 to Summary Court
8. Section 27 amended – General criminal jurisdiction
9. Section 32 amended – Clerk
10. New Part 3A inserted – Transfer of cases between Summary Court and Magistrate’s Court
11. New section 48A inserted – Practice and procedure: persons under age of 18 sent to Supreme Court for trial
12. Section 51 amended – Time for commencement of criminal proceedings
13. New Schedule 4 added – Procedure for sending persons to Supreme Court for trial and after persons are sent to Supreme Court for trial

PART 3 – CONSEQUENTIAL AMENDMENTS

14. Section 4 of the Criminal Justice Ordinance amended – Trial of offences
15. Section 40 of the Criminal Justice Act 1988 disapplied – Power to join in indictment count for common assault etc
16. Power to make further consequential amendments by order

PART 4 – TRANSITIONAL PROVISIONS

17. Power to make transitional and saving provisions by order

Schedule – New Schedule 4 added – Procedure for sending persons to Supreme Court for trial and after persons are sent to Supreme Court for trial

ADMINISTRATION OF JUSTICE (AMENDMENT) BILL 2013

(No: of 2013)

(assented to: 2013)
(commencement on publication)
(published: 2013)

A BILL

for

AN ORDINANCE

To amend the Administration of Justice Ordinance (Title 22.1); and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands —

PART 1 INTRODUCTION

1. Title

This Ordinance is the Administration of Justice (Amendment) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

PART 2 AMENDMENT OF ADMINISTRATION OF JUSTICE ORDINANCE

3. Amendment of Administration of Justice Ordinance

This Part amends the Administration of Justice Ordinance.

4. Section 2 amended – Interpretation

In section 2, the following definition is inserted after the definition of “criminal proceedings” —

““indictment-only offence” means an offence declared by section 27(2) to be one that must be tried on indictment;”

5. Section 11 amended – Criminal jurisdiction of Summary Court

Section 11(1) is repealed and replaced with the following subsection —

“(1) The Summary Court has a like jurisdiction in criminal proceedings to the jurisdiction that the Magistrate's Court has under section 27(1), but the jurisdiction of the Summary Court is limited by —

- (a) other provisions in this Part; and
- (b) section 27(2).”

6. Section 16 replaced – Power of Summary Court to commit for trial before Supreme Court

Section 16 is repealed and replaced with the following section —

“16. Power of Summary Court to send person to Supreme Court for trial

(1) The Summary Court has the same power as the Magistrate’s Court to send a person for trial before the Supreme Court.

(2) The following provisions apply to the Summary Court in the same way as they do to the Magistrate’s Court —

(a) section 27(3), (4) and (4A); and

(b) Schedule 4.”

7. Section 25 repealed – Application of certain provisions of Part 3 to Summary Court

Section 25 is repealed.

8. Section 27 amended – General criminal jurisdiction

(1) This section amends section 27.

(2) Subsection (2) is amended by —

(a) omitting “, subject to subsection (3),”;

(b) omitting “and” from the end of paragraph (b); and

(c) inserting the following paragraphs after paragraph (b) —

“(ba) an offence against section 5 of the Sexual Offences Act 1956 (as it applied in the Falkland Islands at the time of the offence);

(bb) an offence against section 2, 5 or 6 of the Sexual Offences Act 2003 (as it applied in the Falkland Islands at the time of the offence); and”.

(3) Subsection (3) is repealed and replaced with the following subsection —

“(3) When a person who has not yet reached the age of 18 appears before the Magistrate’s Court or the Summary Court (or is brought before it) and one or more of the circumstances listed in paragraphs (a) to (c) of subsection (4) applies —

(a) the court must deal with that person in accordance with Schedule 4; but

(b) the court must adapt its procedure in whatever way the interests of justice require to take account of the person’s age and level of understanding.”

(4) Subsection (4) is repealed and replaced with the following subsection —

“(4) When a person who is aged 18 or over appears before the Magistrate’s Court or the Summary Court (or is brought before it), the Court must deal with that person in accordance with Schedule 4 if one or more of the following circumstances applies in relation to that person —

- (a) the person is before the Court in relation to one or more indictment-only offences;
- (b) the person has already been sent to the Supreme Court in relation to one or more offences that have not yet come to trial;
- (c) the person is charged jointly with someone else who has been, is being or could be sent to the Supreme Court in accordance with Schedule 4.”

(5) The following subsection is inserted after subsection (4) —

“(4A) Schedule 4 also deals with —

- (a) the procedure that applies after a person is sent to the Supreme Court for trial (but not with the procedure for the trial itself); and
- (b) the powers of the Supreme Court in relation to summary offences.”

9. Section 32 amended – Clerk

Section 32 is amended by adding “(and that person will also be Clerk to the Summary Court)”.

10. New Part 3A inserted – Transfer of cases between Summary Court and Magistrate’s Court

The following new Part is inserted after section 35 —

**“PART 3A
TRANSFER OF CASES BETWEEN SUMMARY COURT AND MAGISTRATE’S
COURT**

35A. Transfer of cases between Summary Court and Magistrate’s Court

(1) This section applies to a case if —

- (a) it could have been brought in either the Summary Court or the Magistrate’s Court;
- (b) it has already been commenced in one of those courts; and
- (c) it has not yet come to trial in either of those courts.

(2) A case to which this section applies may (if the interests of justice require) be transferred —

- (a) from the Summary Court to the Magistrate’s Court; or
- (b) from the Magistrate’s Court to the Summary Court.

- (3) A case may be transferred from one court to the other even if it has been transferred on one or more previous occasions.
- (4) Either the Summary Court or the Magistrate's Court may make an order for a case to be transferred from one court to the other.
- (5) An order for a case to be transferred from one court to the other may be made —
 - (a) on an application from one or more of the parties to the case; or
 - (b) of the court's own motion.
- (6) The Senior Magistrate may issue practice directions about how the power for cases to be transferred from one court to another is to be exercised."

11. New section 48A inserted – Practice and procedure: persons under age of 18 sent to Supreme Court for trial

The following new section is inserted after section 48 —

“48A. Practice and procedure: persons under age of 18 sent to Supreme Court for trial

(1) Subsection (2) applies whenever —

(a) a person who has not yet reached the age of 18 has been sent to the Supreme Court for trial in respect of one or more offences; and

(b) either —

(i) the person appears (or is brought) before the Supreme Court in connection with those offences; or

(ii) the person is being tried on indictment for those offences.

(2) Whenever this subsection applies, the Supreme Court must adapt its procedure in whatever way the interests of justice require to take account of the person's age and level of understanding.”

12. Section 51 amended – Time for commencement of criminal proceedings

The definition of “indictment-only offence” is omitted from section 51(4).

13. New Schedule 4 added – Procedure for sending persons to Supreme Court for trial and after persons are sent to Supreme Court for trial

The Schedule adds Schedule 4.

**PART 3
CONSEQUENTIAL AMENDMENTS**

14. Section 4 of the Criminal Justice Ordinance amended – Trial of offences

(1) This section amends section 4 of the Criminal Justice Ordinance (Title 24.1)

(2) Subsection (2) is repealed and replaced with the following subsection —

“(2) An offence which is triable summarily may instead be tried on indictment.”

(3) Subsection (3) is repealed and replaced with the following subsection —

“(3) An offence may only be tried on indictment under subsection (2) if the accused person is sent to the Supreme Court for trial in respect of that offence by the Summary Court or the Magistrate’s Court.”

(4) Subsection (4) is repealed and replaced with the following subsection —

“(4) Schedule 4 of the Administration of Justice Ordinance (Title 22.1) deals with the circumstances in which a person may be sent to the Supreme Court for trial on indictment in respect of an offence which is triable summarily.”

15. Section 40 of the Criminal Justice Act 1988 disappplied – Power to join in indictment count for common assault etc

Section 40 of the Criminal Justice Act 1988 no longer applies in the Falkland Islands.

16. Power to make further consequential amendments by order

(1) The Governor may by order make further provision consequential on this Ordinance (or one or more of its provisions).

(2) An order made under subsection (1) may do one or more of the following things —

(a) amend or repeal written laws of the Falkland Islands;

(b) provide for United Kingdom legislation to apply in the Falkland Islands (with or without modifications);

(c) modify the application in the Falkland Islands of United Kingdom legislation that already applies in the Falkland Islands;

(d) provide that specific provisions of United Kingdom legislation no longer apply in the Falkland Islands.

**PART 4
TRANSITIONAL AND SAVING PROVISIONS**

17. Power to make transitional and saving provisions by order

The Governor may by order make transitional or saving provision (or both) in connection with this Ordinance (or one or more of its provisions).

SCHEDULE
NEW SCHEDULE 4 ADDED – PROCEDURE FOR SENDING PERSONS TO SUPREME COURT FOR TRIAL AND AFTER PERSONS ARE SENT TO SUPREME COURT FOR TRIAL

(section 13)

The following schedule is added as Schedule 4 —

“SCHEDULE 4
PROCEDURE FOR SENDING PERSONS TO SUPREME COURT FOR TRIAL AND AFTER PERSONS ARE SENT TO SUPREME COURT FOR TRIAL

PART 1
INTRODUCTION

1. Application of Schedule

(1) This Schedule deals with the procedure for sending persons to the Supreme Court for trial in respect of —

(a) indictment-only offences;

(b) offences that may be tried summarily but which are related to indictment-only offences that may have been committed by —

(i) persons charged with indictment-only offences; or

(ii) other persons charged jointly with them.

(2) It also deals with —

(a) the procedure after persons are sent to the Supreme Court for trial; and

(b) the Supreme Court’s powers to deal with summary offences.

2. Interpretation

In this Schedule —

“appeal court” means either —

(a) the Court of Appeal for the Falkland Islands established by section 87(1) of the Constitution; or

(b) the Judicial Committee of the Privy Council;

“application for dismissal” means an application under paragraph 9 for one or more charges against a person to be dismissed;

“linked offence” means an offence that may be tried summarily but which arises out of circumstances that are the same as (or connected with) those giving rise to —

- (a) an indictment-only offence in respect of which —
 - (i) that person has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; or
 - (ii) another person (with whom the first person is jointly charged) has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; or
- (b) another offence that might otherwise have been tried summarily but in respect of which —
 - (i) that person has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; or
 - (ii) another person (with whom the first person is jointly charged) has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; and

“relevant issues” means —

- (a) the circumstances of the case;
- (b) if written notice has been (or was) given of an intention to apply for dismissal orally, the matters stated in that notice; and
- (c) the matters stated in the application for dismissal;

“summary offence” means an offence that might have been tried summarily (but for the fact that the person was sent to the Supreme Court for trial in respect of it);

“Supreme Court judge” —

- (a) means —
 - (i) the Chief Justice; or
 - (ii) an acting judge of the Supreme Court; and
- (b) may include the Senior Magistrate (even if the Senior Magistrate has already dealt with the same case in the Magistrate’s Court); and

“unrestricted information” has the meaning given to it by paragraph 11.

PART 2 PROCEDURE FOR SENDING PERSONS TO SUPREME COURT

3. Circumstances in which Summary Court or Magistrate’s Court must or may send persons to Supreme Court for trial

- (1) This paragraph applies whenever —

(a) a person appears before the Summary Court or the Magistrate's Court (or is brought before it); and

(b) the court is required by section 27(3) or 27(4) to deal with that person in accordance with this Schedule.

(2) The Summary Court or the Magistrate's Court must send a person to the Supreme Court for trial in respect of an indictment-only offence.

(3) The Summary Court or the Magistrate's Court may also send a person to the Supreme Court for trial in respect of an offence if —

(a) it may be tried summarily; but

(b) it appears to the Summary Court or the Magistrate's Court that it is a linked offence.

4. Adjournment of summary trial

(1) Sub-paragraph (2) applies whenever a person is sent to the Supreme Court for trial in respect of a summary offence.

(2) If this sub-paragraph applies, the trial in respect of that offence will be treated as if it had been adjourned by the Summary Court or the Magistrate's Court without a date being fixed for its resumption.

(3) A date may be fixed for the resumption of the trial for a summary offence if the powers of the Supreme Court cease in respect of that offence under paragraph 19(10).

5. Sending notice

(1) This paragraph applies whenever the Summary Court or the Magistrate's Court sends a person to the Supreme Court for trial in respect of one or more offences.

(2) The Summary Court or the Magistrate's Court must issue a notice (a "sending notice") specifying the offence or offences for which the person is being sent to the Supreme Court for trial.

(3) Copies of the sending notice must be —

(a) served on the person being sent to the Supreme Court for trial; and

(b) forwarded to the Supreme Court.

(4) Sub-paragraphs (5) and (6) apply if the person is being sent to the Supreme Court for trial in respect of one or more summary offences (whether or not that person is also being sent to the Supreme Court for trial in respect of one or more indictment-only offences).

(5) The Summary Court or the Magistrate's Court must specify in the sending notice the indictment-only offence (or offences) in relation to which the summary offence appears to the Summary Court or the Magistrate's Court to be a linked offence.

(6) If the person is being sent to the Supreme Court in respect of more than one summary offence, the Summary Court or the Magistrate's Court must comply with sub-paragraph (5) in relation to each of the summary offences separately.

6. Transfer may be in custody or on bail

(1) The Summary Court or the Magistrate's Court may send a person to the Supreme Court for trial either —

(a) in custody (that is to say, by committing the person to custody to be kept there safely until delivered in due course of law); or

(b) on bail in accordance with the bail provisions of the Criminal Justice Ordinance (Title 24.1) (that is to say, by directing the person to appear before the Supreme Court for trial).

(2) When determining whether to send a person to the Supreme Court for trial in custody or on bail, the Summary Court or the Magistrate's Court must apply the bail provisions of the Criminal Justice Ordinance.

(3) Sub-paragraph (4) applies if a person is granted bail on condition of providing one or more sureties.

(4) If this sub-paragraph applies, the court may make an order remanding the person in custody until that condition is satisfied.

PART 3

PROCEDURE AFTER PERSONS ARE SENT TO SUPREME COURT FOR TRIAL

7. Jurisdiction of Summary Court and Magistrate's Court in relation to further remand in custody or on bail

(1) This paragraph applies —

(a) even after a person has been sent to the Supreme Court for trial;

(b) whether the Summary Court or the Magistrate's Court sent that person to the Supreme Court for trial; and

(c) in relation to all offences in respect of which the person has been sent to the Supreme Court for trial (including indictment-only offences, as well as summary offences).

(2) The Summary Court and the Magistrate's Court both have jurisdiction to hear and determine applications relating to the further remand (in custody or on bail) of a person who has been sent to the Supreme Court for trial in respect of one or more offences.

(3) If the person has not yet reached the age of 18, the court must adapt its procedure in whatever way the interests of justice require to take account of the person's age and level of understanding.

8. Evidence

(1) Whenever a person is sent to the Supreme Court for trial in respect of one or more offences, copies of the documents containing the evidence on which the charge or charges are based must be —

- (a) served on the person being sent to the Supreme Court for trial; and
- (b) forwarded to the Supreme Court.

(2) An order or direction specifying the period within which the documents are to be served and forwarded may be made by —

- (a) the Summary Court or the Magistrate's Court when sending the person to the Supreme Court for trial; or
- (b) a Supreme Court judge after the person has been sent to the Supreme Court for trial.

(3) A Supreme Court judge may extend (and, if need be, further extend) the period specified in an order or direction.

9. Applications for dismissal

(1) A person who has been sent to the Supreme Court for trial in respect of one or more offences may apply to the Supreme Court for one or more of the charges in the case to be dismissed.

(2) An application for dismissal may only be made —

- (a) after the person is served with copies of the documents containing the evidence on which the charge or charges are based; but
- (b) before either —
 - (i) the person has entered a plea to the charge or charges; or
 - (ii) a plea to the charge or charges has been entered for the person.

(3) An application for dismissal —

- (a) may be made and dealt with in writing; or
- (b) may be made orally instead, but only if —
 - (i) the applicant has given written notice to the Supreme Court of an intention to make the application orally; and
 - (ii) a Supreme Court judge has decided (having had regard to the relevant issues) that the interests of justice require that the application should be made orally.

(4) Oral evidence may only be given on an application for dismissal —

- (a) with the leave of a Supreme Court judge; or
 - (b) in accordance with an order of a Supreme Court judge.
- (5) A Supreme Court judge may only give leave under sub-paragraph (4)(a) or make an order under sub-paragraph (4)(b) if it appears to the Supreme Court judge (having regard to the relevant issues) that the interests of justice require leave to be given or an order made.
- (6) Sub-paragraph (7) applies if —
- (a) a Supreme Court judge —
 - (i) gives leave permitting a person to give oral evidence; or
 - (ii) makes an order requiring a person to give oral evidence; but
 - (b) that person does not give oral evidence.
- (7) If this sub-paragraph applies—
- (a) the Supreme Court judge hearing or considering an application for dismissal may disregard a document indicating the evidence that the person might have given; or
 - (b) if there is more than one document indicating the evidence that the person might have given, the Supreme Court judge hearing or considering an application for dismissal may disregard —
 - (i) all of those documents; or
 - (ii) one or more of them.
- (8) The Supreme Court judge hearing or considering an application for dismissal must dismiss a charge which is the subject of an application if it appears to the judge that the evidence against the applicant would not be sufficient for a jury properly to convict the applicant.
- (9) If one or more charges against an applicant are dismissed —
- (a) if the dismissed charge or charges relate only to one count in an indictment preferred against the applicant, the Supreme Court judge must quash that count;
 - (b) if the dismissed charge or charges relate to more than one count in one or more indictments, the Supreme Court judge must quash all of those counts;
 - (c) further proceedings may only be brought on the dismissed charge or charges by means of the preferment of a voluntary bill of indictment; and
 - (d) unless the applicant is in custody otherwise than on the dismissed charge or charges, the applicant must be discharged.

(10) A Supreme Court judge may —

(a) issue practice directions about the conduct of applications for dismissal generally; and

(b) make orders about the conduct of particular applications for dismissal.

(11) In particular, practice directions and orders may make provision about —

(a) the time or stage in the proceedings at which things required (or allowed) to be done under this paragraph are to be done (unless a Supreme Court judge grants leave to do one or more of those things at some other time or stage);

(b) the contents and form of notices or other documents;

(c) the manner in which evidence is to be submitted; and

(d) persons to be served with notices or other material.

10. Reporting restrictions

(1) This paragraph applies to reports of applications for dismissal and proceedings relating to them, including —

(a) every written report published (either by itself or as part of a newspaper or periodical) for distribution or circulation to the public (or a section of it) in the Falkland Islands;

(b) every report included in a radio or television broadcast intended for reception within the Falkland Islands;

(c) every report included in an audio or video recording intended for distribution to the public (or a section of it) in the Falkland Islands; and

(d) every report —

(i) made in another way (including by e-mail, the internet and other messaging services); and

(ii) intended to be received by the public (or a section of it) within the Falkland Islands.

(2) A person may only make a report to which this paragraph applies to the extent that —

(a) it is not prohibited or restricted by another provision in —

(i) a written law of the Falkland Islands;

(ii) United Kingdom legislation (as it applies in the Falkland Islands); and

(b) it is permitted under sub-paragraph (3).

- (3) A report to which this paragraph applies is permitted under this sub-paragraph if —
- (a) it only contains unrestricted information; or
 - (b) it contains additional information, but —
 - (i) an order has been under paragraph 12 and the report complies with that order;
 - (ii) paragraph 13(2) applies; or
 - (iii) paragraph 14(2) applies.

11. Reporting restrictions: unrestricted information

In paragraph 10 (and also in paragraphs 12 and 13), “unrestricted information” means the following information about an application for dismissal, proceedings relating to an application for dismissal or a case in which an application for dismissal is made —

- (a) the identity of the court and the name of the judge;
- (b) the following information in relation to the accused person (or each of them, if there is more than one) —
 - (i) the person’s name;
 - (ii) the person’s age;
 - (iii) the person’s address;
- (c) the offence or offences (or a summary of them) with which the accused person is (or the accused persons are) charged;
- (d) the names of legal practitioners engaged in the proceedings;
- (e) if the proceedings have adjourned, the date to which they have been adjourned;
- (f) the arrangements as to bail; and
- (g) whether legal aid has been granted to the accused person (or one or more of them).

12. Reporting restrictions: orders allowing additional information to be reported

- (1) A Supreme Court judge dealing with an application for dismissal may make an order allowing additional information to be included in reports to which paragraph 10 applies.
- (2) An order allowing other information to be included in reports may —
 - (a) specify what additional information may be reported (and what may not); and
 - (b) contain conditions about how that information is reported.

(3) Sub-paragraph (4) applies if —

(a) two or more persons are accused in the same case; and

(b) one or more of those persons objects to an order being made allowing other information to be included in reports.

(4) If this sub-paragraph applies, the Supreme Court judge may only make an order allowing other information to be included in reports —

(a) after each of the accused persons has been given the opportunity to make representations; and

(b) if the Supreme Court judge is satisfied that it is in the interests of justice that the order is made —

(i) at all; and

(ii) in those terms.

(5) Proceedings about whether or not to make an order allowing other information in reports may not themselves be reported in reports to which this paragraph applies (even if the order is made), but the decision about whether or not to make an order may be included in a report to which this paragraph applies.

13. Reporting restrictions: lifting of restrictions following successful application for dismissal

(1) Sub-paragraph (2) applies —

(a) if —

(i) only one person is accused in a case;

(ii) that person makes an application for dismissal; and

(iii) the application is successful;

(b) if —

(i) more than one person is accused in a case; but

(ii) only one of those persons makes an application for dismissal; and

(iii) the application is successful; or

(c) if —

(i) more than one person is accused in a case;

- (ii) more than one of those persons makes an application for dismissal; and
- (iii) all of the applications are successful.

(2) If this sub-paragraph applies, reports to which paragraph 10 applies may include additional information about the successful application (or applications) and the proceedings relating to that application (or those applications).

14. Reporting restrictions: lifting of restrictions at end of case

(1) Sub-paragraph (2) applies —

(a) if —

- (i) only one person is accused in a case;
- (ii) that person makes an application for dismissal; but
- (iii) the application is unsuccessful;

(b) if —

- (i) more than one person is accused in a case; and
- (ii) only one of those persons makes an application for dismissal; but
- (iii) the application is unsuccessful; or

(c) if —

- (i) more than one person is accused in a case; and
- (ii) more than one of those persons makes an application for dismissal; but
- (iii) one or more of the applications is unsuccessful.

(2) If this sub-paragraph applies, information about the application (or applications) and the proceedings relating to that application (or those applications) may only be included in reports to which paragraph 10 applies —

(a) if only one person was accused in the case, after the conclusion of that person's trial;
or

(b) if more than one person was accused in the same case, after the conclusion of the trial of the last of those persons to be tried.

15. Reporting restrictions: offences and penalties

(1) If a report to which paragraph 10 applies is made in contravention of that paragraph, each of the following persons commits an offence —

- (a) in the case of a publication of a written report as part of a newspaper or periodical, the proprietor, editor or publisher of the newspaper or periodical;
- (b) in the case of a publication of a written report otherwise than as part of a newspaper or periodical, the person who publishes it;
- (c) in the case of the inclusion of a report in a broadcast —
 - (i) the broadcaster; and
 - (ii) the person or persons who have functions in relation to the broadcast that correspond to those of the editor of a newspaper;
- (d) in the case of the inclusion of a report in a recording —
 - (i) the publisher of the recording; and
 - (ii) the person or persons who have functions in relation to the recording that correspond to those of the editor of a newspaper;
- (e) in the case of a report made in another way —
 - (i) the person making the report; and
 - (ii) if there is a person who has functions in relation to the report that correspond to those of the editor of a newspaper (or more than one person who has such functions), that person (or those persons).

(2) The penalty that may be imposed on a person convicted of an offence against sub-paragraph (1) is a fine of up to level 5 on the standard scale.

(3) Proceedings for an offence under sub-paragraph (1) may only be commenced —

- (a) by the Attorney General; or
- (b) in accordance with consent given by the Attorney General.

16. Power of justices to take depositions, etc.

(1) Sub-paragraph (3) applies if a justice of the peace is satisfied that —

- (a) a person (“the witness”) is likely to be able to make on behalf of the prosecutor a written statement containing material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; but
- (b) the witness will not voluntarily make that statement.

(2) Sub-paragraph (3) also applies if a justice of the peace is satisfied that —

- (a) a person (“the witness”) is likely to be able to produce on behalf of the prosecutor one or more documents or other exhibits likely to be material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; but
 - (b) the witness will not voluntarily produce them.
- (3) If this sub-paragraph applies, the justice must issue a summons directed to the witness requiring the witness to —
- (a) attend before a justice at the time and place appointed in the summons; and
 - (b) do either or both of the following things —
 - (i) have the evidence taken as a deposition;
 - (ii) produce the documents or other exhibits.
- (4) Sub-paragraph (5) applies if a justice of the peace is satisfied (by evidence on oath) that —
- (a) the witness is likely to be able to —
 - (i) make on behalf of the prosecutor a written statement containing material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial;
 - (ii) produce on behalf of the prosecutor one or more documents or other exhibits likely to be material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; or
 - (iii) do both of those things;
 - (b) it is probable that a summons under sub-paragraph (3) would not procure the result required by it; and
 - (c) the person is within the Falkland Islands.
- (5) If this sub-paragraph applies, the justice may (instead of issuing a summons) issue a warrant to —
- (a) arrest the witness; and
 - (b) bring the witness before a justice at the time and place specified in the warrant.
- (6) Sub-paragraph (7) applies if —
- (a) a witness fails to attend before a justice in answer to a summons issued under sub-paragraph (3);

- (b) the justice is satisfied (by evidence on oath) that the witness is likely to be able to —
 - (i) make on behalf of the prosecutor a written statement containing material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial;
 - (ii) produce on behalf of the prosecutor one or more documents or other exhibits likely to be material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; or
 - (iii) do both of those things;
 - (c) the justice is satisfied (by evidence on oath or in some other way) that —
 - (i) the witness has been duly served with the summons; and
 - (ii) a reasonable sum has been paid or offered to the witness for costs and expenses; and
 - (d) it appears to the justice that there is no just excuse for the failure.
- (7) If this sub-paragraph applies, the justice may issue a warrant to —
- (a) arrest the witness; and
 - (b) bring the witness before a justice at the time and place specified in the warrant.
- (8) Sub-paragraph (9) applies if —
- (a) a summons is issued under sub-paragraph (3) or a warrant is issued under sub-paragraph (5) or (7); and
 - (b) the summons or warrant is issued with a view to securing that the evidence of the witness is taken as a deposition.
- (9) If this sub-paragraph applies, the time appointed in the summons (or specified in the warrant) must be appointed (or specified) so that the evidence can be taken as a deposition before the time by which copies of evidence must be served and forwarded under paragraph 8.
- (10) Sub-paragraphs (11) to (14) apply if a person attending (or brought) before a justice in pursuance of this paragraph refuses (without just excuse) to —
- (a) have evidence taken as a deposition;
 - (b) produce the documents or other exhibits; or
 - (c) do either of those things.

(11) If this sub-paragraph applies, the justice may commit the witness to custody.

(12) A committal under sub-paragraph (11) must be ended once —

(a) if the witness had attended (or been brought) before a justice for evidence to be taken as a deposition, that evidence has been taken as a deposition;

(b) if the witness had attended (or been brought) before a justice to produce one or more documents or other exhibits, the documents or other exhibits have been produced;

(c) if the witness had attended (or been brought) before a justice to do both of those things, both of those things have been done.

(13) A committal under sub-paragraph (11) also comes to an end after the witness has been in custody on that committal for a period of 1 month.

(14) If this sub-paragraph applies —

(a) the justice may (instead of or as well as committing the witness to custody) impose a fine of up to level 5 on the standard scale on the witness;

(b) that fine is to be treated as being a sum adjudged to be paid by a conviction.

(15) If, in pursuance of this paragraph, a person has evidence taken as a deposition, the justice before whom the deposition was taken must arrange for copies of the deposition to be sent (as soon as is reasonably practicable) to —

(a) the prosecutor; and

(b) the Supreme Court.

(16) If, in pursuance of this paragraph, a person produces an exhibit which is a document, the justice to whom the document was produced must arrange for copies of the document to be sent (as soon as is reasonably practicable) to —

(a) the prosecutor; and

(b) the Supreme Court.

(17) If, in pursuance of this paragraph, a person produces an exhibit which is not a document, the justice to whom the exhibit was produced must arrange for the following information to be provided to the prosecutor and the Supreme Court as soon as is reasonably practicable —

(a) the fact that the exhibit has been produced; and

(b) the nature of the exhibit.

17. Use of depositions as evidence

(1) Unless sub-paragraph (2) applies, a deposition taken under paragraph 16 may (without further proof) be read as evidence of the person from whom it was taken on the trial of an accused person for —

- (a) an offence for which he was sent to the Supreme Court for trial; or
- (b) another offence arising out of the same transaction or set of circumstances.

(2) This sub-paragraph applies (and a deposition may not be read as evidence) if one or more of the following apply —

- (a) it is proved that the deposition was not signed by the justice by whom it purports to have been signed;
- (b) the Supreme Court judge presiding over the trial orders that the deposition is not to be read as evidence; or
- (c) a party to the proceedings objects to the deposition being read as evidence, unless the Supreme Court judge presiding over the trial —
 - (i) considers that the interests of justice require that the objection should have no effect; and
 - (ii) orders that the deposition may be read as evidence.

PART 4

POWERS OF SUPREME COURT TO DEAL WITH SUMMARY OFFENCES

18. Application of Part 4

This Part applies whenever the Summary Court or the Magistrate's Court has sent a person to the Supreme Court for trial in respect of offences that include one or more summary offences.

19. Procedure following conviction on indictment or if no offence that must be tried on indictment remains

(1) This paragraph applies to a summary offence if —

- (a) a person was sent to the Supreme Court for trial in respect of it;
- (b) that person (or another person) has been convicted of one or more offences on an indictment;
- (c) the Supreme Court judge considers that the summary offence is a linked offence in relation to one or more of those offences; and
- (d) no trial has commenced in the Supreme Court in respect of the summary offence.

(2) This paragraph also applies to a summary offence if —

- (a) a person was sent to the Supreme Court for trial in respect of it;
 - (b) no plea has been entered in relation to it (either by the person or on the person's behalf); and
 - (c) the person is charged on an indictment which (following amendment of the indictment, as a result of an application for dismissal or for any other reason) no longer includes an indictment-only offence.
- (3) If the person was sent to the Supreme Court in respect of more than one summary offence, the provisions of this paragraph must be applied to each of the summary offences separately.
- (4) If this paragraph applies to a summary offence, the Supreme Court judge must —
- (a) state to the person the substance of it; and
 - (b) ask the person to plead guilty or not guilty to the offence.
- (5) Sub-paragraph (6) applies to a summary offence if either —
- (a) the person pleads guilty to it; or
 - (b) a plea of guilty to it is entered on the person's behalf under paragraph 20(2)(b).
- (6) If this sub-paragraph applies to a summary offence, the Supreme Court judge —
- (a) must convict the person of it; and
 - (b) may deal with the person in respect of it (but only in a manner in which the Magistrate's Court could have done).
- (7) The remaining provisions of this paragraph apply to a summary offence unless either —
- (a) the person pleads guilty to it; or
 - (b) a plea of guilty to it is entered on the person's behalf under paragraph 20(2)(b).
- (8) If this sub-paragraph applies to a summary offence, the Supreme Court judge must ask the prosecution if it intends to submit evidence on the charge relating to it.
- (9) If the prosecution inform the court that they do not intend to submit evidence on the charge, the Supreme Court must dismiss it.
- (10) If the prosecution inform the court that they do intend to submit evidence on the charge —
- (a) the powers of the Supreme Court cease in respect of the summary offence; and

(b) the Supreme Court must inform the Summary Court or the Magistrate's Court about the outcome of the proceedings under this paragraph.

20. Power of Supreme Court to proceed in absence of accused person in certain circumstances

(1) Proceedings before the Supreme Court under paragraph 19 may take place in the absence of an accused person if —

(a) the accused is represented by a legal practitioner;

(b) either —

(i) the Supreme Court judge conducting the proceedings considers that, by reason of the person's disorderly conduct before the court, it is not practicable for the proceedings to be conducted in the person's presence; or

(ii) the accused person's legal representative signifies to the court that the accused person consents to the proceedings being conducted in the person's absence; and

(c) the Supreme Court judge considers that the proceedings should continue in the accused person's absence.

(2) If proceedings do take place in the absence of the accused person, the Supreme Court judge —

(a) must state the substance of the summary offence to the accused person's legal representative (instead of stating it to the accused person); and

(b) ask the legal representative to enter a plea of guilty or not guilty to it on behalf of the accused person.

(3) If the legal representative enters a plea of guilty on behalf of the accused person, the Supreme Court will proceed under paragraph 19 as if —

(a) the substance of the summary offence had been stated to the accused person; and

(b) the accused person had pleaded guilty to it.

(4) Unless the legal representative enters a plea of guilty on behalf of the accused person, the Supreme Court will proceed under paragraph 19 as if —

(a) the substance of the summary offence had been stated to the accused person; and

(b) the accused person had not pleaded guilty to it.

21. Procedure following successful appeal against conviction for offence tried on indictment

(1) Sub-paragraph (2) applies to a summary offence if —

(a) a person was convicted of it under paragraph 19(6)(a); but

(b) an appeal court allows an appeal against conviction of an offence tried on indictment in relation to which it was a linked offence (or all of the offences tried on indictment in relation to which it was a linked offence, if there was more than one).

(2) If this sub-paragraph applies —

(a) the proceedings before the Supreme Court in relation to the summary offence must be disregarded for all purposes;

(b) the appeal court must —

(i) set aside the person's conviction of the summary offence; and

(ii) notify the Summary Court or the Magistrate's Court that it has done so;

(c) the appeal court may direct that no further proceedings are to be undertaken in relation to the summary offence;

(d) if the appeal court does that, it must notify the Summary Court or the Magistrate's Court about the direction."

OBJECTS AND REASONS

This Bill would make a number of amendments to the Administration of Justice Ordinance (Title 22.1). It also deals with consequential amendments to other legislation.

The Bill deals with five main proposals:

- to replace the current committal procedure with a new sending procedure adapted from the procedure that now applies in England & Wales;
- to include a number of serious sexual offences in the list of offences that must be tried on indictment (ie in the Supreme Court);
- to provide that accused persons who are under 18 must now be tried on indictment in the Supreme Court when charged with an offence for which adult would have to be tried in the Supreme Court (but that the courts must adapt their procedures to take account of the age and experience of young accused persons);
- to allow for cases to be transferred (in both directions) between the Summary Court and the Magistrate's Court; and
- to provide that whoever is appointed as the Clerk to the Magistrate's Court will also be the Clerk to the Summary Court.

Part 2 deals with the amendments to the Administration of Justice Ordinance.

Clause 4 would insert a new definition of “indictment-only offence” into the Interpretation section of the Ordinance. The new definition would replace a definition included in section 51(4) by the Administration of Justice (Amendment) Ordinance 2012 (No 4 of 2012) – that definition would be omitted from section 27 by *clause 12*. The term “indictment-only offence” is currently only used in section 51 but, if the Bill is passed, the term would be used elsewhere in the Ordinance as well. The definition also needs to be amended to reflect other changes that would be made by the Bill.

Clauses 5 and 6 would replace section 11(1) and section 16 with new versions of those provisions that are intended to be clearer and to reflect other changes that would be made by this Bill.

Clause 7 would repeal section 25. Section 25 would be replaced by the new versions of section 11(1) and section 16 (see *clauses 5 and 6*).

Clause 8 would make a number of amendments to section 27:

- *Clause 8(2)(a)* would make an amendment to section 27(2) which is consequential to the changes being made to section 27(3).
- *Clause 8(2)(c)* would extend the list of offences that must be tried on indictment in the Supreme Court:

The list currently includes treason, murder, manslaughter, piracy, rape, arson endangering life and attempts to commit those offences.

The following sexual offences would be added to the list —

- An offence against section 5 of the Sexual Offences Act 1956 – the old offence of intercourse with a girl under 13
 - An offence against section 2 of the Sexual Offences Act 2003 – assault by penetration
 - An offence against section 5 of the Sexual Offences Act 2003 – rape of a child under 13
 - An offence against section 6 of the Sexual Offences Act 2003 – assault of a child under 13 by penetration
- *Clause 8(3)* would replace the existing version of section 27(3) with a new version. The existing version of section 27(3) provides that a young person under the age of 18 accused of an offence that could only otherwise be tried on indictment in the Supreme Court would have to be tried summarily in some cases (and would be deprived of the right to a jury trial in those cases). The new version of section 27(3) would provide instead that the only difference for young persons under the age of 18 would now be that the court would have to adapt its procedure to reflect the age and experience of the young person.

- *Clause 8(4)* would replace the existing version of section 27(4) with a new version. The existing version of section 27(4) provides for a committal procedure (which is how serious cases are transferred from the Summary Court or the Magistrate's Court to the Supreme Court). The committal procedure used here is based on the committal procedure that was formerly used in England & Wales but which is being phased out there. The new version of section 27(4) would deal with the circumstances in which a new sending procedure (set out in a new Schedule 4, which would be added by *clause 13* and *the Schedule*) would apply – the proposed new sending procedure is adapted from the procedure being phased in in England & Wales.
- *Clause 8(5)* would insert a new section 27(4A) which also deals with Schedule 4.

Clause 9 would amend section 32 to provide that whoever is the Clerk to the Magistrate's Court will also be the Clerk to the Summary Court.

Clause 10 would insert a new Part 3A (consisting of a single section, section 35A) which would allow for cases to be transferred (in both directions) between the Summary Court and the Magistrate's Court whenever it is necessary in the interests of justice to do that.

Clause 11 would insert a new section 48A, which would provide that the Supreme Court would have to adapt its procedure to the age and understanding of a young person under the age of 18.

Clause 12 would make an amendment to section 51 consequential on *clause 4*. The existing definition of "indictment-only offence" in section 51 would be replaced by a new definition in section 2.

Clause 13 is a formal provision which would give effect to the *Schedule*, which (in turn) would add a new Schedule (Schedule 4) to the Administration of Justice Ordinance

Part 3 deals with consequential amendments to other legislation.

Clause 14 would make consequential amendments to section 4 of the Criminal Justice Ordinance.

Clause 15 would disapply section 40 of the Criminal Justice Act 1988 (UK legislation that currently applies in the Falkland Islands). Section 40 makes provision in relation to a number of specific offences that would be superseded by the new sending procedure for all offences.

In addition to these consequential amendments, *clause 16* would allow for further consequential amendments to be made by order, if necessary.

Part 4 deals with transitional and saving provisions.

Clause 17 would allow for transitional and saving provisions to be made by order.

The Schedule would add a new schedule (Schedule 4) to the Criminal Justice Ordinance.

Paragraph 1 summarises the purpose of the new Schedule.

Paragraph 2 defines a number of words and phrases that are used elsewhere in the new Schedule 4.

Part 2 of the new Schedule 4 deals with the procedure for sending persons to the Supreme Court for trial in respect of offences that have to be tried on indictment and offences that could be tried summarily but are linked to offences that have to be tried on indictment.

Under *paragraph 3*, the Summary Court or Magistrate's Court would have to send a person to the Supreme Court for trial in respect of an offence, if it is one that has to be tried on indictment. That would replace the current committal procedure.

Also under *paragraph 3*, the Summary Court or Magistrate's Court could also send a person to the Supreme Court for trial in respect of an offence, even if it is one that could be tried summarily, if it is a linked offence because it arises out of the same circumstances (or connected ones) as another offence that will be tried in the Supreme Court.

Paragraph 4 provides for cases sent to the Supreme Court to be adjourned indefinitely in the Summary Court or the Magistrate's Court. Adjournments could still be lifted if a case is sent back under *paragraph 19*.

Paragraph 5 deals with the sending notices that would have to be issued whenever a person is sent to the Supreme Court for trial.

Paragraph 6 would allow for a person to be released on bail pending trial in the Supreme Court or held in custody pending trial.

Part 3 of the new Schedule 4 deals with the procedure after persons are sent to the Supreme Court for trial.

Paragraph 7 would allow for the Summary Court and the Magistrate's Court to deal with bail and custody applications relation to a person who has been sent to the Supreme Court for trial.

Under *paragraph 8*, the prosecution would have to serve copies of the evidence on the person being sent to the Supreme Court for trial. The time by which this has to be done could be determined either by the Summary Court or the Magistrate's Court or by the Supreme Court. The Chief Justice or an acting judge of the Supreme Court could extend that time limit.

Paragraph 9 deals with the new procedure under which a person who has been sent to the Supreme Court could make an application for dismissal to the Supreme Court. That would replace the existing procedure in which challenges can be made in the Summary Court or the Magistrate's Court at the committal stage.

The default position would be for applications to be made in writing and considered on paper on the basis of written evidence. It would be possible to apply for oral argument to be made in support of an application and/or for oral evidence to be given in support – however, these things could only happen when the Chief Justice or an acting judge of the Supreme Court decides that they are required in the interests of justice.

Under *paragraph 9(8)*, an application for dismissal would succeed if the judge considers that a jury could not properly reach a guilty verdict on the basis of the evidence submitted. (That would not pre-empt whether or not the jury would reach a guilty verdict.)

Paragraphs 9(10) and 9(11) would allow for practice directions to be made by the Chief Justice or an acting judge of the Supreme Court.

Paragraphs 10 to 15 deal with reporting restrictions relating to applications for dismissal – this is intended to prevent prejudice before a possible jury trial.

Under *paragraph 10(1)*, reporting restrictions would apply not just to reports in the media but to reports made to the public (or sections of it) in other ways (eg by e-mail or on the internet).

The effect of *paragraphs 10(2)* is that reporting restrictions under these provisions would be in addition to prohibitions and restrictions under other provisions.

Paragraph 10(3) would allow for:

- certain, limited information (listed in *paragraph 11*) to be reported at any time
- additional information to be reported in accordance with an order made under *paragraph 12*
- additional information could also be reported once reporting restrictions come to an end

Paragraph 11 lists the basic information that could be reported at any time.

Paragraph 12 would allow for applications to be made for orders allowing additional information to be reported. The court would be able to control the reporting of additional information.

Paragraphs 12(3) and 12(4) would provide safeguards for the interests of co-defendants.

Under *paragraph 12(5)*, the fact that an application for an order allowing additional information to be reported could be reported but not the proceedings relating to the application.

The effect of *paragraph 13* would be that reporting restrictions would no longer apply to an application for dismissal if it is successful (but only if there were no unsuccessful applications in the same case). However, prohibitions and restrictions under other provisions would remain in force.

The effect of *paragraph 14* would be that reporting restrictions would be lifted in all other cases once they are completely at an end. However, again, prohibitions and restrictions under other provisions would remain in force.

Paragraph 15 deals with the offences and penalties for breaches of reporting restrictions. *Paragraph 15(1)* deals with who would be responsible for the breach in each situation and, under *paragraph 15(2)*, the maximum penalty would be a fine of level 5 on the standard scale (currently, £4,000).

Paragraph 16 would allow for evidence to be taken as a deposition and/or for exhibits to be produced for use as evidence.

The first stage would be the issue of a summons under *paragraph 16(3)* or the issue of an arrest warrant under *paragraph 16(5)*. The circumstances in which these things could be done are listed in *paragraphs 16(1), 16(2) and 16(4)*.

If a summons rather than a warrant is issued at the first stage and the witness does not answer to it, an arrest warrant could still be issued as a second stage under *paragraph 16(7)*.

Paragraphs 16(10) to 16(14) would deal with the situation in which a witness does not give evidence and/or produce an exhibit when required to do so: the witness could be committed into custody for contempt of court for up to 1 month and/or a fine of up to level 5 on the standard scale (currently, £4,000) could be imposed.

Paragraphs 16(15) to 16(17) would deal with what would be done once evidence is taken and/or exhibits produced.

Paragraph 17 deals with the use of depositions as evidence at trial.

Part 4 of the new Schedule 4 deals with the powers of the Supreme Court to deal with offences that could have been tried summarily.

Paragraph 19 would provide for the procedure in relation to linked summary offences (offences that could have been tried summarily but which are being tried on indictment because they are linked to an offence that does have to be tried on indictment).

Either at the end of the trial (or at an earlier stage, if none of the offences left are ones that have to be tried on indictment), the Chief Justice or an acting judge of the Supreme Court would have to ask the accused person to plead guilty or not guilty to each summary offence:

- if the accused person pleads guilty, the Supreme Court could deal with the person in the same way that the Magistrate's Court could have done;
- if the accused person pleads not guilty and the prosecution indicates that it intends to submit evidence, the case will be sent back to the Summary Court or the Magistrate's Court (and the adjournment under *paragraph 4* could be lifted).
- if the accused person pleads not guilty but the prosecution indicates that it does not intend to submit evidence, the charge must be dismissed.

Paragraph 20 would allow for proceedings about summary offences to take place without the accused person being present (but only in certain circumstances). If this happens, the accused person's legal representative would be asked to enter a plea on behalf of the accused person.

Paragraph 21 would deal with the situation in which a person is convicted by the Supreme Court of a linked summary offence but the conviction for the offence to which it was linked is overturned on appeal. In that situation, the conviction for the linked summary offence would also be overturned and the appeal court would have the power to direct that no further proceedings are to take place in relation to the summary offence.

Falkland Islands Development Corporation Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

PART 1: INTRODUCTION

1. Title
2. Commencement
3. Interpretation

PART 2: FIDC'S CORPORATE STATUS

4. Continued existence of FIDC as body corporate
5. Further provisions about FIDC's corporate status

PART 3: FIDC's PURPOSES

6. FIDC's purposes

PART 4: FIDC BOARD

7. FIDC Board
8. Board members (with power to vary numbers)
9. Appointments and co-options: further provisions
10. Further provisions about the FIDC Board

PART 5: FIDC EMPLOYEES

11. Managing Director
12. Financial Controller
13. Other FIDC employees
14. Secretary
15. Further provisions about FIDC employees

PART 6: INTERNAL GOVERNANCE

16. Duties to ensure good corporate governance
17. Manual of policies and procedures
18. Delegation of functions (delegated authority)

PART 7: FINANCIAL PROVISIONS

19. Business plan and budget (with power to vary size of variation to budget for which approval required)
20. Subvention requests
21. Duty to keep proper financial records
22. Audit

23. Duty to prepare, etc annual report and financial statements

PART 8: RESERVE POWERS

24. Reserve powers

PART 9: OTHER SUBSIDIARY LEGISLATION

25. Other subsidiary legislation

PART 10: REPEAL AND TRANSITIONAL ARRANGEMENTS

26. Repeal (and power to make transitional arrangements)

Schedule 1: Further provisions about FIDC's corporate status

Schedule 2: Further provisions about the FIDC board and its members

Schedule 3: Further provisions about FIDC employees

FALKLAND ISLANDS DEVELOPMENT CORPORATION BILL 2013

(No: of 2013)

(assented to: 2013)
(commencement see section 2)
(published: 2013)

A BILL

for

AN ORDINANCE

To provide for the Falkland Islands Development Corporation to continue in existence as a body corporate; to make new provision for its purposes, management, operations and internal governance; and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands —

PART 1 INTRODUCTION

1. Title

This Ordinance is the Falkland Islands Development Corporation Ordinance 2013.

2. Commencement

(1) This Ordinance comes into force on a date appointed by the Governor by notice published in the *Gazette*.

(2) The Governor may appoint different dates for different provisions to come into force.

3. Interpretation

In this Ordinance —

“delegated authority” means authority in relation to a function of the FIDC Board that has been delegated under section 18(1);

“FIDC” means the body corporate known as the Falkland Islands Development Corporation that —

(a) was originally established by section 3 of the Falkland Islands Development Corporation Ordinance (Title 28.1); and

(b) continues in existence under section 4 of this Ordinance;

“FIDC Board” means the board provided for in section 7;

“Financial Controller” means the person appointed as Financial Controller under section 12;

“Managing Director” means the person appointed as Managing Director under section 11(1);

“Manual” means the Manual about policies and procedures provided for in section 17;

“MLA” means either —

- (a) an elected member of the Legislative Assembly; or
- (b) during the period between a dissolution of the Legislative Assembly and the next meeting of the Legislative Assembly after that dissolution, a person who was an elected member of the Legislative Assembly immediately before that dissolution took place; and

“Secretary” means the person appointed as Secretary under section 14(1).

PART 2 FIDC’S CORPORATE STATUS

4. Continued existence of FIDC as body corporate

FIDC continues to be a body corporate.

5. Further provisions about FIDC’s corporate status

Schedule 1 contains further provisions about FIDC’s corporate status.

PART 3 FIDC’S PURPOSES

6. FIDC’s purposes

FIDC’s purposes are —

- (a) to advise on and implement the economic strategies of the Falkland Islands Government; and
- (b) to take what further steps are required to ensure the successful development of businesses and a positive business environment in the Falkland Islands.

PART 4 FIDC BOARD

7. FIDC Board

Overall management of FIDC and its affairs is to be exercised by a board, to be known as either the Falkland Islands Development Corporation Board or the FIDC Board.

8. Board members (with power to vary numbers)

(1) The members of the FIDC Board are to be as follows —

- (a) an appointed Chair;
- (b) an appointed Vice-Chair;

- (c) one appointed member;
 - (d) one MLA, nominated by MLAs collectively;
 - (e) the Chief Executive; and
 - (f) up to 4 co-opted members.
- (2) In subsection (1) —
- “appointed” means appointed by the Governor; and
- “co-opted” means co-opted by the FIDC Board.
- (3) The Governor may amend subsection (1) by order to vary the following numbers —
- (a) the number of members to be appointed under subsection (1)(c);
 - (b) the number of MLAs to be nominated under subsection (1)(d);
 - (c) the maximum number of co-opted members specified in subsection (1)(f).

9. Appointments and co-options: further provisions

- (1) Appointments may only be made following a fair, objective and transparent process.
- (2) When co-opting members, the FIDC Board must ensure that —
- (a) there is adequate consultation with each significant commercial sector of the Falkland Islands economy (which may include consultation with bodies representing them); and
 - (b) each of those sectors will be represented on the FIDC Board (whether by appointment or co-option) by a person with suitable knowledge and experience of it.
- (3) The Governor may make regulations about —
- (a) the periods for which members are appointed or co-opted to the FIDC Board (which may be different for different members or categories of members);
 - (b) the extent to which the terms for which members of the FIDC Board serve are to be staggered.

10. Further provisions about the FIDC Board

Schedule 2 contains further provisions about the FIDC Board, its members and its procedures.

PART 5 FIDC EMPLOYEES

11. Managing Director

- (1) The FIDC Board must appoint a person to be the Managing Director of FIDC.

(2) The FIDC Board is responsible for ensuring that there is a fair, objective and transparent process for the appointment of the Managing Director.

12. Financial Controller

FIDC must have a Financial Controller appointed —

- (a) either by the FIDC Board or under delegated authority; and
- (b) in accordance with applicable requirements in the Manual.

13. Other FIDC employees

Apart from the Managing Director and the Financial Controller, other FIDC employees may be appointed —

- (a) either by the FIDC Board or under delegated authority; and
- (b) in accordance with applicable requirements in the Manual.

14. Secretary

(1) The FIDC Board must appoint a person to be the Secretary of FIDC.

(2) In addition to functions given to the Secretary by this Ordinance (or subsidiary legislation made under it), the Secretary must carry out corporate functions and duties as directed, either by the FIDC Board or under delegated authority.

15. Further provisions about FIDC employees

Schedule 3 contains further provisions about FIDC employees.

PART 6 INTERNAL GOVERNANCE

16. Duties to ensure good corporate governance

(1) The FIDC Board is under a duty to ensure the good corporate governance of FIDC.

(2) The FIDC Board is also under a duty to ensure that FIDC exercises its powers in ways that are —

- (a) consistent with —
 - (i) this Ordinance;
 - (ii) subsidiary legislation made under it; and
 - (iii) the policies and procedures set out in the Manual; and
- (b) economical, efficient and effective.

17. Manual of policies and procedures

The FIDC Board is under a duty to adopt (and keep under review) a Manual detailing the policies and procedures for FIDC's internal governance.

18. Delegation of functions (delegated authority)

(1) The Board may delegate authority in relation to some or all of its functions (either on specific occasions or generally) to the extent that the delegation is not inconsistent with applicable requirements in the Manual.

(2) When delegating authority, the Board may —

(a) impose limits or conditions on the exercise of that delegated authority; and

(b) allow for delegated authority to be delegated further (and may impose limits or conditions on that further delegation).

(3) Anything done under delegated authority is as valid and effective as if it had been done by the Board directly.

PART 7 FINANCIAL PROVISIONS

19. Business plan and budget (with power to vary size of variation to budget for which approval required)

(1) The FIDC Board is under a duty to ensure that —

(a) FIDC has —

(i) a business plan; and

(ii) a budget;

(b) that they are approved by the Governor; and

(c) that they are kept under review.

(2) FIDC must not —

(a) engage in activities that are not provided for in its business plan; or

(b) enter into transactions that are not provided for in its budget.

(3) The FIDC Board may vary the business plan or budget (or both of them) without first seeking approval from the Governor (but not if the variation would be significant).

(4) A variation to the budget is to be treated as being one that would be significant if, following the variation, the cumulative change to the budget would be more than 10% from the last budget approved by the Governor.

(5) The Governor may make an order amending subsection (3) to vary the percentage of the maximum cumulative variation allowed before approval must be sought.

20. Subvention requests

(1) The Financial Secretary may invite FIDC in advance of a financial year to submit a request for funds that FIDC requires the Falkland Islands Government to provide so that FIDC can carry out its activities for that financial year.

(2) The Financial Secretary may issue guidelines about —

(a) how the request must be submitted; and

(b) how it will be dealt with.

(3) FIDC must submit its request for funds to the Financial Secretary in accordance with guidelines issued by the Financial Secretary.

21. Duty to keep proper financial records

(1) The FIDC Board is under a duty to ensure that proper financial records are kept of FIDC's revenue and expenditure.

(2) The Manual must contain provisions dealing with how those financial records are to be kept.

22. Audit

(1) The FIDC Board is under a duty to ensure that arrangements are in place for FIDC's financial records and statements to be audited.

(2) The arrangements must satisfy the requirements of section 80 of the Constitution.

(3) As far as consistent with those requirements, the arrangements must —

(a) ensure that FIDC's financial records and financial statements produced from those financial records are audited by an auditor who is —

(i) suitably qualified and experienced; and

(ii) external to both FIDC and the Falkland Islands Government (but this does not prevent FIDC and the Falkland Islands Government both being audited by the same external auditor);

(b) provide value for money.

23. Duty to prepare, etc annual report and financial statements

(1) Following the end of each financial year, FIDC must prepare an annual report and financial statements, consisting of —

(a) a report on —

(i) its activities during the financial year; and

- (ii) the corporate governance of FIDC during the financial year.
 - (b) its financial statements for the financial year, which must be audited in accordance with the arrangements made under section 22.
- (2) The Secretary must —
 - (a) send copies of the annual report and financial statements to —
 - (i) the Governor; and
 - (ii) the Clerk of the Legislative Assembly; and
 - (b) arrange for copies of them to be made available to the public.
- (3) The Chief Executive must lay copies of the annual report and financial statements on the Table of the Legislative Assembly at its next meeting after they have been sent to the Governor and the Clerk of the Legislative Assembly.

PART 8 RESERVE POWERS

24. Reserve powers

- (1) The Governor may make regulations about —
 - (a) reserve powers that may be exercised in relation to FIDC, its management and activities; and
 - (b) the circumstances in which those powers may be exercised.
- (2) Those regulations may provide for reserve powers to include the power to make further subsidiary legislation.

PART 9 OTHER SUBSIDIARY LEGISLATION

25. Other subsidiary legislation

The Governor may make other subsidiary legislation that is necessary or convenient for the purposes of this Ordinance.

PART 10 REPEAL AND TRANSITIONAL ARRANGEMENTS

26. Repeal (and power to make transitional arrangements)

- (1) The Falkland Islands Development Corporation Ordinance (Title 28.1) is repealed.
- (2) The Governor may make subsidiary legislation dealing with arrangements for the transition from the repealed Ordinance to this Ordinance.

SCHEDULE 1
FURTHER PROVISIONS ABOUT FIDC'S CORPORATE STATUS

1. FIDC as body corporate

As a body corporate, FIDC may —

- (a) acquire, hold and dispose of real and personal property; and
- (b) sue and be sued.

2. FIDC's powers

(1) FIDC has power to do all things that are necessary or convenient for (or in connection with) fulfilling its purposes.

(2) The Governor may make subsidiary legislation about FIDC's powers and how they are exercised.

3. Corporate seal

(1) FIDC must continue to have a seal (but the Governor may make an order dispensing with this requirement).

(2) Unless the requirement for FIDC to have a seal has been dispensed with —

- (a) the Secretary is to have custody of the seal; and
- (b) the Secretary is under a duty to ensure that the seal is kept safely and securely.

4. Contract formalities, etc

The Governor may make regulations about —

- (a) the formalities required in relation to contracts entered into by FIDC or on its behalf; and
- (b) requirements for authenticating the application of FIDC's seal to documents.

5. FIDC separate from Crown and FIG

(1) FIDC is neither —

- (a) part of either the Crown or the Falkland Islands Government; nor
- (b) a servant or agent of either of them;

(2) FIDC's property is neither —

- (a) property of either the Crown or the Falkland Islands Government; nor
- (b) property held on behalf of either of them.

(3) FIDC does not enjoy any status, immunity or privilege of the Crown.

6. Exclusion of personal liability

(1) Subsection (2) applies to —

- (a) members of the FIDC Board; and
- (b) FIDC employees.

(2) No-one to whom this subsection applies is to be personally liable for anything that person does under the provisions of this Ordinance, provided that it is done —

- (a) in good faith; and
- (b) without negligence.

SCHEDULE 2 FURTHER PROVISIONS ABOUT THE FIDC BOARD AND ITS MEMBERS

1. Power to make regulations about removal of Board members

The Governor may make regulations about the circumstances in which members of the FIDC Board can be removed and the procedures to be followed in those circumstances.

2. Remuneration of Board members

(1) Members of the FIDC Board may be —

- (a) remunerated for their services to FIDC; and
- (b) reimbursed for expenses they incur in the course of their duties.

(2) The remuneration and reimbursement of Board members must be consistent with applicable provisions in the Manual.

3. Code of Conduct

(1) The FIDC Board is under a duty to adopt (and keep under review) a Code of Conduct for members of the FIDC Board.

(2) The Code of Conduct must include provisions dealing with —

- (a) declarations of interests by members of the FIDC Board; and
- (b) the handling of conflicts of interest that they might have.

(3) The Code of Conduct may include different provisions for different categories of Board members.

4. Only Board members may vote

Only members of the FIDC Board may vote on its decisions.

5. Those entitled to attend (and speak at) Board meetings (but not to vote)

(1) The following persons are not members of the FIDC Board but have the right to attend meetings of the Board and to speak at those meetings —

- (a) the Managing Director;
- (b) the Financial Controller; and
- (c) the Financial Secretary (or a representative of the Financial Secretary).

(2) The FIDC Board may invite others to attend (and speak at) one or more of its meetings (or part of a meeting).

6. Those entitled to attend Board meetings (but not to speak or vote)

(1) If the Secretary would not otherwise be entitled to attend a meeting of the Board, the Secretary may attend (but not speak at) the meeting to take the minutes of the meeting.

(2) The FIDC Board may invite another person to attend (but not speak at) one or more of its meetings to take minutes instead of the Secretary.

(3) The FIDC Board may invite others to attend (but not speak at) one or more of its meetings (or part of a meeting).

7. Board procedures

For all other matters, the FIDC Board may adopt its own procedures.

8. Vacancies on Board

(1) The validity of anything done by FIDC Board will not be affected even if there are one or more vacancies on it.

(2) However, that does not allow a meeting to be held without a quorum provided for in the Board's procedures.

**SCHEDULE 3
FURTHER PROVISIONS ABOUT FIDC EMPLOYEES**

1. Terms and conditions for FIDC employees

(1) The terms and conditions of service of FIDC employees (including the Managing Director) are to be determined —

- (a) either by the FIDC Board or under delegated authority; and
- (b) in accordance with applicable requirements in the Manual.

(2) If an FIDC employee has a continuing contract with FIDC, that employee's terms and conditions of service may not be varied unless —

- (a) the contract allows for variation;

- (b) the employee consents (but consent may not unreasonably be withheld); or
- (c) the variation is allowed by another provision or rule of law.

2. Job descriptions and person specifications

- (1) The FIDC Board is under a duty to adopt (and keep under review) job descriptions and person specifications that are approved by the Governor for key FIDC employees (including the Managing Director and the Financial Controller).
- (2) The Governor may by order designate other FIDC employees (in addition to the Managing Director and the Financial Controller) as key ones for whom job descriptions and person specifications must be adopted (and kept under review) by the FIDC Board and approved by the Governor.

3. Employees' interests

- (1) The Manual must include provisions about —
 - (a) declarations of interests by FIDC employees; and
 - (b) the handling of conflicts of interest that they might have.
- (2) The Manual may include different provisions for different categories of employees.

OBJECTS AND REASONS

This Bill would provide for a new statutory framework for the Falkland Islands Development Corporation (FIDC). It would replace the existing statutory framework under the Falkland Islands Development Corporation Ordinance (Title 28.1), which would be repealed by *clause 26(1)*.

It would not come into force immediately, but only at a later date. It is currently envisaged that the new arrangements would be brought into force on 1 July 2013 (to coincide with the start of FIDC's financial year). *Clause 26(2)* would allow for subsidiary legislation to be made to deal with the transition from the old Ordinance to the new one.

Whenever the Governor is mentioned in relation to a power or function, that would normally have to be exercised on the advice of Executive Council.

Clause 3 defines a number of terms used elsewhere in the Bill.

Part 2 and Schedule 1 deal with FIDC's corporate personality (or, in other words, its status as a statutory corporation).

Under *clause 4*, FIDC would continue in existence as a statutory corporation.

Clause 5 introduces *Schedule 1*, which contains more detailed provisions about FIDC's corporate personality:

- *Paragraph 1* provides for FIDC to own and deal with property in its own name and to sue (and be sued) in its own name.
- *Paragraph 2* provides for FIDC to have full powers as a legal person. It also provides that the Governor may make subsidiary legislation about FIDC's powers.
- *Paragraph 3* provides for FIDC to continue using its existing corporate seal and for it to be looked after by the Secretary of FIDC. (However, the Governor will be able to make an order under which FIDC would no longer have to have a corporate seal.)
- *Paragraph 4* would allow the Governor to make regulations about contract formalities and the sealing of documents – these regulations would replace detailed provisions in the existing Ordinance.
- *Paragraph 5* would make it clear that FIDC is entirely separate from the Crown and from the Falkland Islands Government (FIG).
- *Paragraph 6* provides that FIDC's board members and its employees would continue to have limited immunity from personal liability. They could still only be sued if they have acted in bad faith or negligently.

Part 3 deals with FIDC's purposes.

Under *clause 6*, FIDC's existing purposes would be replaced with a new statement of its purposes.

Part 4 and Schedule 2 deal with the FIDC Board, its members and its procedures

Clause 7 provides for the overall management of FIDC and its affairs to be exercised by the FIDC Board – although *clause 18* would allow the Board to delegate some or all of its functions.

Clauses 8 and 9 would establish a completely revised structure for the FIDC Board:

- The Chair, Vice Chair and one other member would be appointed by the Governor following a fair, objective and transparent process.
- The Members of the Legislative Assembly would nominate one of themselves to be a member.
- The Chief Executive of FIG would be a member automatically.
- Up to four more members could be co-opted after consultation with the commercial sectors of the Islands' economy to ensure that each sector is represented on the FIDC Board – this process would replace the existing provisions under which representative bodies nominate some of the members of the Board.

Clause 8(3) would allow the Governor to vary the numbers in each category.

Clause 9(3) would also allow the Governor to make regulations about the terms for which members of the FIDC Board serve.

Clause 10 introduces *Schedule 2*, which contains more detailed provisions about the FIDC Board, its members and its procedures:

- *Paragraph 1* would allow the Governor to make regulations about the removal of Board members.
- *Paragraph 2* would allow for members of the FIDC Board to receive payments and expenses.
- Under *paragraph 3*, a Code of Conduct for members of the FIDC Board would have to be put in place (and kept under review). Among other things, it would have to deal with declarations of interests and the handling of conflicts of interest.
- Under *paragraph 4*, only board members themselves could vote. There would no longer be provision for alternates to vote at meetings of the FIDC Board – however, *paragraph 5* could be used to allow alternates to attend in a non-voting capacity.
- *Paragraph 5* deals with those who could attend meetings of the FIDC Board and speak at them (but not to vote). The following would have the right to attend:
 - the Managing Director (who, unlike the General Manager is now, would not be a voting member of the FIDC Board);
 - the Financial Controller; and
 - the Financial Secretary (and, unlike others, the Financial Secretary would be allowed to send a representative).

The Board would be able to invite others to attend and speak (but not vote) at its meetings.

- *Paragraph 6* deals with those who could attend meetings of the FIDC Board (but not speak or vote at them) – this is in addition to the public's rights under other legislation to attend meetings while they are in open session. The Secretary would be entitled to attend to minutes of meetings and, in the Secretary's absence, the Board could invite someone else to do that. The Board could invite others to attend meetings (or parts of them) without speaking or voting.
- *Paragraph 7* would allow the FIDC Board to adopt its own procedures about everything else.
- *Paragraph 8* would allow for the possibility of vacancies arising on the FIDC Board by providing that the vacancies do not affect the validity of decisions taken (but it would not allow decisions to be taken at meetings held without a minimum number of members present).

Part 5 and Schedule 3 deal with FIDC's employees

Clause 11 would require FIDC to have a Managing Director (instead of a General Manager, as now). Unlike the General Manager, the Managing Director would be appointed by the FIDC Board rather than by the Governor. (However, under *paragraph 2 of Schedule 3*, the FIDC Board would still need approval from the Governor for the Managing Director's person specification and job description.) It would be a statutory requirement for the Board to follow a fair, objective and transparent process before appointing the Managing Director.

Under *clause 12*, FIDC would still have to have a Financial Controller. The Financial Controller would be appointed by the FIDC Board rather than by the Governor. (However, under *paragraph 2 of Schedule 3*, the FIDC Board would still need approval from the Governor for the Financial Controller's person specification and job description.)

Clause 13 deals with the appointment of FIDC's other employees – these could be appointed by the Board or their appointment could be delegated. (Under *paragraph 2 of Schedule 3*, the Governor could add other employees be added to the list of those whose person specifications and job descriptions need to be approved by the Governor).

In relation to *clauses 11 to 13*, section 42 of the Interpretation and General Clauses Ordinance (Title 67.2) provides that a power to appoint includes a corresponding power to dismiss.

Under *clause 14*, it would still be a requirement for one of FIDC's employees to be appointed as the Secretary of FIDC to carry out various corporate functions.

Clause 15 introduces *Schedule 3*, which contains more detailed provisions about FIDC's employees:

- *Paragraph 1* deals with employees' terms and conditions.
- Under *paragraph 2*, there would be a requirement for key employees' person specifications and job descriptions to be approved by the Governor. That would apply from the outset to the Managing Director and the Financial Controller but the Governor could add others to that list.
- Under *paragraph 3*, FIDC's Manual of policies and procedures would have to cover, among other things, declarations of interests by employees and the handling of conflicts of interest.

Part 6 deals with FIDC's internal governance.

Clause 16 would impose a new general duty on the FIDC Board to ensure FIDC's good corporate governance. It would also impose specific duties about how FIDC's powers are exercised – the duty about economy, efficiency and effectiveness would be supervised by the Public Accounts Committee.

Clause 17 would impose a duty on the FIDC Board to adopt (and keep under review) a Manual of policies and procedures for FIDC. There is a similar duty under the existing Ordinance –

however, there would no longer be a requirement for the Manual to be approved by the Governor. A number of provisions elsewhere in the Bill deal with things that must be covered in the Manual.

Clause 18 would allow the FIDC Board to delegate some or all of its functions (and would also allow for the possibility of sub-delegation).

Part 7 deals with financial matters.

Under *clause 19*, the FIDC Board would be required to have a business plan and budget in place that are approved by the Governor and to keep them under review. FIDC would not be allowed to do things that are not covered by the business plan or budget, but the FIDC Board would be able to vary the business plan and budget by up to 10% before having to seek further approval. (The Governor would be able to vary the 10% threshold by order).

Clause 20 deals with the process for requests by FIDC for FIG to provide funding to FIDC for FIDC's activities. These would have to be made in accordance with guidelines issued by the Financial Secretary of FIG.

Under *clause 21*, the FIDC Board would be under a duty to ensure that proper financial records are kept for FIDC and the Manual of policies and procedures would have to cover this aspect.

Clause 22 deals with auditing of FIDC's financial records and statements. The FIDC Board would have to ensure that arrangements are in place for this to be done. Section 80 of the Constitution imposes requirements about the auditing of statutory bodies (including FIDC) and the arrangements would have to meet those requirements. To the extent that the two sets of requirements are not inconsistent, *clause 22* would impose additional requirements for there to be a suitable external auditor and for the arrangements to provide value for money.

Clause 23 would require the production of annual reports and financial statements after the end of each financial year. It would also require these to be provided to the Governor and the Legislative Assembly and made available to the public.

Clauses 22 and 23 would supersede Part 7 of the Finance and Audit Ordinance (Title 19.3), which would no longer apply to FIDC.

FIDC will remain within the jurisdiction of the Public Accounts Committee under section 81 of the Constitution; the Public Accounts Committee Ordinance (No 11 of 2009) will continue to be relevant in relation to FIDC.

Part 8 deals with reserve powers.

Clause 24 would allow the Governor to make regulations about reserve powers that could be exercised in specific circumstances. It includes specific provision allowing for the possibility that those regulations themselves allow for further subsidiary legislation to be made in those circumstances.

Part 9 deals with other subsidiary legislation.

Clause 25 would give the Governor a residual general power to make subsidiary legislation.

Part 10 deals with the repeal of the existing Ordinance and transitional arrangements.

Clause 26 would repeal the existing Falkland Islands Development Corporation Ordinance. It would also allow for subsidiary legislation to be made to deal with the transition from the old Ordinance to the new one.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Eight pound and eighty pence.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

28 February 2013

No. 3

The following are published in this Supplement –

**Supplementary Appropriation (2012-2103) Ordinance 2013 (No 1 of 2013);
Agricultural Returns Ordinance 2013 (No 2 of 2013);
Administration of Justice (Amendment) Ordinance 2013 (No 3 of 2013); and
Falkland Islands Development Corporation Ordinance 2013 (No 4 of 2013).**

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Supplementary Appropriation (2012-2013) Ordinance 2013

(No: 1 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Withdrawal of additional sum
4. Replenishment of Contingencies Fund

Schedule

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

SUPPLEMENTARY APPROPRIATION (2012-2013) ORDINANCE 2013

(No: 1 of 2013)

(assented to: 26 February 2013)

(commencement: on publication)

(published: 28 February 2013)

AN ORDINANCE

To authorise the withdrawal from the Consolidated Fund of the additional sum of £400,570.00 for the financial year ending 30 June 2013.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Supplementary Appropriation (2012-2013) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the Gazette.

3. Withdrawal of additional sum

(1) The Financial Secretary may withdraw an additional sum of £400,570.00 from the Consolidated Fund.

(2) Any additional sum withdrawn under subsection (1) may be applied in the financial year ending 30 June 2013 in accordance with section 4 and the Schedule.

4. Replenishment of Contingencies Fund

If any sum has been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant numbers 4 and 5 of 2012-2013, the Financial Secretary will replenish the fund from the additional sum withdrawn under section 3.

SCHEDULE

Number	Head of Service	Amount £
	Operating Budget	
0110	Central Services	51,300
0200	Health, Social Services & Education	24,120
0410	Natural Resources	29,280
0450	Attorney General's Chambers	69,290
0550	Emergency Services	8,000
0600	Executive Management	163,580
0990	Fund Transfers & Transfer Payments	55,000
	Total Operating Budget	400,570
	Total Schedule	400,570

Passed by the Legislature of the Falkland Islands on 21 February 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Agricultural Returns Ordinance 2013

(No: 2 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Interpretation
4. Collection and publication of agricultural statistics and information
5. Approved forms
6. Deadline dates
7. Sending approved forms to farmers, etc
8. Requirement to make annual return
9. Offences: failure to comply with duty about annual returns
10. Offences: providing false or misleading information, etc
11. Publication of information from annual returns
12. Use of information from annual returns for other purposes
13. Livestock Ordinance partially repealed
14. Subsidiary legislation

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

AGRICULTURAL RETURNS ORDINANCE 2013

(No: 2 of 2013)

(assented to: 26 February 2013)
(commencement: on publication)
(published: 28 February 2013)

AN ORDINANCE

To provide a new legal basis for the collection and publication of statistics and information about agriculture; and for connected purposes.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Agricultural Returns Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

3. Interpretation

In this Ordinance —

“agriculture” —

(a) includes using land to —

- (i) keep or breed livestock, poultry or bees; or
- (ii) grow crops, fruit or vegetables; and

(b) also includes horticulture;

“approved form” means the form approved (or re-used) by the Director under section 5;

“deadline date” means the date set by the Director under section 6 by which forms (or parts of forms) must be returned; and

“Director” means either —

(a) the Director of Natural Resources; or

(b) a person appointed by the Director of Natural Resources to carry out some or all of the functions of the Director under this Ordinance.

4. Collection and publication of agricultural statistics and information

It remains a function of the Director to collect and publish statistics and other information about agriculture in the Falkland Islands.

5. Approved forms

(1) Each year, the Director may either —

(a) approve one or more forms to be used for annual returns for that year from farmers, others engaged in agriculture and owners of agricultural land; or

(b) use the same form or forms that were used the previous year (with minor changes, if appropriate).

(2) The Director may approve forms that consist of more than one part.

6. Deadline dates

(1) Each year, the Director will set the deadline date by which completed annual return forms must reach the Director.

(2) If the Director approves more than one form for a year, different dates may be set for different forms.

(3) If the Director approves a form with more than one part, different dates may be set for different parts of the form.

7. Sending approved forms to farmers, etc

(1) Each year, the Director will arrange for the approved form (or forms) to be sent to farmers, others engaged in agriculture and owners of agricultural land.

(2) However, the Director need not arrange for the approved form (or forms) to be sent to all of those persons.

8. Requirement to make annual return

(1) Every person to whom one or more approved forms are sent must make an annual return to the Director on the approved form (or forms, if more than one form is approved for that year).

(2) Every person required to make an annual return must take all reasonable steps to ensure that —

(a) the required information is provided; and

(b) the information provided is accurate.

(3) Completed forms (or parts of forms) must be sent back to the Director so that they reach the Director by the deadline date for that form (or part of a form).

(4) If a person required to make an annual return cannot provide all of the required information by the deadline date, the person must —

(a) by the deadline date —

(i) provide as much of the information as possible; and

(ii) explain why it has not been possible to provide the remaining information; and

(b) provide the remaining information as soon as possible afterwards.

(5) The Director may specify a date by which a person must provide the remaining information and, if so, the person must take all reasonable steps to ensure that the remaining information reaches the Director by that date.

9. Offences: failure to comply with duty about annual returns

(1) It is an offence for a person not to comply with a duty on that person under section 8.

(2) The penalty that may be imposed on a person convicted of an offence against subsection (1) is a fine of up to level 3 on the standard scale.

10. Offences: providing false or misleading information, etc

(1) This section applies to a person whenever the person is providing information (or an explanation) under section 8.

(2) When this section applies to a person, it is an offence for the person —

(a) knowingly to provide information (or an explanation) that is false or misleading in a material way; or

(b) to be reckless as to whether the information (or explanation) being provided is false or misleading in a material way.

(3) The penalty that may be imposed on a person convicted of an offence against subsection (2) is a fine of up to level 5 on the standard scale.

11. Publication of information from annual returns

When publishing statistics and information about agriculture in the Falkland Islands, the Director —

- (a) may publish information provided under section 8; and
- (b) may also publish information contained in returns previously made under the Livestock Ordinance (Title 5.3); but
- (c) may not publish information directly connected with an individual's income or a company's profits or losses.

12. Use of information from annual returns for other purposes

The Director may also use information obtained under section 8 (and information contained in returns previously made under the Livestock Ordinance) for all purposes connected with agriculture in the Falkland Islands.

13. Livestock Ordinance partially repealed

The following provisions of the Livestock Ordinance are repealed —

- (a) sections 23 and 24; and
- (b) the Schedule.

14. Subsidiary legislation

The Governor may make subsidiary legislation that is necessary or convenient for the purposes of this Ordinance.

Passed by the Legislature of the Falkland Islands on 21 February 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Administration of Justice (Amendment) Ordinance 2013

(No: 3 of 2013)

ARRANGEMENT OF PROVISIONS

Section

PART 1 – INTRODUCTION

1. Title
2. Commencement

PART 2 – AMENDMENT OF ADMINISTRATION OF JUSTICE ORDINANCE

3. Amendment of the Administration of Justice Ordinance
4. Section 2 amended – Interpretation
5. Section 11 amended – Criminal jurisdiction of Summary Court
6. Section 16 replaced – Power of Summary Court to commit for trial before Supreme Court
7. Section 25 repealed – Application of certain provisions of Part 3 to Summary Court
8. Section 27 amended – General criminal jurisdiction
9. Section 32 amended – Clerk
10. New Part 3A inserted – Transfer of cases between Summary Court and Magistrate's Court

11. New section 48A inserted – Practice and procedure: persons under age of 18 sent to Supreme Court for trial

12. Section 51 amended – Time for commencement of criminal proceedings

13. New Schedule 4 added – Procedure for sending persons to Supreme Court for trial and after persons are sent to Supreme Court for trial

PART 3 – AMENDMENT OF CHILDREN ORDINANCE

14. Section 37 of the Children Ordinance amended – Rules of Court

PART 4 – CONSEQUENTIAL AMENDMENTS

15. Section 4 of the Criminal Justice Ordinance amended – Trial of offences

16. Section 141 of the Criminal Justice Ordinance amended – General provisions (Bail in criminal proceedings)

17. Amendment of the Criminal Procedure and Investigations Ordinance

18. Section 40 of the Criminal Justice Act 1988 disapplied – Power to join in indictment count for common assault etc

19. Power to make further consequential amendments by order

20. Interpretation of references to committal

PART 5 – TRANSITIONAL AND SAVING PROVISIONS

21. Power to make transitional and saving provisions by order

Schedule – New Schedule 4 added – Procedure for sending persons to Supreme Court for trial and after persons are sent to Supreme Court for trial

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

ADMINISTRATION OF JUSTICE (AMENDMENT) ORDINANCE 2013

(No: 3 of 2013)

(assented to: 26 February 2013)

(commencement: on publication)

(published: 28 February 2013)

AN ORDINANCE

To amend the Administration of Justice Ordinance (Title 22.1); and for connected purposes.

ENACTED by the Legislature of the Falkland Islands —

**PART 1
INTRODUCTION**

1. Title

This Ordinance is the Administration of Justice (Amendment) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

**PART 2
AMENDMENT OF ADMINISTRATION OF JUSTICE ORDINANCE**

3. Amendment of Administration of Justice Ordinance

This Part amends the Administration of Justice Ordinance.

4. Section 2 amended – Interpretation

In section 2, the following definition is inserted after the definition of “criminal proceedings” —

““indictment-only offence” means an offence declared by section 27(2) to be one that must be tried on indictment;”

5. Section 11 amended – Criminal jurisdiction of Summary Court

Section 11(1) is repealed and replaced with the following subsection —

“(1) The Summary Court has a like jurisdiction in criminal proceedings to the jurisdiction that the Magistrate’s Court has under section 27(1), but the jurisdiction of the Summary Court is limited by —

(a) other provisions in this Part; and

(b) section 27(2).”

6. Section 16 replaced – Power of Summary Court to commit for trial before Supreme Court

Section 16 is repealed and replaced with the following section —

“16. Power of Summary Court to send person to Supreme Court for trial

(1) The Summary Court has the same power as the Magistrate’s Court to send a person for trial before the Supreme Court.

(2) The following provisions apply to the Summary Court in the same way as they do to the Magistrate’s Court —

(a) section 27(3), (4) and (4A); and

(b) Schedule 4.”

7. Section 25 repealed – Application of certain provisions of Part 3 to Summary Court

Section 25 is repealed.

8. Section 27 amended – General criminal jurisdiction

(1) This section amends section 27.

(2) Subsection (2) is amended by —

(a) omitting “, subject to subsection (3),”;

(b) omitting “and” from the end of paragraph (b); and

(c) inserting the following paragraphs after paragraph (b) —

“(ba) an offence against section 5 of the Sexual Offences Act 1956 (as it applied in the Falkland Islands at the time of the offence);

(bb) an offence against section 2, 5 or 6 of the Sexual Offences Act 2003 (as it applied in the Falkland Islands at the time of the offence); and”.

(3) Subsection (3) is repealed and replaced with the following subsection —

“(3) When a person who has not yet reached the age of 18 appears before the Magistrate’s Court or the Summary Court (or is brought before it) and one or more of the circumstances listed in paragraphs (a) to (c) of subsection (4) applies —

(a) the court must deal with that person in accordance with Schedule 4; but

(b) the court must adapt its procedure in whatever way the interests of justice require to take account of the person’s age and level of understanding.”

(4) Subsection (4) is repealed and replaced with the following subsection —

“(4) When a person who is aged 18 or over appears before the Magistrate’s Court or the Summary Court (or is brought before it), the Court must deal with that person in accordance with Schedule 4 if one or more of the following circumstances applies in relation to that person —

(a) the person is before the Court in relation to one or more indictment-only offences;

(b) the person has already been sent to the Supreme Court in relation to one or more offences that have not yet come to trial;

(c) the person is charged jointly with someone else who has been, is being or could be sent to the Supreme Court in accordance with Schedule 4.”

(5) The following subsection is inserted after subsection (4) —

“(4A) Schedule 4 also deals with —

(a) the procedure that applies after a person is sent to the Supreme Court for trial (but not with the procedure for the trial itself); and

(b) the powers of the Supreme Court in relation to summary offences.”

9. Section 32 amended – Clerk

Section 32 is amended by adding “(and that person will also be Clerk to the Summary Court)”.

10. New Part 3A inserted – Transfer of cases between Summary Court and Magistrate’s Court

The following new Part is inserted after section 35 —

“PART 3A TRANSFER OF CASES BETWEEN SUMMARY COURT AND MAGISTRATE’S COURT

35A. Transfer of cases between Summary Court and Magistrate’s Court

(1) This section applies to a case if —

- (a) it could have been brought in either the Summary Court or the Magistrate's Court;
 - (b) it has already been commenced in one of those courts; and
 - (c) it has not yet come to trial in either of those courts.
- (2) A case to which this section applies may (if the interests of justice require) be transferred —
- (a) from the Summary Court to the Magistrate's Court; or
 - (b) from the Magistrate's Court to the Summary Court.
- (3) A case may be transferred from one court to the other even if it has been transferred on one or more previous occasions.
- (4) Either the Summary Court or the Magistrate's Court may make an order for a case to be transferred from one court to the other.
- (5) An order for a case to be transferred from one court to the other may be made —
- (a) on an application from one or more of the parties to the case; or
 - (b) of the court's own motion.

35B. Transfer of cases: orders and directions

- (1) A Supreme Court judge may (if the interests of justice require) do either or both of the following things —
- (a) order that a case that is currently before the Summary Court or the Magistrate's Court is to be transferred from one court to the other;
 - (b) direct (in relation to a specific case) that an order of the Summary Court transferring it from the Magistrate's Court to the Summary Court may only take effect if it is approved by a Supreme Court judge.
- (2) A Supreme Court judge may direct (in relation to a category of cases) that an order of the Summary Court transferring a case in that category from the Magistrate's Court to the Summary Court may only take effect if it is approved by a Supreme Court judge.
- (3) In this section, "Supreme Court judge" —
- (a) means —
 - (i) the Chief Justice; or
 - (ii) an acting judge of the Supreme Court; and
 - (b) may include the Senior Magistrate, even if —

(i) the Senior Magistrate has already dealt with the same case in the Magistrate's Court; or

(ii) the effect of an order or direction would be for the Senior Magistrate to hear that case.

35C. Transfer of cases: practice directions

(1) The Chief Justice or the Senior Magistrate may issue practice directions about —

(a) how the power for cases to be transferred from one court to another is to be exercised; and

(b) what procedures are to apply in cases that have been transferred from one court to another (which may be different from the procedures that would normally apply in the court to which the case has been transferred).

(2) When determining whether or not to transfer a case from one court to the other, the Summary Court and the Magistrate's Court must have proper regard to practice directions that have been issued about how the power to do that is to be exercised."

11. New section 48A inserted – Practice and procedure: persons under age of 18 sent to Supreme Court for trial

The following new section is inserted after section 48 —

“48A. Practice and procedure: persons under age of 18 sent to Supreme Court for trial

(1) Subsection (2) applies whenever —

(a) a person who has not yet reached the age of 18 has been sent to the Supreme Court for trial in respect of one or more offences; and

(b) either —

(i) the person appears (or is brought) before the Supreme Court in connection with those offences; or

(ii) the person is being tried on indictment for those offences.

(2) Whenever this subsection applies, the Supreme Court must adapt its procedure in whatever way the interests of justice require to take account of the person's age and level of understanding."

12. Section 51 amended – Time for commencement of criminal proceedings

The definition of “indictment-only offence” is omitted from section 51(4).

13. New Schedule 4 added – Procedure for sending persons to Supreme Court for trial and after persons are sent to Supreme Court for trial

The Schedule adds Schedule 4.

PART 3
AMENDMENT OF CHILDREN ORDINANCE

14. Section 37 of the Children Ordinance amended – Rules of Court

Section 37(5) of the Children Ordinance is amended by omitting “(save that proceedings for a care order or a supervision order or the discharge or variation of such an order shall be commenced in the Magistrate’s Court)”.

PART 4
CONSEQUENTIAL AMENDMENTS

15. Section 4 of the Criminal Justice Ordinance amended – Trial of offences

(1) This section amends section 4 of the Criminal Justice Ordinance (Title 24.1)

(2) Subsection (2) is repealed and replaced with the following subsection —

“(2) An offence which is triable summarily may instead be tried on indictment.”

(3) Subsection (3) is repealed and replaced with the following subsection —

“(3) An offence may only be tried on indictment under subsection (2) if the accused person is sent to the Supreme Court for trial in respect of that offence by the Summary Court or the Magistrate’s Court.”

(4) Subsection (4) is repealed and replaced with the following subsection —

“(4) Schedule 4 of the Administration of Justice Ordinance (Title 22.1) deals with the circumstances in which a person may be sent to the Supreme Court for trial on indictment in respect of an offence which is triable summarily.”

16. Section 141 of the Criminal Justice Ordinance amended – General provisions (Bail in criminal proceedings)

Section 141(8) of the Criminal Justice Ordinance (which contains general provisions about bail in criminal proceedings) is amended by replacing “committed” with “sent”.

17. Amendment of the Criminal Procedure and Investigations Ordinance

(1) This section amends the Criminal Procedure and Investigations Ordinance (No 13 of 2003).

(2) Section 3(b)(i) is amended by replacing “committed for trial for” with “sent to the Supreme Court for trial in respect of”.

(3) Section 15(1) is amended by replacing “committed” with “sent to the Supreme Court”.

(4) Section 23(3) is amended by replacing “committed” with “sent to the Supreme Court”.

(5) Section 30(a) is amended by replacing “committed for trial for” with “sent to the Supreme Court for trial in respect of”.

(6) Section 32(1)(a) is amended by replacing “committed for trial at the Supreme Court” with “sent to the Supreme Court for trial”.

(7) Section 40(1)(a) is amended by replacing “committed for trial for” with “sent to the Supreme Court for trial in respect of”.

18. Section 40 of the Criminal Justice Act 1988 disapplied – Power to join in indictment count for common assault etc

Section 40 of the Criminal Justice Act 1988 no longer applies in the Falkland Islands.

19. Power to make further consequential amendments by order

(1) The Governor may by order make further provision consequential on this Ordinance (or one or more of its provisions).

(2) An order made under subsection (1) may do one or more of the following things —

(a) amend or repeal written laws of the Falkland Islands;

(b) provide for United Kingdom legislation to apply in the Falkland Islands (with or without modifications);

(c) modify the application in the Falkland Islands of United Kingdom legislation that already applies in the Falkland Islands;

(d) provide that specific provisions of United Kingdom legislation no longer apply in the Falkland Islands.

20. Interpretation of references to committal

(1) In subsection (2) —

“relevant legislation” means —

(a) a written law of the Falkland Islands; or

(b) United Kingdom legislation that applies in the Falkland Islands (as it applies in the Falkland Islands);

“relevant provision” means a provision in relevant legislation that —

(a) refers (in whatever way) to —

(i) the process of committing persons for trial in the Supreme Court which this Ordinance replaces with the sending procedure;

(ii) committal for trial in the Supreme Court; or

(iii) a person being committed for trial in the Supreme Court; and

(b) has not yet been amended either —

(i) by this Ordinance; or

(ii) by an order made under section 19; and

“sending procedure” means the process of sending persons to the Supreme Court for trial set out in —

(a) sections 27(3) and 27(4) of the Administration of Justice Ordinance (as amended by this Ordinance); and

(b) Schedule 4 to the Administration of Justice Ordinance (added by this Ordinance).

(2) References in relevant provisions (however made) to the process of committing a person for trial in the Supreme Court are to be interpreted instead as references to the sending procedure.

(3) References in relevant provisions (however made) to committal for trial in the Supreme Court are to be interpreted instead as references to sending to the Supreme Court for trial.

(4) References in relevant provisions (however made) to a person being committed for trial in the Supreme Court are to be interpreted instead as references to a person being sent to the Supreme Court for trial.”

PART 5 TRANSITIONAL AND SAVING PROVISIONS

21. Power to make transitional and saving provisions by order

The Governor may by order make transitional or saving provision (or both) in connection with this Ordinance (or one or more of its provisions).

SCHEDULE NEW SCHEDULE 4 ADDED – PROCEDURE FOR SENDING PERSONS TO SUPREME COURT FOR TRIAL AND AFTER PERSONS ARE SENT TO SUPREME COURT FOR TRIAL

(section 13)

The following schedule is added as Schedule 4 —

“SCHEDULE 4 PROCEDURE FOR SENDING PERSONS TO SUPREME COURT FOR TRIAL AND AFTER PERSONS ARE SENT TO SUPREME COURT FOR TRIAL

PART 1 INTRODUCTION

1. Application of Schedule

(1) This Schedule deals with the procedure for sending persons to the Supreme Court for trial in respect of —

- (a) indictment-only offences;
- (b) offences that may be tried summarily but which are related to indictment-only offences that may have been committed by —
 - (i) persons charged with indictment-only offences; or
 - (ii) other persons charged jointly with them.

(2) It also deals with —

- (a) the procedure after persons are sent to the Supreme Court for trial; and
- (b) the Supreme Court's powers to deal with summary offences.

2. Interpretation

In this Schedule —

“appeal court” means either —

- (a) the Court of Appeal for the Falkland Islands established by section 87(1) of the Constitution; or
- (b) the Judicial Committee of the Privy Council;

“application for dismissal” means an application under paragraph 9 for one or more charges against a person to be dismissed;

“linked offence” means an offence that may be tried summarily but which arises out of circumstances that are the same as (or connected with) those giving rise to —

- (a) an indictment-only offence in respect of which —
 - (i) that person has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; or
 - (ii) another person (with whom the first person is jointly charged) has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; or
- (b) another offence that might otherwise have been tried summarily but in respect of which —
 - (i) that person has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; or
 - (ii) another person (with whom the first person is jointly charged) has been (or is being) sent to the Supreme Court for a trial that has not yet taken place; and

“relevant issues” means —

- (a) the circumstances of the case;
- (b) if written notice has been (or was) given of an intention to apply for dismissal orally, the matters stated in that notice; and
- (c) the matters stated in the application for dismissal;

“summary offence” means an offence that might have been tried summarily (but for the fact that the person was sent to the Supreme Court for trial in respect of it);

“Supreme Court judge” —

- (a) means —
 - (i) the Chief Justice; or
 - (ii) an acting judge of the Supreme Court; and
- (b) may include the Senior Magistrate (even if the Senior Magistrate has already dealt with the same case in the Magistrate’s Court); and

“unrestricted information” has the meaning given to it by paragraph 11.

PART 2 PROCEDURE FOR SENDING PERSONS TO SUPREME COURT

3. Circumstances in which Summary Court or Magistrate’s Court must or may send persons to Supreme Court for trial

(1) This paragraph applies whenever —

- (a) a person appears before the Summary Court or the Magistrate’s Court (or is brought before it); and
- (b) the court is required by section 27(3) or 27(4) to deal with that person in accordance with this Schedule.

(2) The Summary Court or the Magistrate’s Court must send a person to the Supreme Court for trial in respect of an indictment-only offence.

(3) The Summary Court or the Magistrate’s Court may also send a person to the Supreme Court for trial in respect of an offence if —

- (a) it may be tried summarily; but
- (b) it appears to the Summary Court or the Magistrate’s Court that it is a linked offence.

4. Adjournment of summary trial

(1) Sub-paragraph (2) applies whenever a person is sent to the Supreme Court for trial in respect of a summary offence.

(2) If this sub-paragraph applies, the trial in respect of that offence will be treated as if it had been adjourned by the Summary Court or the Magistrate's Court without a date being fixed for its resumption.

(3) A date may be fixed for the resumption of the trial for a summary offence if the powers of the Supreme Court cease in respect of that offence under paragraph 19(10).

5. Sending notice

(1) This paragraph applies whenever the Summary Court or the Magistrate's Court sends a person to the Supreme Court for trial in respect of one or more offences.

(2) The Summary Court or the Magistrate's Court must issue a notice (a "sending notice") specifying the offence or offences for which the person is being sent to the Supreme Court for trial.

(3) Copies of the sending notice must be —

(a) served on the person being sent to the Supreme Court for trial; and

(b) forwarded to the Supreme Court.

(4) Sub-paragraphs (5) and (6) apply if the person is being sent to the Supreme Court for trial in respect of one or more summary offences (whether or not that person is also being sent to the Supreme Court for trial in respect of one or more indictment-only offences).

(5) The Summary Court or the Magistrate's Court must specify in the sending notice the indictment-only offence (or offences) in relation to which the summary offence appears to the Summary Court or the Magistrate's Court to be a linked offence.

(6) If the person is being sent to the Supreme Court in respect of more than one summary offence, the Summary Court or the Magistrate's Court must comply with sub-paragraph (5) in relation to each of the summary offences separately.

6. Transfer may be in custody or on bail

(1) The Summary Court or the Magistrate's Court may send a person to the Supreme Court for trial either —

(a) in custody (that is to say, by committing the person to custody to be kept there safely until delivered in due course of law); or

(b) on bail in accordance with the bail provisions of the Criminal Justice Ordinance (Title 24.1) (that is to say, by directing the person to appear before the Supreme Court for trial).

(2) When determining whether to send a person to the Supreme Court for trial in custody or on bail, the Summary Court or the Magistrate's Court must apply the bail provisions of the Criminal Justice Ordinance.

(3) Sub-paragraph (4) applies if a person is granted bail on condition of providing one or more sureties.

(4) If this sub-paragraph applies, the court may make an order remanding the person in custody until that condition is satisfied.

PART 3

PROCEDURE AFTER PERSONS ARE SENT TO SUPREME COURT FOR TRIAL

7. Jurisdiction of Summary Court and Magistrate's Court in relation to further remand in custody or on bail

(1) This paragraph applies —

(a) even after a person has been sent to the Supreme Court for trial;

(b) whether the Summary Court or the Magistrate's Court sent that person to the Supreme Court for trial; and

(c) in relation to all offences in respect of which the person has been sent to the Supreme Court for trial (including indictment-only offences, as well as summary offences).

(2) The Summary Court and the Magistrate's Court both have jurisdiction to hear and determine applications relating to the further remand (in custody or on bail) of a person who has been sent to the Supreme Court for trial in respect of one or more offences.

(3) If the person has not yet reached the age of 18, the court must adapt its procedure in whatever way the interests of justice require to take account of the person's age and level of understanding.

8. Evidence

(1) Whenever a person is sent to the Supreme Court for trial in respect of one or more offences, copies of the documents containing the evidence on which the charge or charges are based must be —

(a) served on the person being sent to the Supreme Court for trial; and

(b) forwarded to the Supreme Court.

(2) An order or direction specifying the period within which the documents are to be served and forwarded may be made by —

(a) the Summary Court or the Magistrate's Court when sending the person to the Supreme Court for trial; or

(b) a Supreme Court judge after the person has been sent to the Supreme Court for trial.

(3) A Supreme Court judge may extend (and, if need be, further extend) the period specified in an order or direction.

(4) An application for an extension —

(a) may be made and dealt with —

(i) in writing; or

(ii) orally; and

(b) if dealt with in writing, may be dealt with by the Supreme Court judge while outside the Falkland Islands.

9. Applications for dismissal

(1) A person who has been sent to the Supreme Court for trial in respect of one or more offences may apply to the Supreme Court for one or more of the charges in the case to be dismissed.

(2) An application for dismissal may only be made —

(a) after the person is served with copies of the documents containing the evidence on which the charge or charges are based; but

(b) before either —

(i) the person has entered a plea to the charge or charges; or

(ii) a plea to the charge or charges has been entered for the person.

(3) An application for dismissal —

(a) may be made and dealt with in writing (and, if so, may be dealt with by the Supreme Court judge while outside the Falkland Islands); or

(b) may be made orally instead, but only if —

(i) the applicant has given written notice to the Supreme Court of an intention to make the application orally; and

(ii) a Supreme Court judge has decided (having had regard to the relevant issues) that the interests of justice require that the application should be made orally.

(4) Oral evidence may only be given on an application for dismissal —

(a) with the leave of a Supreme Court judge; or

(b) in accordance with an order of a Supreme Court judge.

(5) A Supreme Court judge may only give leave under sub-paragraph (4)(a) or make an order under sub-paragraph (4)(b) if it appears to the Supreme Court judge (having regard to the relevant issues) that the interests of justice require leave to be given or an order made.

(6) Sub-paragraph (7) applies if —

(a) a Supreme Court judge —

(i) gives leave permitting a person to give oral evidence; or

(ii) makes an order requiring a person to give oral evidence; but

(b) that person does not give oral evidence.

(7) If this sub-paragraph applies—

(a) the Supreme Court judge hearing or considering an application for dismissal may disregard a document indicating the evidence that the person might have given; or

(b) if there is more than one document indicating the evidence that the person might have given, the Supreme Court judge hearing or considering an application for dismissal may disregard —

(i) all of those documents; or

(ii) one or more of them.

(8) The Supreme Court judge hearing or considering an application for dismissal must dismiss a charge which is the subject of an application if it appears to the judge that the evidence against the applicant would not be sufficient for a jury properly to convict the applicant.

(9) If one or more charges against an applicant are dismissed —

(a) if the dismissed charge or charges relate only to one count in an indictment preferred against the applicant, the Supreme Court judge must quash that count;

(b) if the dismissed charge or charges relate to more than one count in one or more indictments, the Supreme Court judge must quash all of those counts;

(c) further proceedings may only be brought on the dismissed charge or charges by means of the preferment of a voluntary bill of indictment; and

(d) unless the applicant is in custody otherwise than on the dismissed charge or charges, the applicant must be discharged.

(10) A Supreme Court judge may —

(a) issue practice directions about the conduct of applications for dismissal generally; and

(b) make orders about the conduct of particular applications for dismissal.

(11) In particular, practice directions and orders may make provision about —

(a) the time or stage in the proceedings at which things required (or allowed) to be done under this paragraph are to be done (unless a Supreme Court judge grants leave to do one or more of those things at some other time or stage);

(b) the contents and form of notices or other documents;

(c) the manner in which evidence is to be submitted; and

(d) persons to be served with notices or other material.

10. Reporting restrictions

(1) This paragraph applies to reports of applications for dismissal and proceedings relating to them, including —

(a) every written report published (either by itself or as part of a newspaper or periodical) for distribution or circulation to the public (or a section of it) in the Falkland Islands;

(b) every report included in a radio or television broadcast intended for reception within the Falkland Islands;

(c) every report included in an audio or video recording intended for distribution to the public (or a section of it) in the Falkland Islands; and

(d) every report —

(i) made in another way (including by e-mail, the internet and other messaging services); and

(ii) intended to be received by the public (or a section of it) within the Falkland Islands.

(2) A person may only make a report to which this paragraph applies to the extent that —

(a) it is not prohibited or restricted by another provision in —

(i) a written law of the Falkland Islands;

(ii) United Kingdom legislation (as it applies in the Falkland Islands); and

(b) it is permitted under sub-paragraph (3).

(3) A report to which this paragraph applies is permitted under this sub-paragraph if —

- (a) it only contains unrestricted information; or
- (b) it contains additional information, but —
 - (i) an order has been under paragraph 12 and the report complies with that order;
 - (ii) paragraph 13(2) applies; or
 - (iii) paragraph 14(2) applies.

11. Reporting restrictions: unrestricted information

In paragraph 10 (and also in paragraphs 12 and 13), “unrestricted information” means the following information about an application for dismissal, proceedings relating to an application for dismissal or a case in which an application for dismissal is made —

- (a) the identity of the court and the name of the judge;
- (b) the following information in relation to the accused person (or each of them, if there is more than one) —
 - (i) the person’s name;
 - (ii) the person’s age;
 - (iii) the person’s address;
- (c) the offence or offences (or a summary of them) with which the accused person is (or the accused persons are) charged;
- (d) the names of legal practitioners engaged in the proceedings;
- (e) if the proceedings have adjourned, the date to which they have been adjourned;
- (f) the arrangements as to bail; and
- (g) whether legal aid has been granted to the accused person (or one or more of them).

12. Reporting restrictions: orders allowing additional information to be reported

(1) A Supreme Court judge dealing with an application for dismissal may make an order allowing additional information to be included in reports to which paragraph 10 applies.

(2) An order allowing other information to be included in reports may —

- (a) specify what additional information may be reported (and what may not); and
- (b) contain conditions about how that information is reported.

(3) Sub-paragraph (4) applies if —

(a) two or more persons are accused in the same case; and

(b) one or more of those persons objects to an order being made allowing other information to be included in reports.

(4) If this sub-paragraph applies, the Supreme Court judge may only make an order allowing other information to be included in reports —

(a) after each of the accused persons has been given the opportunity to make representations; and

(b) if the Supreme Court judge is satisfied that it is in the interests of justice that the order is made —

(i) at all; and

(ii) in those terms.

(5) Proceedings about whether or not to make an order allowing other information in reports may not themselves be reported in reports to which this paragraph applies (even if the order is made), but the decision about whether or not to make an order may be included in a report to which this paragraph applies.

13. Reporting restrictions: lifting of restrictions following successful application for dismissal

(1) Sub-paragraph (2) applies —

(a) if —

(i) only one person is accused in a case;

(ii) that person makes an application for dismissal; and

(iii) the application is successful;

(b) if —

(i) more than one person is accused in a case; but

(ii) only one of those persons makes an application for dismissal; and

(iii) the application is successful; or

(c) if —

(i) more than one person is accused in a case;

(ii) more than one of those persons makes an application for dismissal; and

(iii) all of the applications are successful.

(2) If this sub-paragraph applies, reports to which paragraph 10 applies may include additional information about the successful application (or applications) and the proceedings relating to that application (or those applications).

14. Reporting restrictions: lifting of restrictions at end of case

(1) Sub-paragraph (2) applies —

(a) if —

- (i) only one person is accused in a case;
- (ii) that person makes an application for dismissal; but
- (iii) the application is unsuccessful;

(b) if —

- (i) more than one person is accused in a case; and
- (ii) only one of those persons makes an application for dismissal; but
- (iii) the application is unsuccessful; or

(c) if —

- (i) more than one person is accused in a case; and
- (ii) more than one of those persons makes an application for dismissal; but
- (iii) one or more of the applications is unsuccessful.

(2) If this sub-paragraph applies, information about the application (or applications) and the proceedings relating to that application (or those applications) may only be included in reports to which paragraph 10 applies —

(a) if only one person was accused in the case, after the conclusion of that person's trial;
or

(b) if more than one person was accused in the same case, after the conclusion of the trial of the last of those persons to be tried.

15. Reporting restrictions: offences and penalties

(1) If a report to which paragraph 10 applies is made in contravention of that paragraph, each of the following persons commits an offence —

(a) in the case of a publication of a written report as part of a newspaper or periodical, the proprietor, editor or publisher of the newspaper or periodical;

(b) in the case of a publication of a written report otherwise than as part of a newspaper or periodical, the person who publishes it;

(c) in the case of the inclusion of a report in a broadcast —

(i) the broadcaster; and

(ii) the person or persons who have functions in relation to the broadcast that correspond to those of the editor of a newspaper;

(d) in the case of the inclusion of a report in a recording —

(i) the publisher of the recording; and

(ii) the person or persons who have functions in relation to the recording that correspond to those of the editor of a newspaper;

(e) in the case of a report made in another way —

(i) the person making the report; and

(ii) if there is a person who has functions in relation to the report that correspond to those of the editor of a newspaper (or more than one person who has such functions), that person (or those persons).

(2) The penalty that may be imposed on a person convicted of an offence against sub-paragraph (1) is a fine of up to level 5 on the standard scale.

(3) Proceedings for an offence under sub-paragraph (1) may only be commenced —

(a) by the Attorney General; or

(b) in accordance with consent given by the Attorney General.

16. Power of justices to take depositions, etc.

(1) Sub-paragraph (3) applies if a justice of the peace is satisfied that —

(a) a person (“the witness”) is likely to be able to make on behalf of the prosecutor a written statement containing material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; but

(b) the witness will not voluntarily make that statement.

(2) Sub-paragraph (3) also applies if a justice of the peace is satisfied that —

(a) a person (“the witness”) is likely to be able to produce on behalf of the prosecutor one or more documents or other exhibits likely to be material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; but

(b) the witness will not voluntarily produce them.

(3) If this sub-paragraph applies, the justice must issue a summons directed to the witness requiring the witness to —

(a) attend before a justice at the time and place appointed in the summons; and

(b) do either or both of the following things —

(i) have the evidence taken as a deposition;

(ii) produce the documents or other exhibits.

(4) Sub-paragraph (5) applies if a justice of the peace is satisfied (by evidence on oath) that —

(a) the witness is likely to be able to —

(i) make on behalf of the prosecutor a written statement containing material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial;

(ii) produce on behalf of the prosecutor one or more documents or other exhibits likely to be material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; or

(iii) do both of those things;

(b) it is probable that a summons under sub-paragraph (3) would not procure the result required by it; and

(c) the person is within the Falkland Islands.

(5) If this sub-paragraph applies, the justice may (instead of issuing a summons) issue a warrant to —

(a) arrest the witness; and

(b) bring the witness before a justice at the time and place specified in the warrant.

(6) Sub-paragraph (7) applies if —

(a) a witness fails to attend before a justice in answer to a summons issued under sub-paragraph (3);

(b) the justice is satisfied (by evidence on oath) that the witness is likely to be able to —

- (i) make on behalf of the prosecutor a written statement containing material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial;
 - (ii) produce on behalf of the prosecutor one or more documents or other exhibits likely to be material evidence for the purposes of proceedings for an offence for which a person has been sent to the Supreme Court for trial; or
 - (iii) do both of those things;
- (c) the justice is satisfied (by evidence on oath or in some other way) that —
- (i) the witness has been duly served with the summons; and
 - (ii) a reasonable sum has been paid or offered to the witness for costs and expenses; and
- (d) it appears to the justice that there is no just excuse for the failure.
- (7) If this sub-paragraph applies, the justice may issue a warrant to —
- (a) arrest the witness; and
 - (b) bring the witness before a justice at the time and place specified in the warrant.
- (8) Sub-paragraph (9) applies if —
- (a) a summons is issued under sub-paragraph (3) or a warrant is issued under sub-paragraph (5) or (7); and
 - (b) the summons or warrant is issued with a view to securing that the evidence of the witness is taken as a deposition.
- (9) If this sub-paragraph applies, the time appointed in the summons (or specified in the warrant) must be appointed (or specified) so that the evidence can be taken as a deposition before the time by which copies of evidence must be served and forwarded under paragraph 8.
- (10) Sub-paragraphs (11) to (14) apply if a person attending (or brought) before a justice in pursuance of this paragraph refuses (without just excuse) to —
- (a) have evidence taken as a deposition;
 - (b) produce the documents or other exhibits; or
 - (c) do either of those things.
- (11) If this sub-paragraph applies, the justice may commit the witness to custody.

(12) A committal under sub-paragraph (11) must be ended once —

- (a) if the witness had attended (or been brought) before a justice for evidence to be taken as a deposition, that evidence has been taken as a deposition;
- (b) if the witness had attended (or been brought) before a justice to produce one or more documents or other exhibits, the documents or other exhibits have been produced;
- (c) if the witness had attended (or been brought) before a justice to do both of those things, both of those things have been done.

(13) A committal under sub-paragraph (11) also comes to an end after the witness has been in custody on that committal for a period of 1 month.

(14) If this sub-paragraph applies —

- (a) the justice may (instead of or as well as committing the witness to custody) impose a fine of up to level 5 on the standard scale on the witness;
- (b) that fine is to be treated as being a sum adjudged to be paid by a conviction.

(15) Sub-paragraph (16) applies to a person if either or both of the following things have been done —

- (a) the person has been committed to custody under sub-paragraph (11);
- (b) a fine has been imposed on the person under sub-paragraph (14).

(16) A person to whom this sub-paragraph applies may appeal to a Supreme Court judge against the committal or fine (or both of them).

(17) An appeal under sub-paragraph (16) —

- (a) may be made and dealt with —
 - (i) in writing; or
 - (ii) orally; and
- (b) if dealt with in writing, may be dealt with by the Supreme Court judge while outside the Falkland Islands.

(18) If, in pursuance of this paragraph, a person has evidence taken as a deposition, the justice before whom the deposition was taken must arrange for copies of the deposition to be sent (as soon as is reasonably practicable) to —

- (a) the prosecutor; and
- (b) the Supreme Court.

(19) If, in pursuance of this paragraph, a person produces an exhibit which is a document, the justice to whom the document was produced must arrange for copies of the document to be sent (as soon as is reasonably practicable) to —

- (a) the prosecutor; and
- (b) the Supreme Court.

(20) If, in pursuance of this paragraph, a person produces an exhibit which is not a document, the justice to whom the exhibit was produced must arrange for the following information to be provided to the prosecutor and the Supreme Court as soon as is reasonably practicable —

- (a) the fact that the exhibit has been produced; and
- (b) the nature of the exhibit.

17. Use of depositions as evidence

(1) Unless sub-paragraph (2) applies, a deposition taken under paragraph 16 may (without further proof) be read as evidence of the person from whom it was taken on the trial of an accused person for —

- (a) an offence for which he was sent to the Supreme Court for trial; or
- (b) another offence arising out of the same transaction or set of circumstances.

(2) This sub-paragraph applies (and a deposition may not be read as evidence) if one or more of the following apply —

- (a) it is proved that the deposition was not signed by the justice by whom it purports to have been signed;
- (b) the Supreme Court judge presiding over the trial orders that the deposition is not to be read as evidence; or
- (c) a party to the proceedings objects to the deposition being read as evidence, unless the Supreme Court judge presiding over the trial —
 - (i) considers that the interests of justice require that the objection should have no effect; and
 - (ii) orders that the deposition may be read as evidence.

PART 4
POWERS OF SUPREME COURT TO DEAL WITH SUMMARY OFFENCES

18. Application of Part 4

This Part applies whenever the Summary Court or the Magistrate's Court has sent a person to the Supreme Court for trial in respect of offences that include one or more summary offences.

19. Procedure following conviction on indictment or if no offence that must be tried on indictment remains

(1) This paragraph applies to a summary offence if —

- (a) a person was sent to the Supreme Court for trial in respect of it;
- (b) that person (or another person) has been convicted of one or more offences on an indictment;
- (c) the Supreme Court judge considers that the summary offence is a linked offence in relation to one or more of those offences; and
- (d) no trial has commenced in the Supreme Court in respect of the summary offence.

(2) This paragraph also applies to a summary offence if —

- (a) a person was sent to the Supreme Court for trial in respect of it;
- (b) no plea has been entered in relation to it (either by the person or on the person's behalf); and
- (c) the person is charged on an indictment which (following amendment of the indictment, as a result of an application for dismissal or for any other reason) no longer includes an indictment-only offence.

(3) If the person was sent to the Supreme Court in respect of more than one summary offence, the provisions of this paragraph must be applied to each of the summary offences separately.

(4) If this paragraph applies to a summary offence, the Supreme Court judge must —

- (a) state to the person the substance of it; and
- (b) ask the person to plead guilty or not guilty to the offence.

(5) Sub-paragraph (6) applies to a summary offence if either —

- (a) the person pleads guilty to it; or
- (b) a plea of guilty to it is entered on the person's behalf under paragraph 20(2)(b).

- (6) If this sub-paragraph applies to a summary offence, the Supreme Court judge —
- (a) must convict the person of it; and
 - (b) may deal with the person in respect of it.
- (7) The remaining provisions of this paragraph apply to a summary offence unless either —
- (a) the person pleads guilty to it; or
 - (b) a plea of guilty to it is entered on the person's behalf under paragraph 20(2)(b).
- (8) If this sub-paragraph applies to a summary offence, the Supreme Court judge must ask the prosecution if it intends to submit evidence on the charge relating to it.
- (9) If the prosecution inform the court that they do not intend to submit evidence on the charge, the Supreme Court must dismiss it.
- (10) If the prosecution inform the court that they do intend to submit evidence on the charge —
- (a) the powers of the Supreme Court cease in respect of the summary offence; and
 - (b) the Supreme Court must inform the Summary Court or the Magistrate's Court about the outcome of the proceedings under this paragraph.

20. Power of Supreme Court to proceed in absence of accused person in certain circumstances

- (1) Proceedings before the Supreme Court under paragraph 19 may take place in the absence of an accused person if —
- (a) the accused is represented by a legal practitioner;
 - (b) either —
 - (i) the Supreme Court judge conducting the proceedings considers that, by reason of the person's disorderly conduct before the court, it is not practicable for the proceedings to be conducted in the person's presence; or
 - (ii) the accused person's legal representative signifies to the court that the accused person consents to the proceedings being conducted in the person's absence; and
 - (c) the Supreme Court judge considers that the proceedings should continue in the accused person's absence.
- (2) If proceedings do take place in the absence of the accused person, the Supreme Court judge —

- (a) must state the substance of the summary offence to the accused person's legal representative (instead of stating it to the accused person); and
 - (b) ask the legal representative to enter a plea of guilty or not guilty to it on behalf of the accused person.
- (3) If the legal representative enters a plea of guilty on behalf of the accused person, the Supreme Court will proceed under paragraph 19 as if —
- (a) the substance of the summary offence had been stated to the accused person; and
 - (b) the accused person had pleaded guilty to it.
- (4) Unless the legal representative enters a plea of guilty on behalf of the accused person, the Supreme Court will proceed under paragraph 19 as if —
- (a) the substance of the summary offence had been stated to the accused person; and
 - (b) the accused person had not pleaded guilty to it.

21. Procedure following successful appeal against conviction for offence tried on indictment

- (1) Sub-paragraph (2) applies to a summary offence if —
- (a) a person was convicted of it under paragraph 19(6)(a); but
 - (b) an appeal court allows an appeal against conviction of an offence tried on indictment in relation to which it was a linked offence (or all of the offences tried on indictment in relation to which it was a linked offence, if there was more than one).
- (2) If this sub-paragraph applies —
- (a) the proceedings before the Supreme Court in relation to the summary offence must be disregarded for all purposes;
 - (b) the appeal court must —
 - (i) set aside the person's conviction of the summary offence; and
 - (ii) notify the Summary Court or the Magistrate's Court that it has done so;
 - (c) the appeal court may direct that no further proceedings are to be undertaken in relation to the summary offence;
 - (d) if the appeal court does that, it must notify the Summary Court or the Magistrate's Court about the direction."

Passed by the Legislature of the Falkland Islands on 21 February 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Falkland Islands Development Corporation Ordinance 2013

(No: 4 of 2013)

ARRANGEMENT OF PROVISIONS

Section

PART 1: INTRODUCTION

1. Title
2. Commencement
3. Interpretation

PART 2: FIDC'S CORPORATE STATUS

4. Continued existence of FIDC as body corporate
5. Further provisions about FIDC's corporate status

PART 3: FIDC's PURPOSES

6. FIDC's purposes

PART 4: FIDC BOARD

7. FIDC Board
8. Board members (with power to vary numbers)
9. Appointments and co-options: further provisions
10. Further provisions about the FIDC Board

PART 5: FIDC EMPLOYEES

11. Managing Director
12. Financial Controller
13. Other FIDC employees
14. Secretary

15. Further provisions about FIDC employees

PART 6: INTERNAL GOVERNANCE

16. Duties to ensure good corporate governance
17. Manual of policies and procedures
18. Delegation of functions (delegated authority)

PART 7: FINANCIAL PROVISIONS

19. Business plan and budget (with power to vary size of variation to budget for which approval required)
20. Subvention requests
21. Duty to keep proper financial records
22. Audit
23. Duty to prepare, etc annual report and financial statements

PART 8: RESERVE POWERS

24. Reserve powers

PART 9: OTHER SUBSIDIARY LEGISLATION

25. Other subsidiary legislation

PART 10: REPEAL AND TRANSITIONAL ARRANGEMENTS

26. Repeal (and power to make transitional arrangements)

Schedule 1: Further provisions about FIDC's corporate status

Schedule 2: Further provisions about the FIDC board and its members

Schedule 3: Further provisions about FIDC employees

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

FALKLAND ISLANDS DEVELOPMENT CORPORATION ORDINANCE 2013

(No: 4 of 2013)

(assented to: 26 February 2013)
(commencement: see section 2)
(published: 28 February 2013)

AN ORDINANCE

To provide for the Falkland Islands Development Corporation to continue in existence as a body corporate; to make new provision for its purposes, management, operations and internal governance; and for connected purposes.

ENACTED by the Legislature of the Falkland Islands —

**PART 1
INTRODUCTION**

1. Title

This Ordinance is the Falkland Islands Development Corporation Ordinance 2013.

2. Commencement

(1) This Ordinance comes into force on a date appointed by the Governor by notice published in the *Gazette*.

(2) The Governor may appoint different dates for different provisions to come into force.

3. Interpretation

In this Ordinance —

“delegated authority” means authority in relation to a function of the FIDC Board that has been delegated under section 18(1);

“FIDC” means the body corporate known as the Falkland Islands Development Corporation that —

(a) was originally established by section 3 of the Falkland Islands Development Corporation Ordinance (Title 28.1); and

(b) continues in existence under section 4 of this Ordinance;

“FIDC Board” means the board provided for in section 7;

“Financial Controller” means the person appointed as Financial Controller under section 12;

“Managing Director” means the person appointed as Managing Director under section 11(1);

“Manual” means the Manual about policies and procedures provided for in section 17;

“MLA” means either —

(a) an elected member of the Legislative Assembly; or

(b) during the period between a dissolution of the Legislative Assembly and the next meeting of the Legislative Assembly after that dissolution, a person who was an elected member of the Legislative Assembly immediately before that dissolution took place; and

“Secretary” means the person appointed as Secretary under section 14(1).

PART 2 FIDC’S CORPORATE STATUS

4. Continued existence of FIDC as body corporate

FIDC continues to be a body corporate.

5. Further provisions about FIDC’s corporate status

Schedule 1 contains further provisions about FIDC’s corporate status.

PART 3 FIDC’S PURPOSES

6. FIDC’s purposes

FIDC’s purposes are —

(a) to advise on and implement the economic strategies of the Falkland Islands Government; and

(b) to take what further steps are required to ensure the successful development of businesses and a positive business environment in the Falkland Islands.

PART 4
FIDC BOARD

7. FIDC Board

Overall management of FIDC and its affairs is to be exercised by a board, to be known as either the Falkland Islands Development Corporation Board or the FIDC Board.

8. Board members (with power to vary numbers)

(1) The members of the FIDC Board are to be as follows —

- (a) an appointed Chair;
- (b) an appointed Vice-Chair;
- (c) one appointed member;
- (d) one MLA, nominated by MLAs collectively;
- (e) the Chief Executive; and
- (f) up to 4 co-opted members.

(2) In subsection (1) —

“appointed” means appointed by the Governor; and

“co-opted” means co-opted by the FIDC Board.

(3) The Governor may amend subsection (1) by order to vary the following numbers —

- (a) the number of members to be appointed under subsection (1)(c);
- (b) the number of MLAs to be nominated under subsection (1)(d);
- (c) the maximum number of co-opted members specified in subsection (1)(f).

9. Appointments and co-options: further provisions

(1) Appointments may only be made following a fair, objective and transparent process.

(2) When co-opting members, the FIDC Board must ensure that —

- (a) there is adequate consultation with each significant commercial sector of the Falkland Islands economy (which may include consultation with bodies representing them); and
- (b) each of those sectors will be represented on the FIDC Board (whether by appointment or co-option) by a person with suitable knowledge and experience of it.

(3) The Governor may make regulations about —

- (a) the periods for which members are appointed or co-opted to the FIDC Board (which may be different for different members or categories of members);
- (b) the extent to which the terms for which members of the FIDC Board serve are to be staggered.

10. Further provisions about the FIDC Board

Schedule 2 contains further provisions about the FIDC Board, its members and its procedures.

**PART 5
FIDC EMPLOYEES**

11. Managing Director

- (1) The FIDC Board must appoint a person to be the Managing Director of FIDC.
- (2) The FIDC Board is responsible for ensuring that there is a fair, objective and transparent process for the appointment of the Managing Director.

12. Financial Controller

FIDC must have a Financial Controller appointed —

- (a) either by the FIDC Board or under delegated authority; and
- (b) in accordance with applicable requirements in the Manual.

13. Other FIDC employees

Apart from the Managing Director and the Financial Controller, other FIDC employees may be appointed —

- (a) either by the FIDC Board or under delegated authority; and
- (b) in accordance with applicable requirements in the Manual.

14. Secretary

- (1) The FIDC Board must appoint a person to be the Secretary of FIDC.
- (2) In addition to functions given to the Secretary by this Ordinance (or subsidiary legislation made under it), the Secretary must carry out corporate functions and duties as directed, either by the FIDC Board or under delegated authority.

15. Further provisions about FIDC employees

Schedule 3 contains further provisions about FIDC employees.

**PART 6
INTERNAL GOVERNANCE**

16. Duties to ensure good corporate governance

- (1) The FIDC Board is under a duty to ensure the good corporate governance of FIDC.

(2) The FIDC Board is also under a duty to ensure that FIDC exercises its powers in ways that are —

(a) consistent with —

(i) this Ordinance;

(ii) subsidiary legislation made under it; and

(iii) the policies and procedures set out in the Manual; and

(b) economical, efficient and effective.

17. Manual of policies and procedures

The FIDC Board is under a duty to adopt (and keep under review) a Manual detailing the policies and procedures for FIDC's internal governance.

18. Delegation of functions (delegated authority)

(1) The Board may delegate authority in relation to some or all of its functions (either on specific occasions or generally) to the extent that the delegation is not inconsistent with applicable requirements in the Manual.

(2) When delegating authority, the Board may —

(a) impose limits or conditions on the exercise of that delegated authority; and

(b) allow for delegated authority to be delegated further (and may impose limits or conditions on that further delegation).

(3) Anything done under delegated authority is as valid and effective as if it had been done by the Board directly.

PART 7 FINANCIAL PROVISIONS

19. Business plan and budget (with power to vary size of variation to budget for which approval required)

(1) The FIDC Board is under a duty to ensure that —

(a) FIDC has —

(i) a business plan; and

(ii) a budget;

(b) that they are approved by the Governor; and

(c) that they are kept under review.

(2) FIDC must not —

- (a) engage in activities that are not provided for in its business plan; or
- (b) enter into transactions that are not provided for in its budget.

(3) The FIDC Board may vary the business plan or budget (or both of them) without first seeking approval from the Governor (but not if the variation would be significant).

(4) A variation to the budget is to be treated as being one that would be significant if, following the variation, the cumulative change to the budget would be more than 10% from the last budget approved by the Governor.

(5) The Governor may make an order amending subsection (3) to vary the percentage of the maximum cumulative variation allowed before approval must be sought.

20. Subvention requests

(1) The Financial Secretary may invite FIDC in advance of a financial year to submit a request for funds that FIDC requires the Falkland Islands Government to provide so that FIDC can carry out its activities for that financial year.

(2) The Financial Secretary may issue guidelines about —

- (a) how the request must be submitted; and
- (b) how it will be dealt with.

(3) FIDC must submit its request for funds to the Financial Secretary in accordance with guidelines issued by the Financial Secretary.

21. Duty to keep proper financial records

(1) The FIDC Board is under a duty to ensure that proper financial records are kept of FIDC's revenue and expenditure.

(2) The Manual must contain provisions dealing with how those financial records are to be kept.

22. Audit

(1) The FIDC Board is under a duty to ensure that arrangements are in place for FIDC's financial records and statements to be audited.

(2) The arrangements must satisfy the requirements of section 80 of the Constitution.

(3) As far as consistent with those requirements, the arrangements must —

- (a) ensure that FIDC's financial records and financial statements produced from those financial records are audited by an auditor who is —
 - (i) suitably qualified and experienced; and

(ii) external to both FIDC and the Falkland Islands Government (but this does not prevent FIDC and the Falkland Islands Government both being audited by the same external auditor);

(b) provide value for money.

23. Duty to prepare, etc annual report and financial statements

(1) Following the end of each financial year, FIDC must prepare an annual report and financial statements, consisting of —

(a) a report on —

(i) its activities during the financial year; and

(ii) the corporate governance of FIDC during the financial year.

(b) its financial statements for the financial year, which must be audited in accordance with the arrangements made under section 22.

(2) The Secretary must —

(a) send copies of the annual report and financial statements to —

(i) the Governor; and

(ii) the Clerk of the Legislative Assembly; and

(b) arrange for copies of them to be made available to the public.

(3) The Chief Executive must lay copies of the annual report and financial statements on the Table of the Legislative Assembly at its next meeting after they have been sent to the Governor and the Clerk of the Legislative Assembly.

PART 8 RESERVE POWERS

24. Reserve powers

(1) The Governor may make regulations about —

(a) reserve powers that may be exercised in relation to FIDC, its management and activities; and

(b) the circumstances in which those powers may be exercised.

(2) Those regulations may provide for reserve powers to include the power to make further subsidiary legislation.

**PART 9
OTHER SUBSIDIARY LEGISLATION**

25. Other subsidiary legislation

The Governor may make other subsidiary legislation that is necessary or convenient for the purposes of this Ordinance.

**PART 10
REPEAL AND TRANSITIONAL ARRANGEMENTS**

26. Repeal (and power to make transitional arrangements)

- (1) The Falkland Islands Development Corporation Ordinance (Title 28.1) is repealed.
- (2) The Governor may make subsidiary legislation dealing with arrangements for the transition from the repealed Ordinance to this Ordinance.

**SCHEDULE 1
FURTHER PROVISIONS ABOUT FIDC'S CORPORATE STATUS**

1. FIDC as body corporate

As a body corporate, FIDC may —

- (a) acquire, hold and dispose of real and personal property; and
- (b) sue and be sued.

2. FIDC's powers

- (1) FIDC has power to do all things that are necessary or convenient for (or in connection with) fulfilling its purposes.
- (2) The Governor may make subsidiary legislation about FIDC's powers and how they are exercised.

3. Corporate seal

- (1) FIDC must continue to have a seal (but the Governor may make an order dispensing with this requirement).
- (2) Unless the requirement for FIDC to have a seal has been dispensed with —
 - (a) the Secretary is to have custody of the seal; and
 - (b) the Secretary is under a duty to ensure that the seal is kept safely and securely.

4. Contract formalities, etc

The Governor may make regulations about —

- (a) the formalities required in relation to contracts entered into by FIDC or on its behalf; and
- (b) requirements for authenticating the application of FIDC's seal to documents.

5. FIDC separate from Crown and FIG

(1) FIDC is neither —

- (a) part of either the Crown or the Falkland Islands Government; nor
- (b) a servant or agent of either of them;

(2) FIDC's property is neither —

- (a) property of either the Crown or the Falkland Islands Government; nor
- (b) property held on behalf of either of them.

(3) FIDC does not enjoy any status, immunity or privilege of the Crown.

6. Exclusion of personal liability

(1) Subsection (2) applies to —

- (a) members of the FIDC Board; and
- (b) FIDC employees.

(2) No-one to whom this subsection applies is to be personally liable for anything that person does under the provisions of this Ordinance, provided that it is done —

- (a) in good faith; and
- (b) without negligence.

SCHEDULE 2

FURTHER PROVISIONS ABOUT THE FIDC BOARD AND ITS MEMBERS

1. Power to make regulations about removal of Board members

The Governor may make regulations about the circumstances in which members of the FIDC Board can be removed and the procedures to be followed in those circumstances.

2. Remuneration of Board members

(1) Members of the FIDC Board may be —

- (a) remunerated for their services to FIDC; and
- (b) reimbursed for expenses they incur in the course of their duties.

(2) The remuneration and reimbursement of Board members must be consistent with applicable provisions in the Manual.

3. Code of Conduct

(1) The FIDC Board is under a duty to adopt (and keep under review) a Code of Conduct for members of the FIDC Board.

(2) The Code of Conduct must include provisions dealing with —

- (a) declarations of interests by members of the FIDC Board; and
- (b) the handling of conflicts of interest that they might have.

(3) The Code of Conduct may include different provisions for different categories of Board members.

4. Only Board members may vote

Only members of the FIDC Board may vote on its decisions.

5. Those entitled to attend (and speak at) Board meetings (but not to vote)

(1) The following persons are not members of the FIDC Board but have the right to attend meetings of the Board and to speak at those meetings —

- (a) the Managing Director;
- (b) the Financial Controller; and
- (c) the Financial Secretary (or a representative of the Financial Secretary).

(2) The FIDC Board may invite others to attend (and speak at) one or more of its meetings (or part of a meeting).

6. Those entitled to attend Board meetings (but not to speak or vote)

(1) If the Secretary would not otherwise be entitled to attend a meeting of the Board, the Secretary may attend (but not speak at) the meeting to take the minutes of the meeting.

(2) The FIDC Board may invite another person to attend (but not speak at) one or more of its meetings to take minutes instead of the Secretary.

(3) The FIDC Board may invite others to attend (but not speak at) one or more of its meetings (or part of a meeting).

7. Board procedures

For all other matters, the FIDC Board may adopt its own procedures.

8. Vacancies on Board

(1) The validity of anything done by FIDC Board will not be affected even if there are one or more vacancies on it.

(2) However, that does not allow a meeting to be held without a quorum provided for in the Board's procedures.

SCHEDULE 3
FURTHER PROVISIONS ABOUT FIDC EMPLOYEES

1. Terms and conditions for FIDC employees

(1) The terms and conditions of service of FIDC employees (including the Managing Director) are to be determined —

- (a) either by the FIDC Board or under delegated authority; and
- (b) in accordance with applicable requirements in the Manual.

(2) If an FIDC employee has a continuing contract with FIDC, that employee's terms and conditions of service may not be varied unless —

- (a) the contract allows for variation;
- (b) the employee consents (but consent may not unreasonably be withheld); or
- (c) the variation is allowed by another provision or rule of law.

2. Job descriptions and person specifications

(1) The FIDC Board is under a duty to adopt (and keep under review) job descriptions and person specifications that are approved by the Governor for key FIDC employees (including the Managing Director and the Financial Controller).

(2) The Governor may by order designate other FIDC employees (in addition to the Managing Director and the Financial Controller) as key ones for whom job descriptions and person specifications must be adopted (and kept under review) by the FIDC Board and approved by the Governor.

3. Employees' interests

(1) The Manual must include provisions about —

- (a) declarations of interests by FIDC employees; and
- (b) the handling of conflicts of interest that they might have.

(2) The Manual may include different provisions for different categories of employees.

Passed by the Legislature of the Falkland Islands on 21 February 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Eight pound and twenty pence.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

2 May 2013

No. 4

The following are published in this Supplement –

Falkland Islands Development Corporation (Transitional Provisions) Order 2013 (SR&O No 6 of 2013);

Falkland Islands Development Corporation (Contracts and Sealing) Regulations 2013 (SR&O No 7 of 2013);

Falkland Islands Development Corporation (Reserve Powers) Regulations 2013 (SR&O No 8 of 2013);

Falkland Islands Development Corporation (Appointment, Co-Option and Removal of Board Members) Regulations 2013 (SR&O No 9 of 2013); and

Telecommunications (Amendment) Bill 2013.

SUBSIDIARY LEGISLATION

ECONOMIC DEVELOPMENT

Falkland Islands Development Corporation (Transitional Provisions) Order 2013

S. R. & O. No: 6 of 2013

Made: 8 April 2013

Published: 2 May 2013

Coming into force: see article 2

I make the following order under section 26(2) of the Falkland Islands Development Corporation Ordinance (No 4 of 2013) on the advice of Executive Council.

1. Title

This order is the Falkland Islands Development Corporation (Transitional Provisions) Order 2013.

2. Commencement

This order comes into force on a date appointed by the Governor by notice published in the *Gazette*.

3. Interpretation

In this order —

“the old Ordinance” means the Falkland Islands Development Corporation Ordinance 1983 (Title 28.1); and

“the new Ordinance” means the Falkland Islands Development Corporation Ordinance 2013 (No 4 of 2013).

4. Transition from old Board to new Board

(1) Everyone who is a member of the FIDC Board immediately before the new Ordinance comes into force will remain a member of the FIDC Board while the process provided for in this regulation is being followed.

(2) The Governor must appoint a panel to make recommendations about the appointment of the Chair and Vice Chair of the FIDC Board and one other member of the FIDC Board.

(3) The panel must conduct a fair, objective and transparent process before making recommendations to the Executive Council about whom should be appointed to those positions.

(4) Executive Council must either —

(a) advise the Governor to make the appointments recommended by the panel; or

- (b) request the panel to repeat the process of making recommendations to it.
- (5) Either the Chair or the Vice Chair will be appointed until 30 June 2015 and the other will be appointed until 30 June 2017.
- (6) The other member of the FIDC Board will be appointed until 30 June 2017.
- (7) The first set of co-options to the FIDC Board will not be made by the FIDC Board but will be made by a committee consisting of —
 - (a) the person appointed to be the Chair of FIDC;
 - (b) the person appointed to be the Vice Chair of FIDC;
 - (c) the person appointed to be the other member of the FIDC Board;
 - (d) the Chief Executive; and
 - (e) one MLA, nominated by MLAs collectively;
- (8) That committee will co-opt —
 - (a) two persons to be members of the FIDC Board until 30 June 2015; and
 - (b) two persons to be members of the FIDC Board until 30 June 2017.
- (9) As soon as those co-options have been made —
 - (a) the new Board members take office; and
 - (b) anyone who was a member of the FIDC Board but who has not been appointed or co-opted will cease to be a member.

5. Managing Director

The person who is the General Manager of FIDC immediately before the new Ordinance comes into force is to be treated as having been appointed as Managing Director under section 11(1) of the new Ordinance.

6. Financial Controller

The person who is the Financial Controller of FIDC immediately before the new Ordinance comes into force is to be treated as having been appointed as Financial Controller under section 12 of the new Ordinance.

7. Secretary

The person who is the Secretary of FIDC immediately before the new Ordinance comes into force is to be treated as having been appointed as Secretary under section 14(1) of the new Ordinance.

8. Employees

(1) Paragraphs (2) and (3) apply to everyone who is an FIDC employee immediately before the new Ordinance comes into effect.

(2) The repeal of the old Ordinance and the coming into force of the new Ordinance does not affect the continuity of their employment with FIDC.

(3) Their terms and conditions of service will remain the same, unless those terms and conditions are later varied in accordance with paragraph 1 of Schedule 3 to the Ordinance.

9. Property and contracts

For the avoidance of doubt, neither FIDC's property nor its contracts are affected by the repeal of the old Ordinance and the coming into force of the new Ordinance.

Made 8 April 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE *(not part of the order)*

Section 26(1) of the Falkland Islands Development Corporation Ordinance 2013 (No 4 of 2013) ("the new Ordinance") repeals the Falkland Islands Development Corporation Ordinance 1983 (Title 28.1) ("the old Ordinance").

Section 26(2) of the 2013 Ordinance allows the Governor to make subsidiary legislation dealing with the arrangements for the transition from the old Ordinance to the new Ordinance. This Order makes those arrangements.

Article 4 deals with the transition from the existing FIDC Board to the new FIDC Board:

- The existing members of the FIDC Board will continue to hold office until the new members have been appointed and co-opted.
- The Chair, Vice Chair and one other member will be appointed after a recruitment process has been carried out by a panel appointed by the Governor. Those appointments will be staggered, so that one expires in 2015 and the other two expire in 2017.

- The appointed members, a Member of the Legislative Assembly and the Chief Executive of the Falkland Islands Government will form a committee to consult the private sector and co-opt 4 additional members to the FIDC Board. Again, these co-options will be staggered, so that two expire in 2015 and the other two in 2017.
- Once this process is complete, the new Board will take over from the old Board.

Articles 5 to 9 provides for continuity in relation to FIDC's employees (including its employed office-holders):

- under *article 5*, the current General Manager will become the new Managing Director;
- under *articles 6 and 7*, the Financial Controller and Secretary will remain in office;
- under *article 8*, FIDC's other employees will not be affected by the change from the old Ordinance to the new one; and
- under *article 9*, FIDC's property and contracts will not be affected either.

SUBSIDIARY LEGISLATION

ECONOMIC DEVELOPMENT

Falkland Islands Development Corporation (Contracts and Sealing) Regulations 2013

S. R. & O. No: 7 of 2013

Made: 8 April 2013

Published: 2 May 2013

Coming into force: see regulation 2

I make the following regulations under paragraph 4 of Schedule 1 to the Falkland Islands Development Corporation Ordinance (No 4 of 2013) on the advice of Executive Council.

1. Title

These regulations are the Falkland Islands Development Corporation (Contracts and Sealing) Regulations 2013.

2. Commencement

These regulations come into force on a date appointed by the Governor by notice published in the *Gazette*.

3. Contracts: formalities

- (1) This regulation deals with the formalities required for contracts being made by FIDC.
- (2) In the rest of this regulation, making a contract includes varying it or discharging it.
- (3) In the case of contracts being made by deed, FIDC must make them by means of a deed sealed in accordance with regulation 4.
- (4) In the case of contracts being made in writing (but not by deed), FIDC may make them by means of a document signed by a person who has express or implied authority to act on behalf of FIDC.
- (5) In the case of contracts being made in some other way, FIDC may make them through the actions of a person who has express or implied authority to act on behalf of FIDC.

4. Sealing of documents

- (1) FIDC's seal may only be applied to a document under —
 - (a) a resolution of the FIDC Board; or
 - (b) delegated authority.

(2) Whenever FIDC's seal is applied to a document, it must be authenticated with the signatures of—

(a) the Secretary; and

(b) a member of the FIDC Board.

5. Presumption of proper execution

(1) Paragraph (2) applies to a document if—

(a) it bears an impression of FIDC's seal; and

(b) it has been authenticated as required by regulation 4(2).

(2) If this paragraph applies to a document, that may be relied on as evidence that the document has been properly executed on behalf of FIDC.

Made 8 April 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Paragraph 4 of Schedule 1 to the Falkland Islands Development Corporation Ordinance 2013 (No 4 of 2013) allows the Governor to make regulations for the Falkland Islands Development Corporation (FIDC) about contract formalities and the sealing of documents.

These Regulations largely reproduce – but in more up to date language – provisions in the former Falkland Islands Development Corporation Ordinance (Title 28.1) about contracts and sealing. The main change is that the FIDC Board may now delegate its authority to allow FIDC's seal to be applied to a document.

SUBSIDIARY LEGISLATION

ECONOMIC DEVELOPMENT

Falkland Islands Development Corporation (Reserve Powers) Regulations 2013

S. R. & O. No: 8 of 2013

Made: 8 April 2013

Published: 2 May 2013

Coming into force: see regulation 2

I make the following regulations under section 24 of the Falkland Islands Development Corporation Ordinance (No 4 of 2013) on the advice of Executive Council.

1. Title

These regulations are the Falkland Islands Development Corporation (Reserve Powers) Regulations 2013.

2. Commencement

These regulations come into force on a date appointed by the Governor by notice published in the *Gazette*.

3. Interpretation

In these regulations, "PAC" means the Public Accounts Committee established by section 81(1) of the Constitution.

4. Circumstances in which reserve powers may be exercised

(1) The reserve powers in regulation 5 may only be exercised if one or more of the situations listed in this regulation exist.

(2) The first situation in which reserve powers may be exercised exists if the PAC or FIDC's auditors have recommended that intervention into the management or activities of FIDC is required.

(3) The second situation in which reserve powers may be exercised exists if—

(a) the PAC or FIDC's auditors have made a recommendation about FIDC, its management or its activities; and

(b) the Governor considers that either—

(i) proper regard is not being had to the recommendation; or

(ii) appropriate action is not being taken to deal with it;

(4) The third situation in which reserve powers may be exercised exists if—

(a) FIDC's accounts have been qualified by its auditors; and

(b) the Governor considers that intervention into the management or activities of FIDC is required to deal with that qualification.

(5) The fourth situation in which reserve powers may be exercised exists if the Governor (acting with discretion) considers that the interests of good governance require intervention into the management or activities of FIDC.

5. Reserve powers

(1) If one or more of the situations in which reserve powers may be exercised does exist—

(a) the Governor may issue directions to the FIDC Board requiring action to be taken (and the FIDC Board must comply with those directions); and

(b) the Governor may make subsidiary legislation to deal with the situation.

(2) If the fourth situation in which reserve powers may be exercised exists (because the Governor considers that the interests of good governance require intervention), the Governor may act with discretion in relation when deciding whether (and, if so, how) to exercise reserve powers under paragraph (1).

Made 8 April 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Section 24 of the Falkland Islands Development Corporation Ordinance 2013 (No 4 of 2013) allows the Governor to make regulations about:

(a) the circumstances in which reserve powers may be exercised in relation to the Falkland Islands Development Corporation (FIDC); and

(b) the reserve powers that may be exercised in those circumstances. about contract formalities and the sealing of documents.

Regulation 4 deals with the circumstances in which reserve powers may be exercised:

- if the Public Accounts Committee (PAC) or FIDC's auditors recommend intervention;
- if the PAC or FIDC's auditors have made a recommendation but the Governor (normally, acting on the advice of Executive Council) considers that not enough is being done to deal with it;
- if FIDC's accounts have been qualified and the Governor (normally, acting on the advice of Executive Council) considers that intervention is necessary to deal with it;
- if the Governor (acting with discretion) considers that good governance requires intervention.

Regulation 5 specifies what reserve powers exist in those circumstances:

- The Governor could issue binding directions to the FIDC Board.
- The Governor could make subsidiary legislation to deal with the situation – section 24(2) of the Ordinance specifically allows for these Regulations to include this further power to make subsidiary legislation.

Normally, the Governor would act on the advice of Executive Council in relation to the exercise of reserve powers. However, *article 5* confirms that the Governor may act with discretion if good governance requires intervention.

SUBSIDIARY LEGISLATION

ECONOMIC DEVELOPMENT

Falkland Islands Development Corporation (Appointment, Co-option and Removal of Board Members) Regulations 2013

S. R. & O. No: 9 of 2013

Made: 8 April 2013

Published: 2 May 2013

Coming into force: see regulation 2

I make the following regulations under section 9(3) of the Falkland Islands Development Corporation Ordinance (No 4 of 2013) and paragraph 1 of Schedule 2 to the Falkland Islands Development Corporation Ordinance on the advice of Executive Council.

1. Title

These regulations are the Falkland Islands Development Corporation (Appointment, Co-option and Removal of Board Members) Regulations 2013.

2. Commencement

These regulations come into force on a date appointed by the Governor by notice published in the *Gazette*.

3. Appointments

(1) The appointed members of the FIDC Board are to be appointed for terms of 4 years, expiring at the end of 30 June in odd numbered years.

(2) The terms of the Chair and the Vice Chair are to expire in alternate odd numbered years.

(3) If an appointment comes to an end before the expiry of the term for it was made, either —

(a) a replacement appointment may be made to that position for the balance of the appointment that came to an end; or

(b) if that would result in an appointment being made for a period of 6 months or less, a replacement appointment may be made to that position until the next date on which an appointment to that position would expire (for a term of up to 4 years and 6 months).

4. Co-options

(1) The co-opted members of the FIDC Board are to be co-opted for terms of 4 years, expiring at the end of 30 June in odd numbered years.

(2) As nearly as possible, half of the co-options are to expire in each alternate odd numbered year.

- (3) If a co-option comes to an end before the expiry of the term for it was made, either —
- (a) a replacement co-option may be made to that position for the balance of the co-option that came to an end; or
 - (b) if that would result in a co-option being made for a period of 6 months or less, a replacement co-option may be made to that position until the next date on which a co-option to that position would expire (for a term of up to 4 years and 6 months).

5. Removal of Board members

- (1) A person appointed to the FIDC Board by the Governor may only be removed from the Board by the Governor.
- (2) A person co-opted to the FIDC Board may only be removed from the Board by a decision of the other members of the FIDC Board.
- (3) In either case —
- (a) a person may only be removed from the FIDC Board following a fair process appropriate to the circumstances; but
 - (b) if the circumstances require, the person may be suspended from the FIDC Board while that process is underway.

Made 8 April 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Section 9(3) of the Falkland Islands Development Corporation Ordinance 2013 (No 4 of 2013) allows the Governor to make regulations about appointments and co-options to the Board of the Falkland Islands Development Corporation (the FIDC Board). Paragraph 1 of Schedule 2 to the Ordinance also allows the Governor to make regulations about the removal of Board members.

Regulations 3 and 4 provide for two 4 year cycles for ending on 30 June (the last day of the financial year in alternate odd-numbered years. They also provide that casual vacancies will

normally only be filled for the remainder of the term (but there is provision to deal with situations in which the remaining term is 6 months or less).

In other words, a process of appointment and co-option will take every 2 years (in 2015, 2017, etc) and approximately half of the positions on the Board will come up for appointment/co-option on each occasion.

Telecommunications (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

1. Title
2. Commencement
3. Amendment of the Telecommunications Ordinance
4. Section 2 amended – Interpretation
5. Section 2A amended – Regulator)
6. Section 2B amended – Telecommunications Appeals Panel
7. Section 10 amended – Functions and powers of telecommunications utility
8. Section 11C amended – Failure to provide information: penalties
9. Section 45 substituted
10. Section 46 substituted
11. New sections 46A to 46H
12. Schedule 1 repealed

TELECOMMUNICATIONS (AMENDMENT) BILL 2013

(No: of 2013)

(assented to: 2013)

(commencement on publication)

(published: 2013)

A BILL

for

AN ORDINANCE

To further amend the Telecommunications Ordinance (Title 70.1).

BE IT ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Telecommunications (Amendment) Ordinance 2013.

2. Commencement

This Ordinance comes into force upon publication in the Gazette.

3. Amendment of the Telecommunications Ordinance

This Ordinance amends the Telecommunications Ordinance.

4. Section 2 amended – Interpretation

(1) This section amends section 2.

(2) The following definition is inserted after the definition of “Panel” —

““price-capped service” has the meaning given to it by section 45(1);”

(3) The following definitions are inserted after “radio communications equipment” —

““retail price-cap” has the meaning given to it by section 45(1);

“RID” has the meaning given to it by section 45(1);”.

5. Section 2A amended – Regulator

Section 2A(5) is amended by —

(a) omitting “or” at the end of paragraph (a); and

(b) inserting the following paragraph after paragraph (a) —

“(aa) the Governor’s power to make subsidiary legislation under section 46B; or”

6. Section 2B amended – Telecommunications Appeals Panel

Section 2B(3)(a) is amended by omitting “section 11D” and substituting “sections 11D and 46G”.

7. Section 10 amended – Functions and powers of telecommunications utility

Sections 10(2) and 10(3) are repealed.

8. Section 11C amended – Failure to provide information: penalties

Section 11C(5) is repealed.

9. Section 45 substituted

Section 45 is repealed and the following section substituted —

“45. Retail price-cap: definitions, etc

(1) In sections 46 to section 46F —

“price-capped service” means a service that is subject to the retail price-cap;”

““retail price-cap” means the retail price control mechanism set out in chapter 2 of the RID; and

“RID” means the Revised Implementation Document dated 26 September 2012, referred to in a Memorandum of Understanding dated 27 September 2012 and entered into between the Falkland Islands Government and Cable & Wireless South Atlantic Limited.

(2) A telecommunications utility is entitled (and is to be treated as if it had been since 1 April 2011) to make payments for the provision of support services to a head office or parent company which is outside the Falkland Islands and those payments may be up to 8% of the utility’s net revenue within the Falkland Islands.

(3) None of the following will be included as a cost of a telecommunications utility for the purposes of assessing compliance with the retail price-cap or when the retail price-cap is being reviewed —

(a) penalties imposed under section 11C(2);

(b) penalties imposed under section 46F(2);

(c) the cost of complying with undertakings under section 46E(2)(b), 46G(4)(c) or 46G(4)(d).”

10. Section 46 substituted

Section 46 is repealed and the following section substituted —

“46. Retail price-cap: period of operation

The retail price-cap is to be treated as if it has had effect since 1 April 2011 and continue to apply until at least 31 March 2015.”

11. New sections 46A to 46H

The following sections are inserted after section 46 —

“46A. Retail price-cap: review

(1) The retail price-cap will be reviewed and changes may be made to it (but changes may only take effect from or after 1 April 2015).

(2) Changes to the retail price-cap —

(a) must take account of conditions expected at and beyond April 2015;

(b) may not penalise a telecommunications utility for efficiency gains that have arisen from the operation of the retail price-cap; and

(c) must ensure that a telecommunications utility is able to operate and maintain national and international telecommunications systems and services in the Falkland Islands —

(i) on an economic basis; and

(ii) with a reasonable return on its investment (taking into account the utility's expected cost of capital).

(3) Before changes are made to the retail price-cap —

(a) the telecommunications utility affected must be —

(i) consulted; and

(ii) given a reasonable period within which to make representations; and

(b) the Government must have regard to representations made by the utility within that period.

46B. Retail price-cap: power to make subsidiary legislation following review

(1) The Governor may make subsidiary legislation (which may amend this Ordinance) to implement changes to the retail price-cap made under section 46A.

(2) The Governor may not exercise that power before 1 April 2014.

(3) Before exercising that power, the Governor must —

(a) consult a telecommunications utility if it would be affected by the amendments;

(b) allow the utility a reasonable period within which to make representations; and

(c) have regard to representations made by the utility within that period.

(4) Subsidiary legislation made under this section may only come into force before 1 April 2015 to the extent necessary for the purpose of bringing it into operation from that date.

46C. Price list and recovery of charges

(1) A telecommunications utility must publish (and keep up to date) a price list for the price-capped services that it provides.

(2) The utility is entitled to make changes to its price list without seeking the prior approval of the Governor, the Government or the Regulator (but the utility is responsible for ensuring that it complies with the retail price-cap).

(3) When a utility provides price-capped services to a person, the utility is entitled to demand (and receive) payment from that person on the basis of its price list.

(4) When a utility provides other services (that are not subject to the retail price-cap) to a person, the utility is entitled to demand (and receive) payment from that person on the basis of whatever agreement had been reached with that person for the provision of the service.

46D. Compliance with retail price-cap

(1) A telecommunications utility is under a duty to ensure that it complies with the retail price-cap in relation to the prices of the price-capped services it provides.

(2) A utility must demonstrate compliance with the retail price-cap on an annual basis in accordance with the RID.

46E. Failure to comply with retail price-cap

(1) If the Government considers in accordance with the RID that there are grounds for believing that a telecommunications utility has failed to comply with the retail price-cap, the Government may give a notice in writing to the utility —

- (a) setting out the alleged failure to comply;
- (b) giving the utility a reasonable period to make representations to the Government.

(2) The utility's representations may include details of proposals to remedy the failure to comply by—

- (a) providing compensation to the customers affected by the failure; and
- (b) alternative remedies (other than the imposition of a penalty) that would benefit the utility's customers to at least an equivalent extent.

(3) The Government must consider —

- (a) representations made under subsection (1)(b); and
- (b) proposals made under subsection (2).

(3) If a utility is or has been in serious or repeated breach of the retail price-cap, the utility's licence may be revoked under Part 7.

46F. Failure to comply with retail price cap: penalties, etc

- (1) The rest of this section applies if the Government —
 - (a) has given a notice to a utility under section 46E(1);
 - (b) has considered representations and proposals made by the utility under section 46E(1)(b) and 46E(2); and
 - (c) is satisfied that the utility has failed to comply with the retail price-cap.
- (2) If this subsection applies, the Government may —
 - (a) impose a penalty on the utility that it determines to be both —
 - (i) appropriate; and
 - (ii) proportionate to the breach; or
 - (b) accept a binding undertaking from the utility to implement the proposals that it made under section 46E(2).
- (3) A penalty imposed under subsection (2)(a) must be expressed in terms of two elements —
 - (a) a compensatory element, the amount of which may not exceed the amount by which the Government considers the utility's revenues were in excess of the retail price-cap; and
 - (b) a punitive element (expressed as a percentage of the compensatory amount) of up to 100% of the compensatory element.
- (4) If the Government imposes a penalty on a utility under subsection (2)(a), it must notify the utility about —
 - (a) the Government's decision to impose a penalty;
 - (b) the Government's decision not to accept the proposals that the utility made under section 46E(2).
 - (c) the Government's decision about the amount of each element of the penalty;
 - (d) the reasons for each of those decisions;
 - (e) the total amount of the penalty; and
 - (f) the period within which the utility must pay that amount to the Government.

46G. Failure to comply with retail price-cap: appeals against penalties

- (1) A telecommunications utility may appeal to the Panel against one or more of the following —

- (a) the Government's decision to impose a penalty under section 46F(2)(a);
 - (b) the Government's decision not to accept the proposals that the utility made under section 46E(2).
 - (c) the amount of either or both elements of the penalty;
- (2) Notice of an appeal under subsection (1) must be given within 20 business days of the date of the notice under section 46F(4).
- (3) The notice of appeal must set out the full grounds of the appeal, including (in particular) whether it is contended that —
- (a) the decision appealed against is —
 - (i) based on an error of fact;
 - (ii) wrong in law; or
 - (iii) both; or
 - (b) the penalty imposed is disproportionate.
- (4) The Panel may —
- (a) uphold both the imposition of a penalty on the utility and the amount of the penalty imposed;
 - (b) uphold the imposition of a penalty on the utility but substitute a lower penalty for the one imposed;
 - (c) uphold the imposition of a penalty on the utility but substitute a lower penalty for the one imposed in return for a binding undertaking from the utility to implement the proposals it made under section 46E(2);
 - (d) overturn the decision to impose a penalty on the utility in return for a binding undertaking from the utility either—
 - (i) to implement the proposals it made under section 46E(2); or
 - (ii) to implement improved proposals;
 - (e) overturn the decision to impose a penalty on the utility entirely.
- (5) The decision of the Panel under subsection (4) is final (subject to the possibility of challenge by way of judicial review).

46H. Failure to comply with retail price-cap: payment of penalties

(1) A penalty imposed under section 46F(2) must be paid by the telecommunications utility within the period specified under 46F(4)(f).

(2) Subsection (1) does not apply if the utility appeals to the Panel under section 46G(1).

(3) If the Panel upholds the imposition of a penalty on the utility's appeal, the following become payable immediately —

(a) either —

(i) the penalty imposed under section 46F(2); or

(ii) if the Panel substituted a lower penalty under section 46G(4)(b) or section 46G(4)(c), that lower penalty; and

(b) interest on that amount from the day after the end of the period specified under section 46F(4)(f) until the day on which the Panel gives its decision.

(4) If an amount due under either subsection (1) or subsection (3) (or part of it) remains unpaid —

(a) it may be enforced as a statutory debt;

(b) interest (or further interest) must be added to the unpaid amount from the date by which it was to have been paid or the date on which it became payable until the date on which it is paid.

(5) The rate of interest that applies for the purposes of this section is the statutory interest rate fixed under section 7 of the Interest on Debts Ordinance (No 13 of 2002)."

12. Schedule 1 repealed

Schedule 1 is repealed.

OBJECTS AND REASONS

This Bill would amend the Telecommunications Ordinance (Title 70.1) to reflect an agreement reached between the Falkland Islands Government and Cable & Wireless to replace tariff-based price controls with a retail price-cap mechanism.

Clause 4 would insert new definitions into section 2 of the Ordinance cross-referring to the definitions in new section 45(1) – a new version of section 45 would be substituted by *clause 9*.

Clause 5 would amend section 2A(5) to exclude the Governor's proposed new power to make subsidiary legislation (under new section 46B, which would be inserted by *clause 11*) from the role of the Regulator. However, the Government's proposed new functions could (and, in practice, would) be carried out by the Regulator.

Similarly, although the legislation would continue to refer to an unnamed telecommunications utility, Cable & Wireless currently hold an exclusive licence to provide telecommunications services in the Falkland Islands. This means that, in practice, whenever “telecommunications utility” or “utility” are used, they are referring to Cable & Wireless.

Clause 6 would amend section 2B(3) to allow the Telecommunications Appeals Panel to deal with appeals relating to penalties for failure to comply with the retail price-cap.

Clause 7 would repeal sections 10(2) and section 10(3):

- For services in respect of which a maximum price is currently fixed in Schedule 1 (which would be repealed by *clause 12*), section 10(2) (which would be repealed by *clause 7*) currently makes it unlawful for a telecommunications utility to demand or receive payment for more than the maximum price. That provision would no longer apply at all under the new retail price-cap regime. However, the utility would be under a duty under new section 46D (which would be inserted by *clause 11*) to comply with the retail price-cap and to demonstrate that on an annual basis.
- For other services, section 10(3) (which would be repealed by *clause 7*) currently allows a telecommunications utility to recover agreed charges for the service. That provision would be re-enacted as new section 46C(4) (which would be inserted by *clause 11*).

Clause 8 would repeal section 11C(5), which provides that penalties imposed on a telecommunications utility for failure to provide information do not count as a cost of the utility for the purposes of section 46(3) (which would be repealed by *clause 10* and currently relates to arbitration over proposals to change Schedule 1, which would itself be repealed by *clause 12*). Similar provision would be made by new section 45(3)(a) (which would be inserted by *clause 9*).

Clause 9 would replace the existing version of section 45 (Subscriber to pay tariff and other listed charges) with a new version (Retail price-cap: definitions, etc).

The new version of section 45 would define three key terms (“price-capped services”, “retail price-cap” and “RID”) used in new sections 46 to 46H. It would also deal with two other aspects of the retail price-cap regime:

- Under new section 45(2) (which would be substituted by *clause 9* and the effect of which would be back-dated to 1 April 2011), the proportion of its net revenue that a telecommunications utility is entitled to remit to its head office or parent for support services would increase from 5% to 8% – the old rate of 5% is currently provided for in section 46(3).
- New section 45(3) would provide that penalties imposed on a utility for failure to provide information or for failing to comply with the retail price-cap will not be included for the purposes of the retail price-cap. It would also provide for the same to apply to compensation or benefits provided to customers instead of part or all of a penalty for failing to comply with the retail price-cap.

In the existing version of section 45 (which would be replaced by the new version under *clause 9*):

- Section 45(1) deals with the statutory tariff in Schedule 1 (which would be repealed by *clause 12*) and other charges or fees. The statutory tariff would be replaced by a price list for price-capped services and agreed charges for other services and these would be dealt with in new section 46C (which would be inserted by *clause 11*).
- The remainder deals with changes to the statutory tariff (which would no longer exist) and amendments to Schedule 1 (which would be repealed by *clause 12*).

Clause 10 would replace the existing version of section 46 (Arbitration as to tariff) with a new version (Retail price-cap: period of operation).

The new version of section 46 would provide for the retail price-cap to have back-dated effect from 1 April 2011 and for it to continue to operate until at least 31 March 2015.

The existing version of section 46 (which would be replaced by the new version under *clause 10*) deals with arbitration in relation to disputes about changes to the statutory tariff (which would no longer apply). However, the provisions of section 46(3) are replicated to some extent in new section 46A(2)(c) (which would be inserted by *clause 11*) and the maximum payment for support services would be increased from 5% of net revenues to 8% of net revenues by new section 45(2) (which would be inserted by *clause 9*).

Clause 11 would insert eight new sections (new sections 46A to 46H):

- New section 46A would provide for the retail price-cap to be reviewed. It would also allow for changes to be made to the retail price-cap and new section 46B would deal with the subsidiary legislation implementing those changes:
 - Under section 46A(1), the retail price-cap could be reviewed and changes made but no changes could be made until April 2015 at the earliest.
 - New section 46A(2) would provide for the basis on which changes would have to be made – this incorporates what is currently section 46(3) (which would be substituted by *clause 11*).
 - New section 46A(3) would provide for a process of consultation with the telecommunications utility about the changes to be made.
- New section 46B(1) would give allow the Governor to make subsidiary legislation to implement the changes and that subsidiary legislation could be used to make amendments to the Ordinance without the need for a further Bill. The amendment to section 2A (which would be made by *clause 5*) would mean that this power could not be exercised by the Regulator.

- Under new section 46B(2), the subsidiary legislation could not be made until 1 April 2014 at the earliest and new section 46B(4) would mean that, apart from preparatory steps, it could not come into force until 1 April 2015 at the earliest.
- New section 46B(3) would provide for further consultation with the telecommunications utility on the implementing legislation (separately from the consultation on the substantive changes).
- New section 46C would deal with prices and charges for the services provided by a telecommunication utility:
 - New section 46C(1) would replace the current statutory tariff in Schedule 1 (which would be repealed by *clause 12*) with a requirement for a telecommunications utility to have (and keep up to date) a published price list for its price-capped services.
 - New section 46C(2) would allow a telecommunications utility to change the prices of its price-capped services without having to seek regulatory approval in advance. However, the utility would have to make sure that its prices for price-capped services were set and maintained in such a way that the retail price-cap is complied with.
 - New section 46C(3) would allow a utility to charge for its price-capped services (and obtain payment for them) on the basis of the price list. This would replace the existing provision in section 45(1) (which would be repealed by *clause 9*).
 - New section 46C(4) would allow a utility to agree its charges with customers for services that are not covered by the retail price-cap. This would replace the existing provision in section 10(3) (which would be repealed by *clause 7*).
- New section 46D would deal with the obligation on a telecommunications utility to comply with the retail price-cap and to demonstrate compliance annually to the Government (in practice, to the Regulator):
 - New section 46D(1) would impose a statutory duty on the utility of complying with the retail price-cap.
 - Under new section 46D(2), the utility would be required each year to demonstrate to the Government (in practice, the Regulator) that it is complying with the retail price-cap. That would be carried out using a process set out in a Revised Implementation Document that was agreed between the Falkland Islands Government and Cable & Wireless. (The term “RID” refers to the Revised Implementation Document and would be defined in new section 45(1), which would be substituted by *clause 9*.)
- New sections 46E and 46F would deal with the process for dealing with a situation in which a telecommunications utility fails to comply with the retail price-cap:

- Under new section 46E(1), the first step would be for the Government (in practice, the Regulator) to serve a notice on the utility, describing the alleged failure and telling the utility how soon it must respond.
- The effect of new section 46E(2) would be that, as well as being able to make representations about the alleged failure itself, the utility could respond to the notice with proposals about how to compensate customers either directly or indirectly.
- Under new section 46E(3), the Government (in practice, the Regulator) would have to give consideration to those representations and/or proposals.
- New section 46E(4) makes it clear that serious or repeated breaches of the retail price-cap could result in the utility's licence being brought to an end – Part 7 of the Ordinance (which is not being amended) deals with the procedure that would apply in those circumstances.
- New section 46F(1) provides for further steps to be taken if the Government (in practice, the Regulator) is satisfied, even after considering the utility's representations, that the utility has indeed failed to comply with the retail price-cap.
- Under new section 46F(2), the Government (in practice, the Regulator) would have a choice about what further steps to take:
 - it could accept the utility's proposals (on the basis of a binding undertaking); or
 - it could impose a financial penalty.
- New section 46F(3) would provide for the amount of a penalty to be calculated in two parts:
 - a compensatory element, which could be up to the amount by which the utility's revenues from price-capped services of the retail price-cap;
 - a punitive element would be discretionary but which could be up to the same amount as the compensatory element on top of it – the percentage level of the punitive element would have to be based on an assessment by the Government (in practice, the Regulator) of the seriousness of the failure to comply and the reasons why it occurred.
- Under new section 46F(4), the utility would have to be given a notice about a penalty (if one is imposed) setting out: the decisions that have been taken, the reasons why they have been taken, the total amount of the penalty; and when it has to be paid.

- However, new section 46G would give a telecommunications utility the right to appeal against a penalty to the Telecommunications Appeal Panel (established under Part 1B of the Ordinance):
 - Under new section 46G(1), the utility could appeal against: a decision to impose a penalty at all; a decision to impose a penalty rather than accept proposals made by the utility to compensate customers (directly or indirectly) in some other way; and the amount of a penalty.
 - New section 46G(2) would give the utility 20 business days (effectively, 4 weeks) in which to bring an appeal.
 - Under new section 46G(3), the utility would have to spell out the grounds of its appeal and the outcome it would be seeking.
 - New section 46G(4) would give the Panel flexible powers in relation to the outcome of appeals. It could not increase the penalty but it could uphold it, reduce it or quash it. However, the Panel would also have two other alternative courses of action open to it:
 - it could decide to commute some or all of the penalty in return for a binding undertaking from the utility to implement its original compensation proposals; or
 - if the utility makes improved compensation proposals at the appeal stage, the Panel could commute the entire penalty in return for a binding undertaking to implement those improved proposals.
 - Under new section 46G(5), there would be no appeal (by either side) from the Panel's decision. The decision could still be challenged by means of a Judicial Review application to the Supreme Court (but the scope of judicial review is more limited than that of an appeal).
- New section 46H would deal with the payment of penalties imposed for failure to comply with the retail price-cap:
 - In the absence of an appeal, a penalty would be payable under new section 46H(1) within the period specified in the notice about the decision to impose a penalty.
 - However, the effect of new section 46H(2) would be to suspend the obligation to pay while an appeal is being dealt with. (However, the effect of new section 46H(3)(b) would be that interest might accrue during that time.)
 - Under new section 46H(3), a penalty would become payable immediately after an appeal if the Panel were to uphold it but, if the Panel reduces a penalty, only the reduced amount would be payable. Interest would be payable from when the penalty would originally have been due to be paid.

- New section 46H(4) would allow for unpaid penalties to be enforced and for interest to be payable on them.
- New section 46H(5), the interest rate on penalties would be the same as for unpaid debts under the Interest on Debts Ordinance (No 13 of 2002), which is 8% over the Bank of England's base lending rate. That is currently 0.5% per annum, so interest would currently be calculated at a rate of 8.5% per annum.

Clause 12 would repeal Schedule 1, which sets out the statutory tariff being replaced by the new retail price-cap regime.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Five pound and eighty pence.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

19 June 2013

No. 5

The following are published in this Supplement –

Supplementary Appropriation (2012-2013)(No 2) Ordinance 2013 (No 5 of 2013);

Appropriation Ordinance 2013 (No 6 of 2013);

Finance Ordinance 2013 (No 7 of 2013);

Telecommunications (Amendment) Ordinance 2013 (No 8 of 2013); and

Coins Order 2013 (SR&O No 10 of 2013).

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Supplementary Appropriation (2012-2013)(No 2) Ordinance 2013

(No: 5 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Withdrawal of additional sum
4. Replenishment of Contingencies Fund

Schedule

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

SUPPLEMENTARY APPROPRIATION (2012-2013)(No 2) ORDINANCE 2013

(No: 5 of 2013)

(assented to: 12 June 2013)

(commencement: on publication)

(published: 19 June 2013)

AN ORDINANCE

To authorise the withdrawal from the Consolidated Fund of the additional sum of £2,516,050.00 for the financial year ending 30 June 2013.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Supplementary Appropriation (2012-2013) (No 2) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the Gazette.

3. Withdrawal of additional sum

(1) The Financial Secretary may withdraw an additional sum of £2,516,050.00 from the Consolidated Fund.

(2) Any additional sum withdrawn under subsection (1) may be applied in the financial year ending 30 June 2013 in accordance with section 4 and the Schedule.

4. Replenishment of Contingencies Fund

If any sum has been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant number 6 of 2012-2013, the Financial Secretary will replenish the fund from the additional sum withdrawn under section 3.

SCHEDULE

Number	Head of Service	Amount £
	Operating Budget	
0110	Central Services	14,950.00
0200	Health, Social Services and Education	50,000.00
0450	Attorney General's Chambers	35,000.00
0550	Emergency Services	22,100.00
0600	Executive Management	290,000.00
0990	Fund Transfers and Transfer Payments	2,104,000.00
	Total Operating Budget	<u>2,516,050.00</u>
	Total Schedule	<u>2,516,050.00</u>

Passed by the Legislature of the Falkland Islands on 4 June 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Appropriation Ordinance 2013

(No: 6 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation

Schedule

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

APPROPRIATION ORDINANCE 2013

(No: 6 of 2013)

(assented to: 12 June 2013)
(commencement: on publication)
(published: 19 June 2013)

AN ORDINANCE

To authorise the withdrawal from the Consolidated Fund of money for the financial year ending 30 June 2014.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Appropriation Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the Gazette.

3. Appropriation

(1) The Financial Secretary may withdraw the sum of £60,930,500 from the Consolidated Fund.

(2) Any sum withdrawn under subsection (1) may be applied in the financial year ending 30 June 2014 for the purpose of supplying the votes set out in the Schedule.

SCHEDULE

DIRECTORATE	Total Operating Budget	Capital Charges	Departmental Expenditure	Less Internal Charges	Net Operating Budget
<i>OPERATING BUDGET</i>	£	£	£	£	£
110 Central Services	5,279,000	445,710	4,833,290	146,610	4,686,680
200 Health & Social Services	8,777,120	479,750	8,297,370	185,170	8,112,200
250 Education	6,075,940	399,230	5,676,710	98,590	5,578,120
350 Public Works	11,601,000	2,552,790	9,048,210	233,400	8,814,810
410 Natural Resources	6,473,080	81,020	6,392,060	315,380	6,076,680
451 AG's Chambers	1,735,160	18,310	1,716,850	16,880	1,699,970
550 Emergency Services	2,295,980	208,970	2,087,010	37,620	2,049,390
600 Executive Management	2,560,080	60,730	2,499,350	17,310	2,482,040
620 Mineral Resources	537,650	2,610	535,040	3,910	531,130
700 The Treasury	2,623,400	5,020	2,618,380	15,690	2,602,690
997 Oil	6,777,400		6,777,400	0	6,777,400
999 Transfer Payments	7,157,390		7,157,390	0	7,157,390
TOTAL OPERATING BUDGET	61,893,200	4,254,140	57,639,060	1,070,560	56,568,500
998 Fund Transfers	4,362,000		4,362,000		4,362,000
TOTAL EXPENDITURE	66,255,200	4,254,140	62,001,060	1,070,560	60,930,500

Passed by the Legislature of the Falkland Islands on 6 June 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Finance Ordinance 2013

(No: 7 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of Air Navigation (Fees) Regulations
4. Amendment of Banking Regulations Order
5. Amendment of British Nationality Ordinance
6. Amendment of Commissioners for Oaths Rules
7. Amendment of Companies and Private Partnership Ordinance
8. Amendment of Customs (Fees) Regulations
9. Amendment of Customs (Import Prohibitions)(Fees) Regulations
10. Amendment of Dogs Rules
11. Amendment of Falkland Islands Status (Application Fees) Regulations
12. Amendment of Family Allowances Ordinance
13. Amendment of Finance and Audit Ordinance
14. Amendment of Firearms and Ammunition (Fees) Regulations Order
15. Amendment of Firearms and Ammunition Ordinance
16. Amendment of Fishery Products (Hygiene)(Fees) Regulations
17. Amendment of Harbours Regulations
18. Amendment of Immigration (Fees) Regulations
19. Amendment of Land Charges Fees Rules
20. Amendment of Land (Non-residents)(Fees) Regulations
21. Amendment of Land Ordinance
22. Amendment of Medical Services Tax Ordinance
23. Amendment of Notaries Public Rules
24. Amendment of Plant Importation Regulations

25. Amendment of Registration of Marriages Regulations
 26. Amendment of Registration of United Kingdom Patents Ordinance
 27. Amendment of Registration Regulations
 28. Amendment of Retirement Pensions (Prescribed Rates) Regulations
 29. Amendment of Road Traffic Ordinance
 30. Amendment of Road Traffic (Provisional) Regulations Order
 31. Amendment of Taxes Ordinance
 32. Amendment of Vehicle Licence Labels Regulations
- Schedule 1: New Schedule to Air Navigation (Fees) Regulations
- Schedule 2: New Schedule A to Companies and Private Partnership Ordinance
- Schedule 3: New Schedule to Fisheries Products (Hygiene)(Fees) Regulations
- Schedule 4: New Schedule 1 to Land Charges Fees Rules
- Schedule 5: New Schedule 2 to Land Ordinance
- Schedule 6: New Schedule to Notaries Public Rules
- Schedule 7: New Schedule 2 to Registration Regulations

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

FINANCE ORDINANCE 2013

(No: 7 of 2013)

(assented to: 12 June 2013)
(commencement: in accordance with section 2)
(published: 19 June 2013)

AN ORDINANCE

To increase various allowances, benefits, charges, contributions, fees, and penalties provided for under the laws of the Falkland Islands, to make new provision for certain new charges and to increase the cap on the Contingencies Fund.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Finance Ordinance 2013.

2. Commencement

(1) Sections 4, 22 and 31 come into force on 1 January 2014.

(2) The rest of this Ordinance comes into force on 1 July 2013.

3. Amendment of Air Navigation (Fees) Regulations

The Air Navigation (Fees) Regulations (SR&O No 9 of 2009) are amended by omitting the Schedule and substituting the schedule set out in Schedule 1.

4. Amendment of Banking Regulations Order

Regulation 4 of the Banking Regulations Order (Title 10.1.1) is amended by omitting “£4,000.00” and substituting “£5,000.00”.

5. Amendment of British Nationality Ordinance

The Schedule to the British Nationality Ordinance (Title 52.1) is amended by omitting the Table of Fees and substituting the following —

“TABLE OF FEES

Matter in which fee may be taken	Annual fee
1. Application under the Act, except an application under section 5, for registration as a British citizen, British Overseas Territories citizen, British Overseas citizen or British subject,	
(a) application relating to one person (adult or child)	£673
(b) application relating to two or more children who have the same parent or parents (plus increase per additional child of £505.00)	£1178
2. Application for naturalisation as a British citizen or British Overseas Territories citizen under section 6(1) or 18(1) of the Act.	£568
3. Application for naturalisation as a British citizen or British Overseas Territories citizen under section 6(2) of 18(2) of the Act.	£568
4. Registration of a declaration of renunciation of British citizenship, British Overseas Territories citizenship, British Overseas citizenship or British subject status under sections 12, 24, 29 or 34 of the Act.	£187
5. Supply a certified copy of a notice, certificate, order, declaration or entry, given, granted or made under the Act or any of the former nationality Acts	£20
6. Administering the oath of allegiance for the purposes of the Act	£5
7. Preparing or forwarding, or both, an application for registration or naturalisation to the Home Office	£70.”

6. Amendment of Commissioners for Oaths Rules

Rule 2(1) of the Commissioners for Oaths Rules (Title 22.1.1) is amended —

- (a) in paragraph (a) by omitting “£7.00” and substituting “£7.20”; and
- (b) in paragraph (b) by omitting “£3.50” and substituting “£3.60”.

7. Amendment of Companies and Private Partnership Ordinance

Schedule A to the Companies and Private Partnership Ordinance (Title 18.1) is repealed and the schedule set out in Schedule 2 is substituted.

8. Amendment of Customs (Fees) Regulations

The Customs (Fees) Regulations (SR&O No 10 of 2006) are amended as follows —

(a) in regulation 3 —

- (i) by omitting “£71.20” in each place it appears and substituting “£74.80”;
- (ii) by omitting “£106.80” in each place it appears and substituting “£112.20”;
- (iii) in paragraph (a)(ii) by omitting “£35.60” and substituting “£37.40”; and
- (iv) in paragraph (c)(ii) by omitting “£53.40” and substituting “£56.10”; and

(b) in regulation 4 —

- (i) by omitting “£50.00” in each place it appears and substituting “£51.50”;
- (ii) by omitting “£248.00” in each place it appears and substituting “£255.45”;
- (iii) in subregulation (3)(a) by omitting “£25.00” and substituting “£25.75”; and
- (iv) in subregulation (3)(b) by omitting “£124.00” and substituting “£127.75”.

9. Amendment of Customs (Import Prohibitions)(Fees) Regulations

Regulation 3 of the Customs (Import Prohibitions)(Fees) Regulations (SR&O No 12 of 2009) is amended by —

(a) omitting paragraph (a) and substituting the following —

“(a) Importation of Animals etc Proclamation 2000 (No 2 of 2000) —

- | | |
|---|--|
| (i) licence for importation of animal – standard (per animal) | £123.80 |
| (ii) licence for importation of animal – poultry/exotic pet (per licence) | £62.00 |
| (iii) licence for importation of animal – poultry/exotic pet (annual) | £123.80 |
| (iv) inspection and treatment on arrival | £10.60 plus
the cost of
necessary
drug
treatment |
| (v) clearance from port of arrival – (per importer) | £111.40 |
| (vi) inspection following house quarantine (per animal) | £10.60.”; |

(b) omitting paragraph (b) and substituting the following —

“(b) Importation of Food and Animal Products from South America Proclamation 2001 (No 3 of 2001) —

(i) licence for the importation of animal/animal product (commercial – single importation)	£14.90
(ii) licence for the importation of animal/animal product (commercial – annual)	£123.80
(iii) licence for the importation of animal/animal product (non commercial).”; and	£3.80
(c) omitting paragraph (c) and substituting the following —	
“(c) Proclamation Number 6 of 1985 —	
Inspection of shearing equipment by the Government Veterinary Officer”.	£40.90

10. Amendment of Dogs Rules

Rule 3 of the Dogs Rules (Title 5.2.1) is amended by omitting “£30.30” and substituting “£30.90”.

11. Amendment of Falkland Islands Status (Application Fees) Regulations

The Falkland Islands Status (Application Fees) Regulations (Title 52.3.2) are amended in regulation 2(1) by omitting “£206.00” and substituting “£212.00”.

12. Amendment of Family Allowances Ordinance

Section 3 of the Family Allowances Ordinance (Title 65.1) is amended by omitting “£63.00” and substituting “£66.20”.

13. Amendment of Finance and Audit Ordinance

Section 26(1) of the Finance and Audit Ordinance (Title 19.3) is amended by omitting “two per cent” and substituting “five per cent”.

14. Amendment of Firearms and Ammunition (Fees) Regulations Order

The Firearms and Ammunition (Fees) Regulations Order (Title 23.2.1) is amended —

(a) in regulation 2 by omitting “£18.00” and substituting “£18.50”; and

(b) in the schedule —

(i) by omitting “£65.00” and substituting “£67.00”;

(ii) by omitting “£18.00” and substituting “£18.50”; and

(iii) by omitting “£35.75” and substituting “£36.75”.

15. Amendment of Firearms and Ammunition Ordinance

Section 4A(3) of the Firearms and Ammunition Ordinance (Title 23.2) is amended by omitting “£6.95” and substituting “£7.00”.

16. Amendment of Fishery Products (Hygiene)(Fees) Regulations

The Fishery Products (Hygiene)(Fees) Regulations (SR&O No 41 of 1998) are amended by omitting the Schedule and substituting the schedule set out in Schedule 3.

17. Amendment of the Harbours Regulations

Schedule 3 of the Harbours Regulations (Title 57.3.1) is amended by omitting paragraph 1 and substituting —

“1. Harbour Dues

(a) Private pleasure yacht (under 50 tons)	£66.00
(b) Other vessels:	
Under 15 tons	£66.00
15 tons or more but under 30 tons	£120.00
30 tons or more but under 50 tons	£218.00
50 tons or more but under 800 tons	£328.00
800 tons or more but under 1,000 tons	£427.00
1,000 tons or more but under 1,500 tons	£492.00
1,500 tons or more but under 2,000 tons	£590.00
2,000 tons or more but under 5,000 tons	£721.00
5,000 tons or more but under 7,000 tons	£875.00
7,000 tons or more but under 10,000 tons	£1,311.00
10,000 tons or more but under 15,000 tons	£1,639.00
15,000 tons or more but under 20,000 tons	£1,913.00
20,000 tons or more but under 25,000 tons	£2,186.00
25,000 tons or more but under 30,000 tons	£2,513.00
30,000 tons or more but under 35,000 tons	£2,841.00
35,000 tons or more but under 40,000 tons	£3,169.00
40,000 tons or more but under 50,000 tons	£3,715.00
50,000 tons or more but under 60,000 tons	£4,371.00
60,000 tons or more but under 70,000 tons	£4,808.00
70,000 tons or more but under 80,000 tons	£5,354.00
80,000 tons or more	£5,901.00”

18. Amendment of Immigration (Fees) Regulations

Regulation 3(1) of the Immigration (Fees) Regulations (SR&O No 7 of 2009) is amended —

(a) by omitting “£20.00” in each place where it appears and substituting in each case “£22.00”; and

(b) in subparagraph (c) by omitting “£206.00” and substituting “£212.00”.

19. Amendment of Land Charges Fees Rules

Schedule 1 of the Land Charges Fees Rules (SR&O No 3 of 1997) is revoked and the schedule set out in Schedule 4 is substituted.

20. Amendment of Land (Non-residents)(Fees) Regulations

The schedule to the Land (Non-residents)(Fees) Regulations (SR&O No 13 of 2007) is amended—

- (a) by omitting “£111.50” and substituting “£114.90”; and
- (b) by omitting “£223.00” and substituting “£232.00”.

21. Amendment of Land Ordinance

Schedule 2 of the Land Ordinance (Title 45.2) is repealed and the schedule set out in Schedule 5 is substituted.

22. Amendment of Medical Services Tax Ordinance

The Medical Services Tax Ordinance (No 13 of 2010) is amended —

- (a) by inserting the following new section immediately after section 37 –

“37A. Calculation of yearly allowable deductions

(1) An individual who is an employee (but who is not also self-employed) is allowed one deduction of £15,000.00 from the employee’s total earnings and benefits per year.

(2) An individual who is self-employed (but who is not also an employee) is allowed one deduction of £15,000.00 from the individual’s total relevant profits per year.

(3) An individual who is an employee and is also self-employed is allowed a deduction per year as follows —

- (a) a deduction of £15,000.00 from the individual’s total relevant profits, if any; and

- (b) if the individual’s total relevant profits are less than £15,000.00, the balance of the deduction remaining is allowed from the individual’s total earnings and benefits.

(4) For purposes of this section, “total relevant profits” means —

- (a) in the case of an individual who carries on only one business, the total relevant profits (if any) of that business;

- (b) in the case of an individual who carries on more than one business, the total amount of all the relevant profits of each of the individual’s businesses that makes a relevant profit. (and losses from any business are not to be included)

(5) In the case of an individual who reaches the age of 17 during a year, the amount of the individual’s deduction for that year is reduced to the amount produced by the following formula —

$$(\pounds 15,000 \div 12) \times M$$

(6) In subsection (5), M equals the number of complete calendar months from the individual’s 17th birthday until the end of the year.

(7) The Income Tax (Apportionment of Deductions) Rules apply to deductions under this section (except that, in the case of an individual who reaches the age of 17 during a year, the period before the individual's 17th birthday is not to be taken into account for the purposes of apportioning the deduction for that year)."; and

(b) in section 39(2) by adding the words "section 200 (which deals with residence of individuals)" immediately after the words "section 192A (under which accounting records etc must be kept)"

23. Amendment of Notaries Public Rules

The schedule to the Notaries Public Rules (Title 22.1.2) is revoked and the schedule set out in Schedule 6 is substituted.

24. Amendment of Plant Importation Regulations

Regulation 7 of the Plant Importation Regulations (Title 4.4.1) is amended —

- (a) by omitting "£3.70" and substituting "£3.80";
- (b) by omitting "£120.20" and substituting "£123.80"; and
- (c) by omitting "£14.50" and substituting "£14.90".

25. Amendment of Registration of Marriages Regulations

Regulation 18 of the Registration of Marriages Regulations (SR&O No 17 of 1999) is amended by replacing subregulation (1) as follows —

"(1) The following fees are prescribed for the purposes of the Ordinance and of these regulations —

(a) on giving notice of marriage and issue of Registrar General's licence	£94.00
(b) for Registrar to conduct marriage	£27.00
(c) where marriage is conducted by the Registrar General within 6 miles of the Registry	£1 per mile from the Registry
(d) where marriage is conducted by the Registrar General more than 6 miles from the Registry	the reasonable cost of travel together with the cost of any necessary overnight accommodation
(e) for each Certificate or certified copy Certificate of Marriage (except a certificate furnished on the occasion of the marriage)	£26.00
(f) to enter a caveat against the grant of a Licence	£21.50

(g) on application and grant of a Special Licence by the Governor	£340.00
(h) for search in the index of entries, in respect of each marriage searched for	£5.20
(i) for a Notice or Certificate under the Foreign Marriage Act	£21.50"

26. Amendment of Registration of United Kingdom Patents Ordinance

The Registration of United Kingdom Patents Ordinance (Title 43.1) is amended —

- (a) in section 3(d) by omitting “£575.00” and substituting “£590.00”; and
- (b) in section 7 by omitting “£50.00” and substituting “£51.50”.

27. Amendment of Registration Regulations

Schedule 2 of the Registration Regulations (Title 62.2.1) is revoked and the schedule at Schedule 7 is substituted.

28. Amendment of Retirement Pensions (Prescribed Rates) Regulations

The Retirement Pensions (Prescribed Rates) Regulations (SR&O No 39 of 1996) are amended —

- (a) in regulation 3 —
 - (i) by omitting “£128.00” and substituting “£134.00”;
 - (ii) by omitting “£72.00” and substituting “£76.00”; and
- (b) in regulation 5(3)(b) by omitting “£35.20” and substituting “£43.00”.

29. Amendment of Road Traffic Ordinance

The Road Traffic Ordinance (Title 63.1) is amended in —

- (a) section 4(1) as follows —
 - (i) in paragraph (a) by omitting “£50.75” and substituting “£52.25”;
 - (ii) in paragraph (b) by omitting “£117.00” and substituting “£120.50”;
 - (iii) in paragraph (c) by omitting “£180.00” and substituting “£185.50”; and
 - (iv) in paragraph (d) by omitting “£42.75” and substituting “£44.00”;
- (b) section 5(3) by omitting “£6.00” and substituting “£6.25”; and
- (c) section 6(15) by omitting “£11.00” and substituting “£11.25”.

30. Amendment of Road Traffic (Provisional) Regulations Order

The Road Traffic (Provisional) Regulations Order (Title 63.1.1) is amended —

- (a) in regulation 2(5) by omitting “£41.75” and substituting “£43.00”;
- (b) in regulation 5(4) as follows —
 - (i) by omitting “£28.25” in each place it appears and substituting in each case “£29.00”;
 - (ii) in paragraph (c) by omitting “£13.50” and substituting “£14.00”; and
- (c) in regulation 5A(2) by omitting “£11.00” and substituting “£11.25”.

31. Amendment of Taxes Ordinance

Section 16(1) of the Taxes Ordinance (Title 69.1) is amended by omitting “£14,000.00”, and substituting “£15,000.00”.

32. Amendment of Vehicle Licence Labels Regulations

Regulation 5(2) of the Vehicle Licence Labels Regulations (SR&O No 33 of 1998) is amended by omitting “£6.20” and substituting “£6.40”.

SCHEDULE 1 Schedule to Air Navigation (Fees) Regulations

(section 3)

Schedule PART 1

Licences for flight crew

(a)	Flight radiotelegraphy operator’s general licence: issue or renewal	£48.50
(b)	Flight radiotelegraphy operator’s restricted licence: issue or renewal	£48.50
(c)	Flight radiotelegraphy operator’s licence: issue or renewal	£48.50
(d)	Certificate of validity of foreign licence: issue	£84.50
	renewal or validation	£48.50
(e)	Appointment of authorised examiner for aircraft type rating or instrument rating: appointment or re-appointment	£240.00

PART II
Airworthiness

(a)	Issue or renewal of certificate of airworthiness:	
	(i) aircraft not exceeding 2,730kgs	£746.00
	(ii) aircraft exceeding 2,730kgs but not exceeding 5,700kgs	£1,562.50
	(iii) aircraft exceeding 5,700kgs but not exceeding 30,000kgs	£1,562.50
		plus £114.00 per 500kgs (or part of) exceeding 5,700kgs, up to a maximum of £7,212.00
(b)	Permit to fly an aircraft without a certificate of Airworthiness	£240.00
(c)	Certificate of airworthiness; change of category	£240.00
(d)	Approval of modifications, major repairs to aircraft, engines and equipment	£240.00
(e)	Approval of maintenance organisation: issue	£1,802.50 for each site
	Variation:	
	(i) aircraft not exceeding 2,730kgs	£600.00
	(ii) aircraft exceeding 2,730kgs	£721.00
(f)	Certificate of validation of AMEL: issue	£84.50
	renewal or variation	£48.50
(g)	Approval of aircraft maintenance schedules: issue	£240.00
	amendment or variation	£120.50
(h)	Noise certificate	£144.00

PART III
Flight operations

- (a) Application for air operator's certificate (AOC) or renewal of AOC:

The applicant must pay for the investigations required by the Department of Civil Aviation (DCA). The level of charges will be determined by the DCA based on the estimation of the number of days worked by one or more individuals attributable to investigation, as specified in table 1.

Table 1

aircraft not exceeding 2 tonnes	4 days
aircraft exceeding 2 tonnes but not exceeding 15 tonnes	45 days
aircraft exceeding 15 tonnes	60 days
(b) Issue of AOC:	
(i) aircraft not exceeding 2 tonnes	£3,186.00
(ii) aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£4,952.00
(iii) aircraft exceeding 15 tonnes	£7,091.50
(c) Regulation of AOC:	

If an application for AOC is granted, in addition to the issue fee, the operator will be charged for the regulatory oversight and monitoring of the AOC operation for each year or part of the year that the certificate remains valid. The level of charges will be determined by the DCA based on the estimation of the number of days worked by one or more individuals attributable to regulatory oversight, as specified in table 2.

Table 2

Not exceeding 2 tonnes	Maximum 4 days
Exceeding 2 tonnes but not exceeding 15 tonnes	Maximum 45 days
Exceeding 15 tonnes	Maximum 60 days
(d) Inclusion of additional aircraft types in the AOC:	
(i) aircraft not exceeding 2 tonnes	£1,863.00
(ii) aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£2,836.50
(iii) aircraft exceeding 15 tonnes	£3,186.00
(e) Annual charge for an AOC (for each aircraft type named on the certificate):	
(i) aircraft not exceeding 2 tonnes	£1,562.00
(ii) aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£2,344.00
(iii) aircraft exceeding 15 tonnes	£3,125.00

(f)	Variation of an AOC:	
(i)	variation in the operating region	£782.00
(ii)	permission to operate on a specified route outside the operating region specified in the certificate	£324.50
(iii)	change in the company or trading name where the legal entity is unchanged	£84.50
(iv)	change to any of the posts identified in an initial AOC application	£84.50

(g) Variable charges:

On the last day of each period of three months during the whole or part of which an AOC remains in force, the holder of the certificate must pay a charge according to the number of hours (rounded to the nearest whole hour, with half hours being rounded up) flown by each aircraft operated pursuant under the certificate as follows:

passenger aircraft in which the number of passenger seats in the aircraft exceeds 20 but does not exceed 100	6 pence per hour per seat
--	---------------------------

Nothing in subparagraph (g) applies to aircraft fitted with 20 or less seats or aircraft that do not exceed 10 tonnes or which are on non-revenue flights.

For the purposes of paragraph (g) a flight hour is calculated from the time an aircraft becomes airborne to the time the aircraft touches down, as recorded in the aircraft's technical log.

(h) Special Operations:

(i)	category II low visibility operations (with or without autoland initial)	£1,562.00
(ii)	category III low visibility operations (with autoland initial)	£3,125.00
(iii)	extended range twin engine operations or extended range operations:	
	application	£3,907.00
	each additional aircraft type	£1,863.00
(iv)	minimum navigation performance specifications airspace or reduced vertical separation minima	£396.50
(i)	Operations under an AOC exemption:	£1,562.50

(j)	Route licensing:	
	(i) application for route	£396.50
	(ii) vetting of business financial plans	£1,442.00
(k)	Approval of a scheme to avoid excessive flight crew fatigue	£432.50

PART IV

Air traffic control and aerodromes

(a)	Aerodrome licence:	
	issue	£1,081.50
	annual renewal (except government or military aerodromes)	£721.00
(b)	Assessment of hazards to air navigation, obstructions etc (except government or military aerodromes)	£432.50
(c)	Conversion of foreign air traffic control licences, ratings and aerodrome flight information service officer's licences	£216.00
(d)	Assessment of Aeronautical Studies	£432.50
(e)	Flight Information Service Officer Examinations	
	(i) initial examinations	£116.00
	(ii) resit of examination (per paper)	£40.00
(f)	Flight Information Service Officer Licence	£103.00
(g)	Flight Information Service Officer Licence Validation	
	(i) initial issue	£84.50
	(ii) re-issue following Competency Check	£48.50
(h)	Radio Telephony Examination	£72.00

PART V

Fees not specified elsewhere

(a)	Certificate of registration aircraft	£288.50
(b)	Reservation of registration mark	£72.00
(c)	Reservation of specific out of sequence registration mark	£144.00

(d)	Aircraft dealer's certificate	£2,163.00
(e)	Enquiry regarding entries in register of aircraft	£36.00
(f)	Provision of summary copy of register of aircraft	£24.00
(g)	Issue of a copy of any document issues under the Order (but not to exceed cost of original document)	£36.00
(h)	For the approval of documents, inspections, investigations, tests experiments and flight trials conducted in connection with any part of the Order, minimum but not elsewhere specified	Actual cost £108.00 charge
(i)	Any permission, approval, authorisation or exemption in respect of any part of the Order	£176.00 plus investigation costs
(j)	Additional charge when services are performed abroad	Actual cost incurred
(k)	De-registration advice to foreign regulatory authority or removal from register upon export	£72.00
(l)	Title search of the register in respect of an aircraft	£108.00
(m)	Where an aircraft is temporarily transferred to the register and a certificate of airworthiness in respect of that aircraft the fee payable:	
	(i) in respect of such temporary transfer to the register; and	
	(ii) in respect of that certificate of airworthiness,	
	is one half of the amount specified in these Regulations for registration of an aircraft or for a certificate of airworthiness as the case may be	
(n)	Investigation conducted in connection with any part of the Order (by reference to each individual working or investigation)	£854.00 per day £108.00 per hour
	Plus actual costs incurred, including but not limited to, transportation, accommodation and subsistence:	Travel days will be charged at £432.50 per day
(o)	For the grant of an aerodrome certificate to a minor aerodrome:	
	initial	£66.00
	renewal	£22.00
(p)	Cancellation of a certificate of registration	£72.00

SCHEDULE 2
New Schedule A to Companies and Private Partnership Ordinance

(section 7)

SCHEDULE A

(section 4)

<u>Description</u>	<u>Fee</u>
1. Registration of incorporation of a company	£390.00
2. Registration of change of name of a company	£80.00
3. Certificate of registration of a company (other than on incorporation)	£80.00
4. Registration of mortgage, debenture or other charge	£67.00
5. Cancellation of registration of mortgage, debenture or other charge	£34.00
6. Company file search	£27.00
7. Certified copy of any document held on a company file (plus additional charge of 28 pence per A4 page or 56 pence per A3 page certified in addition to the first page)	£26.00
8. Filing an annual return; except in relation to a company which the Registrar is satisfied is not trading	£80.00
9. Filing an annual return for a company which the Registrar is satisfied is not trading	£14.00
10. Penalty for the late filing of an annual return	£230.00
11. Notification of change of director, change of registered office, or change of secretary	£14.00
12. Penalty for the late notification of a change of director, change of registered office, or change of secretary (more than 14 days)	£56.50
13. Notification of increase in nominal capital	£14.00
14. Notification of change of company accounting reference date	£14.00
15. Filing of company accounts	£56.50
16. Penalty for late filing of company accounts (in addition to filing fee)	
(a) Private company	
3 months or less	£103.00
3 months or more but less than 6 months	£260.00
6 months or more but less than 12 months	£515.00
12 months or more	£1,030.00

(b) Public company	
3 months or less	£500.00
3 months or more but less than 6 months	£1,030.00
6 months or more but less than 12 months	£2,060.00
12 months or more	£5,150.00
17. Return of allotment of shares	£14.00
18. Notification of change of location of register of debenture holders	£14.00
19. Notification of particulars of a contract relating to shares allotted as fully or partly paid up otherwise than in cash	£14.00
20. Return by a company purchasing its own shares	£14.00
21. Declaration in relation to the redemption or purchase of shares out of capital	£14.00
22. Notification of change of location of director's service contract	£14.00
23. Notification of change of location of register of directors' interests in shares etc	£14.00
24. Notification of passing of resolution removing an auditor	£14.00
25. Application for striking off a private company	£14.00
26. Photocopy of document where photocopying undertaken	28p per A4 page as part of registration 56p per A3 page
27. Registration of new memorandum or articles of association	£14.00

SCHEDULE 3
New Schedule to Fisheries Products (Hygiene)(Fees) Regulations

(section 16)

SCHEDULE

<u>Description</u>	<u>Fee</u>
1. Application for approval of factory vessel or fishery establishment (approval under regulation 7)	£613.20
2. Application for variation of approval (variation under regulation 8)	£100.00
3. Annual inspection by authorised officer (division 1, paragraph 2(c), Part 5 of Schedule 1)	£247.50

4. Inspection on transhipment of product (division 1, paragraph 2(e), Part 5 of Schedule 1)	£164.00
5. Additional charges for inspections under paragraphs 3 or 4 where factory vessel is not in Stanley Harbour -	
(a) vessel in Port William	£53.00
(b) vessel in Berkeley Sound	£159.10
6. Surcharge for services provided outside normal office hours (for this purpose, normal office hours are 8am to 5pm Monday to Friday, excluding public holidays)	additional 50% on all charges

SCHEDULE 4
New Schedule 1 to Land Charges Fees Rules

(section 19)

SCHEDULE 1

(rule 3)

<u>Description</u>	<u>Fee</u>
1. Registration, renewal, rectification or cancellation of entry in register (per name), including issue of certificate	£12.00
2. Entry of priority notice (per name)	£4.00
3. Inspection of entry (per entry)	£4.00
4. Office copy of entry, including plan (per copy)	£4.00
5. Search of index, including certificate of result (per name)	£14.00

SCHEDULE 5
New Schedule 2 to Land Ordinance

(section 21)

SCHEDULE 2

<u>Description</u>	<u>Fee</u>
Part I	
(section 9(3))	
1. Registration of order of the Court under section 9	£14.00
2. Registration of any other deed, instrument or document —	

(a) first deed, instrument or document presented on the same occasion and affecting land in the same ownership	£134.00
(b) subsequent deed, instrument or document presented on the same occasion affecting the same title, not being a deed subdividing land under the same title	£27.00
(c) power of attorney —	
(i) the first title for which it is to be registered	£54.00
(ii) every subsequent title	£21.50
(d) revocation of a power of attorney —	
(i) the first title for which it is to be registered	£14.00
(ii) every subsequent title	£8.00
(e) change of name deed —	
(i) the first title for which it is to be registered	£80.50
(ii) every subsequent title	£40.50
(f) severance of joint tenancy in equity	£33.00
(g) discharge of mortgage (for every title affected)	£14.00
(h) assent (for every title affected)	£14.00
3. Application for vesting deed under section 11 A	£140.00
4. Certified copy deed, instrument or document (plus additional charge of 28 pence per A4 page or 56 pence per A3 page certified in addition to the first page)	£14.00
5. Certification of registration of deed, instrument or document	£14.00
6. Photocopy of any deed, instrument or document, where 28p per A4 page undertaken as part of registration 56p per A3 page	

Part II

(section 45)

1. Title search; hourly rate (proportion of hourly rate to be paid for every part hour)	£53.00
2. Production of register or index for inspection (for each one)	£14.00

3. Comparing deed with registered deed	£14.00
4. Photocopy of any deed, instrument or document, where undertaken as part of registration	28p per A4 page 56p per A3 page

SCHEDULE 6
New Schedule to Notaries Public Rules

(section 23)

SCHEDULE

1. For every affidavit and exhibit to an affidavit	£7.20 for every affidavit and £3.60 for every exhibit thereto
2. Preparing a Note of Protest or other document (including any certificate thereon)	£98.90 for every hour engaged therein and proportionately for every part of an hour, with a minimum fee of £29.50
3. Preparing and attesting any notarial act	(a) £36.10 if a notarial act in public form; (b) £20.60 otherwise (but no fee where Fee 2 is charged)
4. Extending a Protest	As per Fee 2
5. Examining any document with the original thereof and certifying it as a true and correct copy	(a) if not copied by the notary public, £14.40 plus £3.60 for every page (b) if copied by or under the supervision of the notary public, £14.40 plus 50 pence for every page.
6. Attending to Protest a Bill of Exchange or Promissory Note	£99.00 and proportionately for part of an hour thus engaged plus reasonable travelling expenses incurred (if applicable) with a minimum fee of £29.50.
7. Any other notarial act done by a notary public	As per Fee 6

SCHEDULE 7
New Schedule 2 to Registration Regulations

(section 27)

SCHEDULE 2
Registrar General's and Registrar's Fees

1. Certified copy of entry of birth	£14.00
2. Certified copy of entry of marriage	£26.00
3. Search of register of births, deaths or marriages within ten years (per name per register)	£14.00
4. Search of register of births, deaths or marriages; each additional year (per name per register)	£3.00
5. Certified copy of death certificate	£14.00
6. Registration of an instrument (includes birth)	£14.00
7. Certified copy of instrument	£14.00
8. Photocopy of document per A4 page	28p
Photocopy of document per A3 page	56p

Passed by the Legislature of the Falkland Islands on 6 June 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Telecommunications (Amendment) Ordinance 2013

(No: 8 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of the Telecommunications Ordinance
4. Section 2 amended – Interpretation
5. Section 2A amended – Regulator
6. Section 2B amended – Telecommunications Appeals Panel
7. Section 10 amended – Functions and powers of telecommunications utility
8. Section 11C amended – Failure to provide information: penalties
9. Section 45 substituted
10. Section 46 substituted
11. New sections 46A to 46H
12. Schedule 1 repealed

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

TELECOMMUNICATIONS (AMENDMENT) ORDINANCE 2013

(No: 8 of 2013)

(assented to: 12 June 2013)
(commencement: on publication)
(published: 19 June 2013)

AN ORDINANCE

To further amend the Telecommunications Ordinance (Title 70.1).

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Telecommunications (Amendment) Ordinance 2013.

2. Commencement

This Ordinance comes into force upon publication in the Gazette.

3. Amendment of the Telecommunications Ordinance

This Ordinance amends the Telecommunications Ordinance.

4. Section 2 amended – Interpretation

(1) This section amends section 2.

(2) The following definition is inserted after the definition of “Panel” —

““price-capped service” has the meaning given to it by section 45(1);”

(3) The following definitions are inserted after “radio communications equipment” —

““retail price-cap” has the meaning given to it by section 45(1);

“RID” has the meaning given to it by section 45(1);”.

5. Section 2A amended – Regulator

Section 2A(5) is amended by —

(a) omitting “or” at the end of paragraph (a); and

(b) inserting the following paragraph after paragraph (a) —

“(aa) the Governor’s power to make subsidiary legislation under section 46B; or”

6. Section 2B amended – Telecommunications Appeals Panel

Section 2B(3)(a) is amended by omitting “section 11D” and substituting “sections 11D and 46G”.

7. Section 10 amended – Functions and powers of telecommunications utility

Sections 10(2) and 10(3) are repealed.

8. Section 11C amended – Failure to provide information: penalties

Section 11C(5) is repealed.

9. Section 45 substituted

Section 45 is repealed and the following section substituted —

“45. Retail price-cap: definitions, etc

(1) In sections 46 to section 46F —

“price-capped service” means a service that is subject to the retail price-cap;”

““retail price-cap” means the retail price control mechanism set out in chapter 2 of the RID; and

“RID” means the Revised Implementation Document dated 26 September 2012, referred to in a Memorandum of Understanding dated 27 September 2012 and entered into between the Falkland Islands Government and Cable & Wireless South Atlantic Limited.

(2) A telecommunications utility is entitled (and is to be treated as if it had been since 1 April 2011) to make payments for the provision of support services to a head office or parent company which is outside the Falkland Islands and those payments may be up to 8% of the utility’s net revenue within the Falkland Islands.

(3) None of the following will be included as a cost of a telecommunications utility for the purposes of assessing compliance with the retail price-cap or when the retail price-cap is being reviewed —

(a) penalties imposed under section 11C(2);

(b) penalties imposed under section 46F(2);

(c) the cost of complying with undertakings under section 46E(2)(b), 46G(4)(c) or 46G(4)(d).”

10. Section 46 substituted

Section 46 is repealed and the following section substituted —

“46. Retail price-cap: period of operation

The retail price-cap is to be treated as if it has had effect since 1 April 2011 and continue to apply until at least 31 March 2015.”

11. New sections 46A to 46H

The following sections are inserted after section 46 —

“46A. Retail price-cap: review

(1) The retail price-cap will be reviewed and changes may be made to it (but changes may only take effect from or after 1 April 2015).

(2) Changes to the retail price-cap —

(a) must take account of conditions expected at and beyond April 2015;

(b) may not penalise a telecommunications utility for efficiency gains that have arisen from the operation of the retail price-cap; and

(c) must ensure that a telecommunications utility is able to operate and maintain national and international telecommunications systems and services in the Falkland Islands —

(i) on an economic basis; and

(ii) with a reasonable return on its investment (taking into account the utility’s expected cost of capital).

(3) Before changes are made to the retail price-cap —

(a) the telecommunications utility affected must be —

(i) consulted; and

(ii) given a reasonable period within which to make representations; and

(b) the Government must have regard to representations made by the utility within that period.

46B. Retail price-cap: power to make subsidiary legislation following review

(1) The Governor may make subsidiary legislation (which may amend this Ordinance) to implement changes to the retail price-cap made under section 46A.

- (2) The Governor may not exercise that power before 1 April 2014.
- (3) Before exercising that power, the Governor must —
 - (a) consult a telecommunications utility if it would be affected by the amendments;
 - (b) allow the utility a reasonable period within which to make representations; and
 - (c) have regard to representations made by the utility within that period.
- (4) Subsidiary legislation made under this section may only come into force before 1 April 2015 to the extent necessary for the purpose of bringing it into operation from that date.

46C. Price list and recovery of charges

- (1) A telecommunications utility must publish (and keep up to date) a price list for the price-capped services that it provides.
- (2) The utility is entitled to make changes to its price list without seeking the prior approval of the Governor, the Government or the Regulator (but the utility is responsible for ensuring that it complies with the retail price-cap).
- (3) When a utility provides price-capped services to a person, the utility is entitled to demand (and receive) payment from that person on the basis of its price list.
- (4) When a utility provides other services (that are not subject to the retail price-cap) to a person, the utility is entitled to demand (and receive) payment from that person on the basis of whatever agreement had been reached with that person for the provision of the service.

46D. Compliance with retail price-cap

- (1) A telecommunications utility is under a duty to ensure that it complies with the retail price-cap in relation to the prices of the price-capped services it provides.
- (2) A utility must demonstrate compliance with the retail price-cap on an annual basis in accordance with the RID.

46E. Failure to comply with retail price-cap

- (1) If the Government considers in accordance with the RID that there are grounds for believing that a telecommunications utility has failed to comply with the retail price-cap, the Government may give a notice in writing to the utility —
 - (a) setting out the alleged failure to comply;
 - (b) giving the utility a reasonable period to make representations to the Government.
- (2) The utility's representations may include details of proposals to remedy the failure to comply by—
 - (a) providing compensation to the customers affected by the failure; and

(b) alternative remedies (other than the imposition of a penalty) that would benefit the utility's customers to at least an equivalent extent.

(3) The Government must consider —

(a) representations made under subsection (1)(b); and

(b) proposals made under subsection (2).

(4) If a utility is or has been in serious or repeated breach of the retail price-cap, the utility's licence may be revoked under Part 7.

46F. Failure to comply with retail price cap: penalties, etc

(1) The rest of this section applies if the Government —

(a) has given a notice to a utility under section 46E(1);

(b) has considered representations and proposals made by the utility under section 46E(1)(b) and 46E(2); and

(c) is satisfied that the utility has failed to comply with the retail price-cap.

(2) If this subsection applies, the Government may —

(a) impose a penalty on the utility that it determines to be both —

(i) appropriate; and

(ii) proportionate to the breach; or

(b) accept a binding undertaking from the utility to implement the proposals that it made under section 46E(2).

(3) A penalty imposed under subsection (2)(a) must be expressed in terms of two elements —

(a) a compensatory element, the amount of which may not exceed the amount by which the Government considers the utility's revenues were in excess of the retail price-cap; and

(b) a punitive element (expressed as a percentage of the compensatory amount) of up to 100% of the compensatory element.

(4) If the Government imposes a penalty on a utility under subsection (2)(a), it must notify the utility about —

(a) the Government's decision to impose a penalty;

(b) the Government's decision not to accept the proposals that the utility made under section 46E(2).

- (c) the Government's decision about the amount of each element of the penalty;
- (d) the reasons for each of those decisions;
- (e) the total amount of the penalty; and
- (f) the period within which the utility must pay that amount to the Government.

46G. Failure to comply with retail price-cap: appeals against penalties

(1) A telecommunications utility may appeal to the Panel against one or more of the following —

- (a) the Government's decision to impose a penalty under section 46F(2)(a);
- (b) the Government's decision not to accept the proposals that the utility made under section 46E(2).
- (c) the amount of either or both elements of the penalty;

(2) Notice of an appeal under subsection (1) must be given within 20 business days of the date of the notice under section 46F(4).

(3) The notice of appeal must set out the full grounds of the appeal, including (in particular) whether it is contended that —

- (a) the decision appealed against is —
 - (i) based on an error of fact;
 - (ii) wrong in law; or
 - (iii) both; or
- (b) the penalty imposed is disproportionate.

(4) The Panel may —

- (a) uphold both the imposition of a penalty on the utility and the amount of the penalty imposed;
- (b) uphold the imposition of a penalty on the utility but substitute a lower penalty for the one imposed;
- (c) uphold the imposition of a penalty on the utility but substitute a lower penalty for the one imposed in return for a binding undertaking from the utility to implement the proposals it made under section 46E(2);
- (d) overturn the decision to impose a penalty on the utility in return for a binding undertaking from the utility either—

- (i) to implement the proposals it made under section 46E(2); or
 - (ii) to implement improved proposals;
- (e) overturn the decision to impose a penalty on the utility entirely.
- (5) The decision of the Panel under subsection (4) is final (subject to the possibility of challenge by way of judicial review).

46H. Failure to comply with retail price-cap: payment of penalties

- (1) A penalty imposed under section 46F(2) must be paid by the telecommunications utility within the period specified under 46F(4)(f).
- (2) Subsection (1) does not apply if the utility appeals to the Panel under section 46G(1).
- (3) If the Panel upholds the imposition of a penalty on the utility's appeal, the following become payable immediately —
- (a) either —
 - (i) the penalty imposed under section 46F(2); or
 - (ii) if the Panel substituted a lower penalty under section 46G(4)(b) or section 46G(4)(c), that lower penalty; and
 - (b) interest on that amount from the day after the end of the period specified under section 46F(4)(f) until the day on which the Panel gives its decision.
- (4) If an amount due under either subsection (1) or subsection (3) (or part of it) remains unpaid —
- (a) it may be enforced as a statutory debt;
 - (b) interest (or further interest) must be added to the unpaid amount from the date by which it was to have been paid or the date on which it became payable until the date on which it is paid.
- (5) The rate of interest that applies for the purposes of this section is the statutory interest rate fixed under section 7 of the Interest on Debts Ordinance (No 13 of 2002)."

12. Schedule 1 repealed

Schedule 1 is repealed.

Passed by the Legislature of the Falkland Islands on 6 June 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

SUBSIDIARY LEGISLATION

CURRENCY

Coins Order 2013

S. R. & O. No: 10 of 2013

Made: 5 June 2013
Published: 19 June 2013
Coming into force: on publication

I make this order under section 22 of the Currency Ordinance (Title 25.1) on the advice of Executive Council.

1. Title

This order is the Coins Order 2013.

2. Commencement

This order comes into force upon publication in the *Gazette*.

3. New coins

(1) The minting and issue of the coins described and specified in the schedules to this order are authorised.

(2) The schedules specify —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the coins authorised by paragraph (1);

(b) the tolerance or remedy which may be permitted in respect of variations from the standard weight, diameter and fineness of the coins; and

(c) the design of the obverse and reverse of the coins.

4. Deemed denomination of Crown coins and their value as legal tender

For the purposes of the Ordinance —

(a) the cupro-nickel Crown coins and sterling silver Crown coins authorised by this order are deemed to be of 25 pence denomination;

(b) the gold 1/5th Crowns authorised by this order are deemed to be of £1.00 denomination;

(c) the gold 1/25th Crowns authorised by this order are deemed to be of 20 pence denomination;

(d) the gold 1/32nd Crowns coins authorised by this order are deemed to be of 15 pence denomination; and

(e) the gold 1/64th Crowns coins authorised by this order are deemed to be of 10 pence denomination, and

those coins are legal tender in the Falkland Islands in the amount of their deemed denomination.

Made 5 June 2013

N. R. Haywood C.V.O.,
Governor.

SCHEDULE 1

Specifications of coins of the Falkland Islands:

Centenary of the First World War – “WE WILL REMEMBER THEM”

Type	Cupro-nickel	Silver Proof	Gold Proof	Gold Proof	Gold Proof	Gold Proof
<i>Denomination</i>	1 Crown	1 Crown	1/64 th Crown	1/32 nd Crown	1/25 th Crown	1/5 th Crown
<i>Weight (grams)</i>	28.28	28.28	0.05	1.00	1.244	6.25
<i>Diameter (millimetres)</i>	38.60	38.60	11.00	13.92	13.92	22.00
<i>Fineness</i>	Cu 75% Ni 25%	925 Sterling silver	999 Gold	999 Gold	999 Gold	999 Gold
<i>Quality</i>	Brilliant Uncirculated	Proof	Proof	Proof	Proof	Proof
<i>Shape</i>	Round	Round	Round	Round	Round	Round
<i>Edge</i>	Milled	Milled	Milled	Milled	Milled	Milled
<i>Edition limit for each reverse design</i>	Unlimited	10,000	10,000	10,000	10,000	2,000
<i>Mint</i>	Pobjoy Mint Ltd.					
<i>Remedy</i>	Variations to be allowed of the tolerance permitted by the Pobjoy Mint Ltd.					
<i>Obverse design</i>	I.R.B. Effigy of Her Majesty Queen Elizabeth II.					
<i>Reverse design</i>	1) A Chelsea Pensioner raising his hat with an image of the Royal Hospital in the background and a single poppy to the left. The wording “WE WILL REMEMBER THEM” appears at the top and the value at the base.					
<i>Reverse design</i>	2) Members of the Armed Forces (one in a wheelchair) in front of the Cross of Sacrifice with aircraft overhead and a single poppy to the right. The wording “WE WILL REMEMBER THEM” appears at the top and the value at the base.					

SCHEDULE 2

Specifications of coins of the Falkland Islands:

REFERENDUM 2013

Type	Cupro- nickel	Silver Proof	Gold Proof	Gold Proof	Gold Proof	Gold Proof
<i>Denomination</i>	1 Crown	1 Crown	1/64 th Crown	1/32 nd Crown	1/25 th Crown	1/5 th Crown
<i>Weight (grams)</i>	28.28	28.28	0.05	1.00	1.244	6.25
<i>Diameter (millimetres)</i>	38.60	38.60	11.00	13.92	13.92	22.00
<i>Fineness</i>	Cu 75% Ni 25%	925 Sterling silver	999 Gold	999 Gold	999 Gold	999 Gold
<i>Quality</i>	Brilliant Uncirculated	Proof	Proof	Proof	Proof	Proof
<i>Shape</i>	Round	Round	Round	Round	Round	Round
<i>Edge</i>	Milled	Milled	Milled	Milled	Milled	Milled
<i>Edition limit for each reverse design</i>	Unlimited	10,000	10,000	10,000	10,000	2,000
<i>Mint</i>	Pobjoy Mint Ltd.					
<i>Remedy</i>	Variations to be allowed of the tolerance permitted by the Pobjoy Mint Ltd.					
<i>Obverse design</i>	I.R.B. Effigy of Her Majesty Queen Elizabeth II.					
<i>Reverse design</i>	The design features a close up of the International Signpost near Stanley showing the concept of the Falkland Islands Democratic place in the World and the Far Horizons it has set. The wording 'REFERENDUM 2013' appears to the left of the design and the Falkland Islands Coat of Arms to the right with the value at the top left.					

SCHEDULE 3

Specification of coins of the Falkland Islands:

In Honour of the Late Baroness Thatcher

Type	Cupro-nickel	Silver Proof	Gold Proof	Gold Proof	Gold Proof	Gold Proof
<i>Denomination</i>	1 Crown	1 Crown	1/64 th Crown	1/32 nd Crown	1/25 th Crown	1/5 th Crown
<i>Weight (grams)</i>	28.28	28.28	0.05	1.00	1.244	6.25
<i>Diameter (millimetres)</i>	38.60	38.60	11.00	13.92	13.92	22.00
<i>Fineness</i>	Cu 75% Ni 25%	925 Sterling silver	999 Gold	999 Gold	999 Gold	999 Gold
<i>Quality</i>	Brilliant Uncirculated	Proof	Proof	Proof	Proof	Proof
<i>Shape</i>	Round	Round	Round	Round	Round	Round
<i>Edge</i>	Milled	Milled	Milled	Milled	Milled	Milled
<i>Edition limit for each reverse design</i>	Unlimited	10,000	10,000	10,000	10,000	2,000
<i>Mint</i>	Pobjoy Mint Ltd.					
<i>Remedy</i>	Variations to be allowed of the tolerance permitted by the Pobjoy Mint Ltd.					
<i>Obverse design</i>	I.R.B. Effigy of Her Majesty Queen Elizabeth II.					
<i>Reverse design</i>	The design features a portrait of Baroness Thatcher with her dates of Birth and Death on either side of her name in the surround. The denomination appears at the base.					

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Seven pound and forty pence.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

8 July 2013

No. 6

The following are published in this Supplement –

- Administration of Justice (Amendment)(No 2) Ordinance 2013 (No 9 of 2013);**
- Explanatory Memorandum to the Minimum Wage Bill 2013;**
- Minimum Wage Bill 2013;**
- Minimum Wage (Initial Rates) Order 2013 (Draft);**
- Minimum Wage (Calculation of Hours Worked) Regulations 2013 (Draft);**
- Minimum Wage (Calculation of Amount Paid) Regulations 2013 (Draft);**
- Labour (Advisory Board)(Repeal) Bill 2013;**
- Members' Remuneration (Amendment) Bill 2013.**

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Administration of Justice (Amendment)(No 2) Ordinance 2013

(No: 9 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Section 41 of the Administration of Justice Ordinance amended – Sittings of the courts

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

ADMINISTRATION OF JUSTICE (AMENDMENT)(NO 2) ORDINANCE 2013

(No: 9 of 2013)

(assented to: 3 July 2013)
(commencement: on publication)
(published: 8 July 2013)

AN ORDINANCE

To further amend the Administration of Justice Ordinance (Title 22.1).

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Administration of Justice (Amendment)(No 2) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

3. Section 41 of the Administration of Justice Ordinance amended – Sittings of the courts

The following subsections are added at the end of section 41 of the Administration of Justice Ordinance —

“(5) The Magistrate’s Court may sit outside the Falkland Islands for the purpose of dealing with a matter or question which may be dealt with by the Magistrate’s Court, but only if the requirements of subsection (6) are satisfied in relation to the specific hearing at which the matter or question is to be dealt with.

(6) Each of the following requirements must be satisfied before a specific hearing may be held outside the Falkland Islands —

(a) each of the parties must have been given the opportunity to make representations about —

(i) whether or not the hearing should take place outside the Falkland Islands;

(ii) the manner in which the hearing is to be conducted; and

(iii) whether or not representations or evidence may be received at the hearing from outside the Falkland Islands;

(b) the Senior Magistrate must be satisfied that it is in the interests of justice that the hearing takes place outside the Falkland Islands; and

(c) the Chief Justice must have certified that it is in the interests of justice that the hearing takes place outside the Falkland Islands.

(7) The requirement that each of the parties be given the opportunity to make representations does not apply if the Senior Magistrate instead certifies that —

(a) a party has not been given the opportunity because of the ex parte nature of the hearing; or

(b) the following circumstances apply —

(i) it has not been possible (despite reasonable efforts in all of the circumstances) to contact the party; and

(ii) the urgency of the matter or question is such that the hearing must be held outside the Falkland Islands without further delay in seeking to give the party the opportunity to make representations.

(8) The requirement for a certificate from the Chief Justice does not apply if the Senior Magistrate instead certifies that —

(a) the Chief Justice has not refused to provide a certificate; but

(b) it has not been possible (despite reasonable efforts in all of the circumstances) to obtain a certificate from the Chief Justice; and

(c) the urgency of the matter or question is such that the hearing must be held outside the Falkland Islands without further delay in seeking a certificate from the Chief Justice.

(9) The rules of evidence, practice and procedure do not have effect to restrict the powers of the court by virtue of the place in which it sits and, in particular —

(a) a court sitting outside the Falkland Islands may be treated as sitting in the Falkland Islands in order to preserve its powers;

(b) a court sitting outside the Falkland Islands may receive evidence or representations from outside the Falkland Islands.”

Passed by the Legislature of the Falkland Islands on 2 July 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

MINIMUM WAGE BILL 2013

EXPLANATORY MEMORANDUM

The Minimum Wage Bill would implement proposals for workers in the Falkland Islands to be guaranteed a minimum wage for their work.

This Explanatory Memorandum is intended to assist readers of the Bill by providing a detailed explanation of the Bill's provisions.

The Bill has 34 clauses and 2 Schedules. It forms part of a package of draft legislation that also includes a draft order and two sets of draft regulations dealing with specific issues – copies of the drafts are also being gazetted with the Bill.

The Bill is divided into 17 Parts:

- Part 1 deals with the title of the proposed Ordinance (the Minimum Wage Ordinance) and the procedure for bringing it into force.
- Part 2 defines a number of words and phrases used elsewhere in the Bill. Key terms that are defined in Part 2 include: “worker”; “eligible work”; and “pay reference period”.
- Part 3 deals with the entitlement of a worker to a minimum wage (and the obligation on employers to make additional payments if the amounts that workers are treated as having been paid are less than the minimum wage to which they are entitled).
- Part 4 deals with minimum wage rates and includes duties for the Governor to set minimum wage rates for adults (those aged 18 or over) and young persons (those aged 16 or 17) and for those rates to be kept under review.
- Part 5 deals with the calculation of the hours worked by a worker for the purposes of the minimum wage. This would be dealt with in the draft Minimum Wage (Calculation of Hours Worked) Regulations.
- Part 6 deals with the calculation of the amount treated as having been paid to a worker for the purposes of the minimum wage. This would be dealt with in the draft Minimum Wage (Calculation of Amount Paid) Regulations.
- Part 7 deals with the obligation on employers to keep records for minimum wage purposes and the rights of workers to access their records.
- Part 8 deals with the right of workers not to suffer adverse consequences because of their entitlement to a minimum wage or because of action they take to enforce their rights.
- Part 9 deals with procedures by which workers can enforce their rights in the Summary Court – however, it is intended that court action should only be a last resort.
- Part 10 deals with the burden of proof in minimum wage cases.

- Part 11 deals with appeals from the Summary Court in minimum wage cases.
- Part 12 deals with restrictions on contracting out of the minimum wage legislation – attempts to contract out would not be effective but it would be possible to settle claims out of court if they arise.
- Part 13 deals with publicity for the minimum wage legislation, guidance for employers and workers and the information to be given by employers to their workers.
- Part 14 deals with consequential amendments, including an amendment to the Employment Protection Ordinance (Title 32.3) dealing with dismissals relating to the minimum wage. Other consequential amendments could be made if necessary.
- Part 15 would allow for transitional provisions to be made.
- Part 16 makes it clear that the minimum wage legislation binds the Crown and would apply to the Crown as an employer.
- Part 17 would repeal the Labour (Minimum Wage) Ordinance (Title 32.5), which dates from 1942.

Part 1 – Introduction

Under *clause 2*, the Ordinance would not come into force immediately, even if the Bill is passed. It would only come into force when a notice (or series of notices) is published in the *Gazette* to bring it into force (either all at once or in stages).

Part 2 – Interpretation

Clause 3 defines a number of words and phrases that are used elsewhere in the Bill. It also contains indexing references to other provisions in which words or phrases are defined.

Clause 4 defines “work” and related expressions: it provides that someone who is performing a service or services is doing work.

Clause 5 defines “worker”, which is a key concept in the minimum wage legislation:

- The primary definition of “worker” is tied to the concept of a “relevant work contract” (which is itself defined in *clause 3* and includes a contract of service or one of apprenticeship, but also includes some other contracts under which work is done).
- However, *Schedule 1* deals with special cases:
 - *Paragraph 1* makes it clear that those employed by FIG or the UK Government can be workers – however, not all work for FIG or the UK Government is eligible work (and *Schedule 2* deals with that).
 - *Paragraph 2* deals with agency workers.

- *Paragraph 3* deals with workers whose employers are themselves employed (and who do work for that ultimate employer).
- *Paragraph 4* deals with home workers.
- Other special cases could be dealt with in subsidiary legislation – although there are no current plans to do that.

Clause 5(3) would allow the Governor (who would normally be acting on the advice of Executive Council) to amend *Schedule 1*. As an additional safeguard, amendments to *Schedule 1* made in this way would have to be approved by the Legislative Assembly to remain in force.

Clause 5(4) would allow the Governor (again, normally, acting on the advice of Executive Council) to make orders dealing with special cases. In the same way, orders made under this power would also have to be approved by the Legislative Assembly to remain in force.

Clause 6 defines “eligible work”, which is another key concept in the minimum wage legislation:

- The primary definition of “eligible work” is work that is done in the Falkland Islands by someone who is a worker under the previous definition and who is doing it under a relevant work contract.

Work that is not done under a relevant work contract (eg because it is done by someone under a purely informal arrangement) is not covered by the minimum wage.

- However, *Schedule 2* deals with special cases:
 - *Paragraph 1* deals with the territorial scope of the minimum wage and provides that there are only two situations in which the minimum wage applies to work done away from the Falkland Islands or outside the 12 mile limit:
 - The first exception covers temporary work outside the Falkland Islands by someone who normally works in the Falkland Islands.
 - The other exception covers the offshore minerals industry and its support operations.
 - *Paragraph 2* deals with work on board vessels. It excludes the crew of fishing vessels from the minimum wage and that exception also applies to work on board other vessels (unless they normally operate in Falkland Islands waters or are supporting the offshore minerals industry).
 - *Paragraphs 3 to 10* deal with other exceptions from the minimum wage – these exceptions cover:
 - service in the UK armed forces, the Falkland Islands Defence Force and the cadet forces;

- work done as part of the Entry to Employment programme or the Employment Programme (or similar programmes or schemes that might operate in the future);
 - short-term work experience;
 - voluntary work;
 - work done by resident members of a religious or similar community;
 - work done by prisoners as part of the prison regime;
 - work done under a community service order imposed by a court; and
 - work done as part of family life by a member of the family or someone who is treated as being part of the family.
- Other special cases could be dealt with in subsidiary legislation – although, again, there are no current plans to do that.

Clause 6(3) would allow the Governor (normally, acting on the advice of Executive Council) to amend *Schedule 2*. Again, as an additional safeguard, amendments to *Schedule 2* made in this way would have to be approved by the Legislative Assembly to remain in force.

Clause 6(4) would allow the Governor (again, normally, acting on the advice of Executive Council) to make orders dealing with special cases. Once again, orders made under this power would have to be approved by the Legislative Assembly to remain in force.

Clause 7 defines “pay reference period”, which (again) is a key concept in the minimum wage legislation:

- A pay reference period could not be longer than 1 month.
- However, whenever a worker is paid for a period that is shorter than 1 month (which might be, for example, because: the worker is paid weekly or fortnightly; the work is casual or short term; or the payment covers part of a month at the start or end of a contract), the pay reference period would be the same as the period for which the worker is paid.

The effect of *clause 11(2)* would be that, whenever a worker’s 18th birthday falls during a pay reference period, it would have to be split into two: up to the worker’s 18th birthday; and from then on.

Part 3 – Entitlement to minimum wage

Clause 8(1) would establish the right of workers aged 16 or over to a minimum wage for their eligible work.

Clauses 8(2) and 8(3) provide for the amount of the minimum wage for a pay reference period to be calculated using a formula based on multiplying an hourly minimum wage rate by the number of hours worked.

The minimum wage rate used in that formula would depend on the worker's age: under *clause 11*, there are separate rates for those aged 18 or over and those aged 16 or 17.

The hours worked would be calculated using regulations made under *clause 14*. A detailed explanation of how it is proposed this would be done is set out at the end of the draft Minimum Wage (Calculation of Hours Worked) Regulations.

Under *clause 9(a)*, the amount that a worker would be treated as having been paid for minimum wage purposes would not be the same as the amount the worker actually receives in cash or by cheque or bank transfer. Instead, it would be calculated using regulations made under *clause 15*. A detailed explanation of how it is proposed this would be done is set out at the end of the draft Minimum Wage (Calculation of Amount Paid) Regulations.

Under *clause 9(b)*, the amount that a worker is treated as having been paid must not be less than the minimum wage calculated using the formula.

If it is less, *clause 10* would create an entitlement for the worker to an additional payment of the difference. If necessary, proceedings could be brought in the Summary Court under *clause 20* to claim the additional payment – however, it is intended that court proceedings should be a last resort.

Part 4 – Minimum wage rates

Under *clause 11(1)*, there would be two different minimum wage rates:

- For workers aged 18 or over, there would be a minimum wage rate for adults – it is proposed that this would initially be £5.05 per hour.
- For workers aged 16 or 17, there would be a minimum wage rate for young persons – it is proposed that this would initially be £3.10 per hour.

Because the two different rates involve an element of age discrimination, consideration has been given to the requirements of section 16 of the Constitution (which prohibits unjustified discrimination in Falkland Islands legislation). It is considered that the difference can be justified on the basis that younger workers are generally not as competent or experienced as adult workers and so are less valued by employers.

Clause 11(2) deals with the specific situation in which a worker's 18th birthday falls during a pay reference period.

Under *clause 12*, the Governor would have to make an order to set the minimum wage rates. A draft of the order setting the two rates is gazetted separately and the Governor would make this order on the advice of Executive Council.

Under *clause 13*, the minimum wage rates would have to be kept under review and the Governor (normally, acting on the advice of Executive Council) would be able to change the minimum wage rates by order. Under *clause 13(2)*, reviews would have to take place at least every 12 months.

To ensure that employers are given advance notice of changes to minimum wage rates, *clause 13(3)* provides that changes cannot come into effect for at least 3 months after they have been published.

Part 5 – Calculation of hours worked

Under *clause 14*, the Governor would have to make regulations about the way in which the hours of eligible work done by a worker are calculated for minimum wage purposes. A draft of the regulations is gazetted separately and the Governor would make these regulations on the advice of Executive Council.

In summary, hours spent working, training and travelling in the course of work would count as hours of eligible work but hours spent travelling between home and work would only count if the travel forms part of the worker's duties.

If necessary, the regulations could be amended or replaced in the future – if doing that, the Governor would normally have to act on the advice of Executive Council.

Part 6 – Calculation of amounts treated as having been paid

Under *clause 15*, the Governor would have to make regulations about how to calculate the amount a worker is to be treated as having been paid for minimum wage purposes. A draft of the regulations is gazetted separately and the Governor would make these regulations on the advice of Executive Council.

There is a detailed explanation at the end of the draft regulations about how these calculations would be done. However, in summary, the amount that a worker is actually paid would be adjusted to take account of payments that would not count for minimum wage purposes and certain deductions that would be added back for minimum wage purposes.

If necessary, the regulations could be amended or replaced in the future – if doing that, the Governor would normally have to act on the advice of Executive Council.

Part 7 – Record keeping by employers (and worker's right to access employer's records)

Under *clause 16*, employers would have to keep records for minimum wage purposes.

There would be no prescriptive requirements in the legislation itself about what records are kept and how they are kept – the requirement would be outcome-based in that an employer's records would have to be adequate enough for the employer to be able to show to a worker that the minimum wage has been paid to that worker.

However, it is envisaged that FIG would be issuing guidance to employers about the minimum wage legislation and that this will include guidance about how to comply with the requirement to keep records.

Failing to keep proper records would not be a criminal offence but, in the event of a dispute, the Summary Court would be able to award damages (of up to £5,000) and/or costs against an employer who had not kept proper records or could not show that the minimum wage had been paid.

However, *clause 16(3)* would enable employers to obtain information from workers, if they need that information to keep their records. Under *clause 16(4)*, if information is reasonably required by an employer but the worker does not provide it, the employer would not be treated as keeping inadequate records to that extent and, if the matter reached court, the court would have to take it into account.

Clause 17 would give workers a right of reasonable access to their employer's records for the purpose of confirming that the minimum wage has been paid.

It is envisaged that FIG would be issuing guidance about the minimum wage legislation to workers as well as employers and that the guidance will also cover what is reasonable (and what is not) in relation to the right of reasonable access to records.

If an employer does not give a worker access to records, that would not be a criminal offence but, in the event of a dispute, the Summary Court would be able to award damages (of up to £5,000) and/or costs against an employer who had not given a worker reasonable access to records.

Clause 18 would establish a formal process for dealing with requests for access to records – although it is hoped that most requests could be dealt with informally:

- If a worker is not given access to records on the basis of an informal request, it would be possible for the worker to make a formal request by giving the employer a production notice.
- An employer who has received a production notice would have 7 days in which to either:
 - arrange for the records to be made available to the worker; or
 - issue a refusal notice, explaining why the request is unreasonable.
- Unless a refusal notice is issued, access to the records would normally have to be given to the worker within 14 days from the date on which the employer received the production notice.

Again, it is envisaged that the guidance for workers and employers will deal with this process.

As a last resort (and it is hoped that it would only ever have to be a last resort), disputes could be resolved by a complaint to the Summary Court under *clause 21*.

Part 8 – Worker’s right not to suffer detriment relating to minimum wage

Under *clause 19*, workers would have the right not to suffer adverse consequences just because they have the right to a minimum wage or do anything to exercise their rights under the minimum wage legislation.

Clause 19(2) is intended to make it clear that the right not to suffer adverse consequences for minimum wage related reasons includes not just the right not to be dismissed but also the right not to suffer other adverse consequences.

Clause 19(3) is intended to make it clear that it would not just be going to court under the minimum wage legislation (or threatening to go to court) that would be covered by the protection from adverse consequences – exercising rights under the minimum wage legislation in other ways and insisting on them would be protected too.

Protection from dismissal is dealt with in *clause 22* and an amendment to the Employment Protection Ordinance that would be made by *clause 30*.

Protection from other adverse consequences is dealt with in *clause 23*.

Part 9 – Enforcement by workers of their rights

Clause 20 deals with proceedings in the Summary Court for workers to claim additional payments under *clause 10* if they believe that they have not been paid the minimum wage and have not been able to resolve the situation in another way.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when determining the claim. Under *clause 16(4)*, the Summary Court would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

Clause 20(3)(a) deals with the additional payments themselves: if the Summary Court agrees with the worker that they are due, it would order the employer to pay them – however, there would be a time limit and the Summary Court would not be able order additional payments from more than 6 years before the proceedings were brought.

Under *clause 20(3)(b)(i)*, the Summary Court would also be able to award interest on the additional payments at 8% per year over the Bank of England base rate.

Under *clause 20(3)(b)(ii)*, the Summary Court would also be able to order the employer to pay the worker damages of up to £5,000, but only if the employer’s conduct were to justify those damages.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when deciding whether or not to award damages and, if so, how much to award. Under *clause 16(4)*, it would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

The normal rule in court proceedings is that whoever loses the case has to pay costs to the winner, but, under *clause 20(4)*, costs would not normally be awarded in minimum wage claims.

However, *clause 20(4)* would still allow the Summary Court to award costs against:

- a worker who has brought a case to court unreasonably; or
- against a worker or employer who has conducted the court case in an unreasonable way.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when deciding whether or not to award costs and, if so, how much of them to award. Under *clause 16(4)*, it would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

Clause 21 deals with complaints in the Summary Court by workers who have been unable to resolve disputes about access to their employers' minimum wage records:

- The effect of *clause 21(1)(a)* is that a worker would have to go through the procedure in *clause 18* before making a complaint to the Summary Court.
- *Clause 21(1)(b)* deals with the circumstances in which workers could make a complaint to the Summary Court about access to employers' records.
- Under *clause 21(3)*, the time limit within which a complaint must be made would normally be 3 months – however, the Summary Court would be able to extend that time limit in certain circumstances.
- Under *clause 21(4)*, the Summary Court would be able to order the employer to produce records if it agrees that the employer has breached the worker's right of reasonable access to records.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when determining the complaint. Under *clause 16(4)*, the Summary Court would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

- Under *clause 21(5)(a)*, the Summary Court would also be able to award damages for a loss that the worker has actually suffered because of the breach of that right.
- Under *clause 21(5)(b)*, the Summary Court would also be able to order the employer to pay the worker damages of up to £5,000, but only if the employer's conduct were to justify those damages.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when deciding whether or not to award damages and, if so, how much to award. Under *clause 16(4)*, it would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

- The normal rule in court proceedings is that whoever loses the case has to pay costs to the winner, but, under *clause 21(6)*, costs would not normally be awarded in minimum wage claims.

However, *clause 21(6)* would still allow the Summary Court to award costs against:

- a worker who has brought a case to court unreasonably; or
- against a worker or employer who has conducted the court case in an unreasonable way.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when deciding whether or not to award costs and, if so, how much of them to award. Under *clause 16(4)*, it would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

Clause 22 deals with situations in which a worker has been dismissed and claims that this is related to the minimum wage. It provides that claims for unfair dismissal relating to the minimum wage would be dealt with under section 57A of the Employment Protection Ordinance. Section 57A would be inserted into the Employment Protection Ordinance by *clause 30*.

Clause 23 deals with complaints in the Summary Court by workers who believe that they have suffered other adverse consequences (detriment) because of the minimum wage and/or steps the worker has taken about the minimum wage.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when determining the complaint. Under *clause 16(4)*, the Summary Court would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records

- Under *clause 23(3)*, the time limit within which a complaint must be made would normally be 3 months – however, the Summary Court would be able to extend that time limit in certain circumstances.
- Under *clauses 23(4)* and *23(5)*, the Summary Court would be given a flexible power to make orders to remedy the detriment and/or to prevent further detriment from happening.
- Under *clause 23(6)(a)*, the Summary Court would also be able to award damages for a loss that the worker has actually suffered as a result of the detriment.
- Under *clause 23(6)(b)*, the Summary Court would also be able to order the employer to pay the worker damages of up to £5,000, but only if the employer's conduct were to justify those damages.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when deciding whether or not to award damages and, if so, how much to award. Under *clause 16(4)*, it would also have to take into account any failure or refusal by a worker

to provide information that the employer reasonably required for the purpose of keeping records.

- The normal rule in court proceedings is that whoever loses the case has to pay costs to the winner, but, under *clause 23(7)*, costs would not normally be awarded in minimum wage claims.

However, *clause 23(7)* would still allow the Summary Court to award costs against:

- a worker who has brought a case to court unreasonably; or
- against a worker or employer who has conducted the court case in an unreasonable way.

Under *clause 28(2)*, the Summary Court would have to take guidance issued by FIG into account when deciding whether or not to award costs and, if so, how much of them to award. Under *clause 16(4)*, it would also have to take into account any failure or refusal by a worker to provide information that the employer reasonably required for the purpose of keeping records.

Part 10 – Reversal of burden of proof

Clause 24 deals with the burden of proof in minimum wage cases: it provides that there are some elements (but only some elements) that someone bringing a minimum wage case in the Summary Court would not have to prove – for those elements (and only those), it would be for the employer to disprove them instead.

Part 11 – Appeals from decisions of Summary Court

Clause 25 provides that decisions of the Summary Court can be appealed to the Magistrate's Court (but that there is no further appeal beyond the Magistrate's Court).

Part 12 – Restrictions on contracting out

The effect of *clause 26* would be to prevent workers from contracting out of the right to a minimum wage for their eligible work and from contracting out of their other rights under the minimum wage legislation. Attempts to contract out would not be given any effect.

The only exception to that would be that, if a claim arises, it would be possible for that claim to be settled out of court. However, it would only be possible to settle specific claims that have actually arisen – it would not be possible to “settle” future or potential claims in advance.

Part 13 – Publicity, guidance and information for workers

Under *clause 27*, FIG would arrange for publicity about the minimum wage legislation.

Clause 28 would allow FIG to issue statutory guidance for employers and workers about the minimum wage legislation.

Under *clause 28(2)*, this guidance would not be binding but the Summary Court could take whether or not the guidance has been followed into account when dealing with minimum wage cases.

Under *clause 29*, employers would be required to provide their workers with information about the workers' rights under the minimum wage legislation. However, it would be possible for employers to do this by providing workers with copies of the FIG guidance for workers.

Part 14 – Consequential amendments

Clause 30 would make a consequential amendment to the Employment Protection Ordinance to deal with claims for unfair dismissal relating to the minimum wage:

- It would insert a new section 57A into that Ordinance, under which it would be unfair dismissal to dismiss an employee because the employee is entitled to the minimum wage or because the employee has exercised rights in relation to the minimum wage,
- It would also insert cross-references to the new section 57A into sections 58 and 63 and the effect of these cross-references would be that:
 - selection for redundancy relating to the minimum wage would itself be unfair dismissal; and
 - the qualifying period for unfair dismissal claims would not apply to unfair dismissal relating to the minimum wage.

Clause 31 would allow for other consequential amendments to be made by order, if necessary. If this power has to be used, the Governor would normally have to act on the advice of Executive Council.

Part 15 – Transitional provisions

Clause 32 would allow for transitional provisions to be made by order. If this power is used, the Governor would normally have to act on the advice of Executive Council.

Part 16 – Application to Crown

Clause 33 is intended to make it clear that the minimum wage legislation applies to Crown as an employer in the same way as it does to other employers.

Paragraph 1 of Schedule 1 specifically provides that those employed by FIG and the UK Government are workers for the purposes of the minimum wage legislation.

However, not all work for FIG or the UK Government is eligible work (and *Schedule 2* deals with that).

Part 17 – Repeal

Clause 34 would repeal the Labour (Minimum Wage) Ordinance. That Ordinance dates from 1942, has no current practical effect and is not fit for purpose in the modern era.

It is also proposed to repeal another Ordinance dating from 1942, the Labour (Advisory Board) Ordinance, which (again) has no current practical effect and is not fit for purpose in the modern era. That Ordinance would be repealed by a separate Bill.

Schedule 1 – “Worker”: special cases

Schedule 1 deals with special cases in relation to the definition of “worker”. *Schedule 1* is described above in the context of *clause 5*.

Schedule 2 – “Eligible work”: special cases

Schedule 2 deals with special cases in relation to the definition of “eligible work”. *Schedule 1* is described above in the context of *clause 6*.

Minimum Wage Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

PART 1 – INTRODUCTION

1. Title
2. Commencement

PART 2 – INTERPRETATION

3. Interpretation: defined terms
4. Interpretation: “work”, etc
5. Interpretation: “worker” (with powers for Governor to amend Schedule 1 and to make subsidiary legislation about special cases)
6. Interpretation: “eligible work” (with powers for Governor to amend Schedule 2 and to make subsidiary legislation about special cases)
7. Interpretation: “pay reference period”

PART 3 – ENTITLEMENT TO MINIMUM WAGE

8. Entitlement to minimum wage for each pay reference period
9. Amount treated as having been paid in respect of minimum wage for pay reference period
10. Worker’s entitlement to additional payment if amount treated as having been paid less than minimum wage for pay reference period

PART 4 – MINIMUM WAGE RATES

11. Minimum wage rates
12. Minimum wage rates: duty on Governor to set initial rates by order
13. Minimum wage rates: duty to keep under review and power for Governor to adjust by order

PART 5 – CALCULATION OF HOURS WORKED

14. Duty on Governor to make regulations about calculation of hours worked

PART 6 – CALCULATION OF AMOUNTS TREATED AS HAVING BEEN PAID

15. Duty on Governor to make regulations about calculation of amounts treated as having been paid

PART 7 – RECORD KEEPING BY EMPLOYERS (AND WORKER’S RIGHTS TO ACCESS EMPLOYER’S RECORDS)

16. Records to be kept by employers (and duty of employees to provide information reasonably required for record keeping purposes)
17. Worker’s right of reasonable access to employer’s minimum wage records
18. Dealing with refusal to allow worker access to records

PART 8 – WORKER’S RIGHT NOT TO SUFFER DETRIMENT RELATING TO MINIMUM WAGE

19. Worker’s right not to suffer detriment relating to minimum wage

PART 9 – ENFORCEMENT BY WORKERS OF THEIR RIGHTS

- 20. Proceedings for additional payment if minimum wage not paid
- 21. Enforcement by worker of right of reasonable access to employer's records
- 22. Enforcement by worker of right not to be dismissed in relation to minimum wage
- 23. Enforcement by worker of right not to suffer detriment (other than dismissal) in relation to minimum wage

PART 10 – REVERSAL OF BURDEN OF PROOF

- 24. Reversal of burden of proof

PART 11 – APPEALS FROM DECISIONS OF SUMMARY COURT

- 25. Appeals from decisions of Summary Court

PART 12 – RESTRICTIONS ON CONTRACTING OUT

- 26. Restrictions on contracting out

PART 13 – PUBLICITY, GUIDANCE AND INFORMATION FOR WORKERS

- 27. Publicity
- 28. Guidance
- 29. Employers to provide workers with information about rights under the minimum wage legislation

PART 14 – CONSEQUENTIAL AMENDMENTS

- 30. Amendment of the Employment Protection Ordinance
- 31. Power to make further consequential amendments by order

PART 15 – TRANSITIONAL PROVISIONS

- 32. Power to make transitional provisions by order

PART 16 – APPLICATION TO CROWN

- 33. Application to Crown

PART 17 – REPEAL

- 34. Labour (Minimum Wage) Ordinance repealed

Schedule 1 – “Worker”: special cases

Schedule 2 – “Eligible work”: special cases

MINIMUM WAGE BILL 2013

(No: of 2013)

(assented to: 2013)

(commencement: see section 2)

(published: 2013)

A BILL

for

AN ORDINANCE

To provide for the introduction of a minimum wage to be paid to workers; and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands —

PART 1 INTRODUCTION

1. Title

This Ordinance is the Minimum Wage Ordinance 2013.

2. Commencement

(1) This Ordinance comes into force on a date appointed by the Governor in a notice published in the *Gazette*.

(2) The Governor may appoint different days for different provisions of the Ordinance to come into force.

PART 2 INTERPRETATION

3. Interpretation: defined terms

(1) In this Ordinance (and subsidiary legislation made under it) —

“contract” means an express or implied contract (and, if it is an express contract, whether it was made orally, in writing or in some other way);

“dismissal” has the same meaning as it does under section 53 of the Employment Protection Ordinance (Title 32.3);

“eligible work” has the meaning given by section 6;

“employer” —

(a) in relation to a worker, means the person for whom the worker is (or was) working under a relevant work contract; and

(b) is also to be interpreted in accordance with Schedule 1;

“minimum wage legislation” means —

(a) this Ordinance; and

(b) subsidiary legislation made under it;

“minimum wage rate” has the meaning given by section 11(1);

“minimum wage rate for adults” has the meaning given by section 11(1)(a);

“minimum wage rate for young persons” has the meaning given by section 11(1)(b);

“pay reference period” has the meaning given by section 7;

“relevant work contract” means —

(a) a contract of service or apprenticeship; or

(b) a contract that is not a contract of service or apprenticeship but under which —

(i) an individual undertakes personally to do work for another party to the contract; and

(ii) the status of that other party under the contract is not that of a client or customer of a profession or business undertaking carried on by the individual;

“work” is to be interpreted in accordance with section 4; and

“worker” is to be interpreted in accordance with section 5.

4. Interpretation: “work”, etc

Every reference in the minimum wage legislation to a person doing work also includes references to that person performing a service or performing services (and “work” and other related expressions are to be understood accordingly).

5. Interpretation: “worker” (with powers for Governor to amend Schedule 1 and to make subsidiary legislation about special cases)

(1) A person is a worker if —

(a) the person has entered into a relevant work contract;

(b) the person is working under a relevant work contract; or

(c) the person worked under a relevant work contract that has come to an end.

(2) A person may also be treated as being a worker (or treated as not being a worker) in accordance with —

(a) Schedule 1 (which deals with special cases relating to the definition of “worker”); or

(b) an order made under subsection (4).

(3) The Governor may amend Schedule 1 by order.

(4) The Governor may make one or more orders dealing with special cases relating to the definition of “worker”.

(5) An order made under subsection (3) or (4) may provide for the minimum wage legislation to apply in a modified way in a special case with which it deals.

(6) An order made under subsection (3) or (4) may come into force as soon as it is published in the *Gazette* but the order may only continue in force beyond the next meeting of the Legislative Assembly that takes place after publication if it is approved by resolution of the Legislative Assembly at that meeting.

(7) If the order is not approved by resolution of the Legislative Assembly in accordance with subsection (6) —

(a) the order ceases to have effect from the end of the meeting at which it needed to be approved to continue in force; and

(b) the Governor must arrange for a notice to be published in the *Gazette* stating that the order has ceased to have effect.

(8) An order ceasing to have effect under subsection 7(a) does not —

(a) affect the validity of the order while it was in force, or

(b) prevent the making of a new order.

(9) Subsections (6) to (8) do not prevent the Legislative Assembly from amending an order under section 35(2) of the Interpretation and General Clauses Ordinance (Title 67.2).

6. Interpretation: “eligible work” (with powers for Governor to amend Schedule 2 and to make subsidiary legislation about special cases)

(1) Work is eligible work if —

(a) it is done by a worker;

(b) it is done under a relevant work contract; and

(c) it is done in the Falkland Islands.

(2) Work may also be treated as being eligible work (or treated as not being eligible) in accordance with —

(a) Schedule 2 (which deals with special cases relating to the definition of “eligible work”);
or

(b) an order made under subsection (4).

(3) The Governor may amend Schedule 2 by order.

(4) The Governor may make one or more orders dealing with special cases relating to the definition of “eligible work”.

(5) An order made under subsection (3) or (4) may provide for the minimum wage legislation to apply in a modified way in a special case with which it deals.

(6) An order made under subsection (3) or (4) may come into force as soon as it is published in the *Gazette* but the order may only continue in force beyond the next meeting of the Legislative Assembly that takes place after publication if it is approved by resolution of the Legislative Assembly at that meeting.

(7) If the order is not approved by resolution of the Legislative Assembly in accordance with subsection (6) —

(a) the order ceases to have effect from the end of the meeting at which it needed to be approved to continue in force; and

(b) the Governor must arrange for a notice to be published in the *Gazette* stating that the order has ceased to have effect.

(8) An order ceasing to have effect under subsection 7(a) does not —

(a) affect the validity of the order while it was in force, or

(b) prevent the making of a new order.

(9) Subsections (6) to (8) do not prevent the Legislative Assembly from amending an order under section 35(2) of the Interpretation and General Clauses Ordinance (Title 67.2).

7. Interpretation: “pay reference period”

(1) The minimum wage payable to a worker who has done eligible work is to be calculated for each pay reference period during which that worker does eligible work for an employer.

(2) The normal pay reference period for a worker is —

(a) a period of 1 month, unless —

(b) the worker is paid wages for a period that is shorter than 1 month, in which case that period is the pay reference period for that worker; or

(3) A reference in the minimum wage legislation to a person being paid for a pay reference period is a reference to the person being paid by the person's employer in respect of eligible work done by that person during that pay reference period (regardless of when that payment is made).

PART 3 ENTITLEMENT TO MINIMUM WAGE

8. Entitlement to minimum wage for each pay reference period

(1) Workers aged 16 or over are entitled to at least a minimum wage for each pay reference period in which they do eligible work.

(2) A worker's minimum wage for a pay reference period is to be calculated using the formula —

$$M \times H$$

(3) In the formula $M \times H$ —

“M” is the minimum wage rate that applies to that worker in accordance with section 11; and

“H” —

(a) is the number of hours (which need not be a whole number) of eligible work that the worker has done during the pay reference period; and

(b) is to be calculated in accordance with regulations made under section 14.

9. Amount treated as having been paid in respect of minimum wage for pay reference period

The amount that a worker is treated as having been paid by an employer in respect of the minimum wage for a pay reference period —

(a) is to be calculated in accordance with regulations made under section 15; and

(b) must be greater than or equal to the worker's minimum wage for that pay reference period (calculated using the formula in section 8(2)).

10. Worker's entitlement to additional payment if amount treated as having been paid less than minimum wage for pay reference period

(1) Subsection (2) applies if the amount that a worker is treated as having been paid in relation to the minimum wage for a pay reference period (calculated in accordance with regulations made under section 15) is less than the minimum wage for that pay reference period.

(2) If this subsection applies, the employer must pay to the worker an amount which is equal to the difference between —

(a) the amount treated as having been paid to the worker in respect of the minimum wage for that pay reference period; and

(b) the worker's minimum wage for that pay reference period (calculated using the formula in section 8(2)).

PART 4 MINIMUM WAGE RATES

11. Minimum wage rates

(1) There are two minimum wage rates for workers —

(a) the minimum wage rate for workers aged 18 or over ("the minimum wage rate for adults"); and

(b) the minimum wage rate for workers aged 16 or 17 ("the minimum wage rate for young persons").

(2) If a worker's 18th birthday takes place during a pay reference period —

(a) the minimum wage rate for young persons applies to that worker in relation to the eligible work done by that worker from the start of the period until the end of the day before the worker's birthday; and

(b) the minimum wage rate for adults applies to that worker in relation to the eligible work done by that worker from the start of the worker's 18th birthday until the end of the period.

12. Minimum wage rates: duty on Governor to set initial rates by order

The Governor must make an order setting the initial rates of —

(a) the minimum wage rate for adults; and

(b) the minimum wage rate for young persons.

13. Minimum wage rates: duty to keep under review and power for Governor to adjust by order

(1) The minimum wage rates must be kept under review.

(2) A review of the minimum wage rates must take place at least every 12 months.

(3) Following a review of the minimum wage rates, the Governor may make an order adjusting —

(a) the minimum wage rate for adults;

(b) the minimum wage rate for young persons; or

(c) both minimum wage rates.

(4) No order adjusting either minimum wage rate (or both of them) may take effect until at least 3 months after it has been published in the *Gazette*.

**PART 5
CALCULATION OF HOURS WORKED**

14. Duty on Governor to make regulations about calculation of hours worked

The Governor must make regulations about how the number of hours of eligible work that a worker has done during a pay reference period is to be calculated.

**PART 6
CALCULATION OF AMOUNTS TREATED AS HAVING BEEN PAID**

15. Duty on Governor to make regulations about calculation of amounts treated as having been paid

The Governor must make regulations about how the amount treated as having been paid to a worker in respect of the minimum wage for a pay reference period is to be calculated.

**PART 7
RECORD KEEPING BY EMPLOYERS (AND WORKER'S RIGHTS TO ACCESS
EMPLOYER'S RECORDS)**

16. Records to be kept by employers (and duty of employees to provide information reasonably required for record keeping purposes)

(1) Every employer of one or more workers who do (or have done) eligible work must keep records that are adequate for the following purposes —

(a) establishing that the workers have been paid at least the minimum wage for their eligible work; and

(b) enabling workers to exercise their right to access those records under section 17.

(2) The records that an employer must keep —

(a) may be kept —

(i) on paper;

(ii) by means of a computer; or

(iii) in some other way; but

(b) must be in a form which enables the information kept about a worker in respect of a pay reference period to be produced in a single document; and

(c) in relation to each pay reference period, must be kept by the employer for at least 6 years after the end of that pay reference period.

(3) If an employer reasonably requires information from a worker for the purpose of keeping the records, the worker is under a duty to provide the employer with that information.

(4) To the extent that a worker does not provide an employer with information that is reasonably required to keep the records —

(a) the employer is not to be treated as having kept records that are not adequate; and

(b) in relation to proceedings under section 20 (or a complaint under section 21 or 23), the Summary Court (and the Magistrate's Court when dealing with an appeal) must take that into account when —

(i) determining the claim or complaint;

(ii) determining whether or not to award additional damages against the employer (and, if so, how much those additional damages should be); and

(iii) determining whether or not to award costs against either party (and, if so, what proportion of the costs should be awarded).

17. Worker's right of reasonable access to employer's minimum wage records

(1) Every worker has a right ("the right of reasonable access") of reasonable access to the records kept by the worker's employer under section 16 in order to confirm that the worker has been paid at least the minimum wage for each pay reference period.

(2) A worker may only exercise the right of reasonable access for the purpose of establishing whether or not the worker is being (or has been) paid at least the minimum wage for one or more pay reference periods.

(3) When exercising the right of reasonable access, the worker may —

(a) require the employer to produce the records that the employer has kept under section 16 to the extent that they relate to that worker;

(b) inspect and examine those records; and

(c) copy them (or part of them).

(4) The right of reasonable access may be exercised —

(a) by the worker alone; or

(b) by the worker accompanied by another person.

18. Dealing with refusal to allow worker access to records

(1) If the employer refuses to give the worker access to the records under section 17, the worker may give the employer a written notice ("a production notice") requesting the production of the employer's records kept under section 16 to the extent that they relate to that worker over a period specified in the production notice.

(2) If the worker intends to inspect and examine those records accompanied by another person, the production notice must contain a statement of that intention.

(3) An employer may refuse a request made in a production notice if (in all of the circumstances) the request is unreasonable.

(4) If the employer intends to refuse a request made in a production notice, the employer must give the worker a written notice ("a refusal notice") —

(a) indicating that the request is being refused; and

(b) explaining why the employer considers that the request is unreasonable.

(5) Within 7 days of receiving a production notice from a worker, the employer must either —

(a) give the worker a refusal notice; or

(b) give the worker reasonable written notice of a place and time at which the records will be produced to the worker (or to the worker and the person accompanying the worker).

(6) The place where the records are produced must be —

(a) the worker's place of work; or

(b) another place at which it is reasonable (in all the circumstances) for the worker to attend to inspect the relevant records; or

(c) another place that has been agreed between the worker and the employer after the production notice was given to the employer.

(7) The records must be produced either —

(a) no later than 14 days after the date on which the employer receives the production notice; or

(b) at a later time that has been agreed between the worker and the employer after the production notice was given to the employer.

PART 8

WORKER'S RIGHT NOT TO SUFFER DETRIMENT RELATING TO MINIMUM WAGE

19. Worker's right not to suffer detriment relating to minimum wage

(1) A worker has the right not to be subjected by the worker's employer to detriment on the ground that —

(a) the employee is entitled to (or will or might become entitled to) —

(i) the minimum wage;

(ii) a particular rate of minimum wage; or

(b) action was taken (or was proposed to be taken) by (or on behalf of) the worker with a view to enforcing (or otherwise securing the benefit of) one or more of the worker's rights under the minimum wage legislation.

(2) For the purposes of subsection (1) —

(a) “detriment” includes dismissal;

(b) “detriment” may also include either or both of the following —

(i) one or more acts;

(ii) one or more deliberate failures to act; and

(c) in the case of acts (or deliberate failures to act), it is immaterial whether they were carried out —

(i) by the employer;

(ii) by another (or others) on the employer's behalf;

(iii) by another (or others) at the employer's instigation.

(3) For the purposes of subsection (1)(b) —

(a) “action” includes (but is not limited to) —

(i) bringing proceedings before the Summary Court under section 20;

(ii) making a complaint to the Summary Court under section 21 or 23; or

(iii) continuing proceedings or a complaint once made or brought; and

(b) it is immaterial —

(i) whether or not the worker has (or had) a right; or

(ii) whether or not that right is being, has been or was infringed; but

(c) the claim to the right (and, if applicable, the claim that it has been infringed) must be (or must have been) made in good faith.

PART 9
ENFORCEMENT BY WORKERS OF THEIR RIGHTS

20. Proceedings for additional payment if minimum wage not paid

(1) Subsection (2) applies if a worker believes that the worker's employer must make one or more additional payments to the worker under section 10(2).

(2) If this subsection applies, the worker may bring proceedings in the Summary Court.

(3) If the Summary Court finds that the worker is entitled to one or more additional payments under section 10(2) —

(a) it must order that the employer pays the worker the additional payments to which the worker is entitled (but not in relation to pay reference periods that ended more than 6 years before the proceedings were brought); and

(b) it may order that the employer pays the worker —

(i) interest on those additional payments as if they were qualifying debts for the purposes of the Interest on Debts Ordinance (Title 20.3); and

(ii) if it considers that the employer's conduct warrants it, additional damages of up to £5,000 reflecting that conduct.

(4) The Summary Court may only order that one party to proceedings under this section pays the other's costs in those proceedings (or a proportion of those costs) if the court considers that the party has acted unreasonably in bringing or conducting those proceedings.

21. Enforcement by worker of right of reasonable access to employer's records

(1) Subsection (2) applies to a worker if —

(a) the worker has given a production notice to an employer under section 18(1); and

(b) one or more of the following apply —

(i) the employer has given a refusal notice to the worker under section 18(4) and the worker disagrees with it;

(ii) the employer has not given the worker notice under section 18(5) of a reasonable place and time at which the records will be produced;

(iii) the worker does not agree that the place and time specified by an employer in a notice given under section 18(5) is reasonable;

(iv) the employer does not produce the records in accordance with a notice given under section 18(5);

(v) the worker believes that the records produced by the employer are incomplete or inaccurate (or both);

(vi) the worker believes that the employer has (in some other way) done either or both of the following things —

(aa) failed to comply with the obligation to keep records under section 16;

(bb) breached the worker's right of reasonable access under section 17.

(2) A worker to whom this subsection applies may make a complaint to the Summary Court.

(3) The Summary Court will not entertain a complaint unless it is presented to the court either —

(a) within 3 months of when the production notice was given to the employer; or

(b) after a longer period, if the Summary Court considers that it is reasonable (in all of the circumstances of the case) that the complaint was not brought until after that longer period.

(4) If the Summary Court finds that the complaint is justified, it may make an order against the employer requiring the employer to produce the records to the worker (or to the worker accompanied by another person) at a place and time ordered by the court.

(5) The Summary Court may also order that the employer pays the worker —

(a) damages compensating the worker for any loss that the worker has suffered; and

(b) if it considers that the employer's conduct warrants it, additional damages of up to £5,000 reflecting that conduct.

(6) The Summary Court may only order that one party to proceedings under this section pays the other's costs in those proceedings (or a proportion of those costs) if the court considers that the party has acted unreasonably in bringing or conducting those proceedings.

22. Enforcement by worker of right not to be dismissed in relation to minimum wage

(1) Subsection (2) applies to a worker who —

(a) was employed under a contract of service or apprenticeship;

(b) has been dismissed; and

(c) believes that the dismissal breached the worker's right under section 19 not to suffer detriment relating to the minimum wage.

(2) A worker to whom this subsection applies may bring proceedings for unfair dismissal under the Employment Protection Ordinance (Title 32.3) and section 57A of that Ordinance will apply in those proceedings.

23. Enforcement by worker of right not to suffer detriment (other than dismissal) in relation to minimum wage

(1) Subsection (2) applies to a worker who believes that —

(a) the worker is suffering (or has suffered) detriment (other than dismissal from employment under a contract of service or apprenticeship); and

(b) the detriment breaches (or breached) the worker's right under section 19 not to suffer detriment relation to the minimum wage.

(2) A worker to whom this subsection applies may make a complaint to the Summary Court.

(3) The Summary Court will not entertain a complaint unless it is presented to the court either —

(a) within 3 months of the last act or deliberate failure to act specified in the complaint; or

(b) after a longer period, if the Summary Court considers that it is reasonable (in all of the circumstances of the case) that the complaint was not brought until after that longer period.

(4) If the Summary Court finds that the complaint is justified, it may make an order against the employer requiring the employer —

(a) to do one or more things;

(b) to refrain from doing one or more things; or

(c) to do one or more things and to refrain from doing one or more other things.

(5) The purpose of an order against the employer must be to —

(a) remedy the detriment (as far as possible);

(b) to prevent (as far as possible) further detriment; or

(c) to do both of those things.

(6) The Summary Court may also order that the employer pays the worker —

(a) damages compensating the worker for any loss that the worker has suffered; and

(b) if it considers that the employer's conduct warrants it, additional damages of up to £5,000 reflecting that conduct.

(7) The Summary Court may only order that one party to proceedings under this section pays the other's costs in those proceedings (or a proportion of those costs) if the court considers that the party has acted unreasonably in bringing or conducting those proceedings.

PART 10

REVERSAL OF BURDEN OF PROOF

24. Reversal of burden of proof

(1) This section applies in relation to —

(a) proceedings before the Summary Court under section 20; and

(b) complaints made to the Summary Court under section 21 or 23.

(2) If this section applies and an issue arises as to whether or not an individual is (or was) a worker, it is to be presumed that the individual is (or was) a worker unless the contrary is established.

(3) If this section applies and an issue arises as to whether or not a contract is (or was) a relevant work contract, it is to be presumed that the contract is (or was) a relevant work contract unless the contrary is established.

(4) If this section applies and an issue arises as to whether or not work is (or was) eligible work, it is to be presumed that the work is (or was) eligible work unless the contrary is established.

PART 11 APPEALS FROM DECISIONS OF SUMMARY COURT

25. Appeals from decisions of Summary Court

(1) An appeal may be taken to the Magistrate's Court by either party against a decision of the Summary Court —

(a) in proceedings under section 20;

(b) following a complaint under section 21 or 23.

(2) No further appeal may be brought against a decision of the Magistrate's Court on an appeal under subsection (1).

PART 12 RESTRICTIONS ON CONTRACTING OUT

26. Restrictions on contracting out

(1) Subsection (3) applies to a contract or agreement (or to a provision in a contract or agreement) to the extent that it purports —

(a) to exclude or limit the operation of one or more provisions of the minimum wage legislation; or

(b) to preclude a person from —

(i) bringing proceedings before the Summary Court under section 20;

(ii) making a complaint to the Summary Court under section 21 or 23; or

(iii) continuing proceedings or a complaint once made or brought.

(2) In subsection (1), "contract or agreement" is capable of applying to a contract or agreement even if it is not a relevant work contract.

- (3) To the extent that this subsection applies to a provision in a contract or agreement —
- (a) that provision is only valid if that it is covered by the exception in subsection (4);
 - (b) if it is valid at all, it is only valid as far as it is covered by the exception; and
 - (c) apart from that, it is void.
- (4) Subsection (3) does not apply to an agreement —
- (a) if (but only if) it is an agreement made in writing to refrain from —
 - (i) bringing proceedings before the Summary Court under section 20;
 - (ii) making a complaint to the Summary Court under section 21 or 23; or
 - (iii) continuing an existing set of proceedings (or an existing complaint);
 - (b) to the extent (and only to the extent) that it relates to —
 - (i) a specific claim;
 - (ii) a specific set of proceedings; or
 - (iii) a specific complaint.

PART 13

PUBLICITY, GUIDANCE AND INFORMATION FOR WORKERS

27. Publicity

The Falkland Islands Government will arrange for publicity about the minimum wage legislation.

28. Guidance

(1) The Falkland Islands Government may issue —

- (a) guidance for employers about how they are to comply with their obligations under the minimum wage legislation; and
- (b) guidance for workers about their rights under the minimum wage legislation.

(2) If guidance has been issued —

- (a) it does not override the provisions of the minimum wage legislation; but
- (b) the Summary Court (and the Magistrate's Court when dealing with an appeal) must take into account whether the parties to proceedings under section 20 (or a complaint under section 21 or 23) have (or have not) followed that guidance when —

- (i) determining a claim or complaint;
- (ii) determining whether or not to award additional damages against the employer (and, if so, how much those additional damages should be); and
- (iii) determining whether or not to award costs against either party (and, if so, what proportion of the costs should be awarded).

29. Employers to provide workers with information about rights under the minimum wage legislation

(1) Every employer of one or more workers who do (or have been engaged to do) eligible work must provide those workers with adequate information about —

- (a) their entitlement to be paid the minimum wage for their eligible work;
- (b) their rights to access their employers' records (and how they can exercise that right);
- (c) their rights not to suffer detriment; and
- (d) how they can (if need be) enforce their rights under the minimum wage legislation.

(2) If the Falkland Islands Government has produced guidance for workers about their rights under the minimum wage legislation, employers may comply with their obligation to provide information to their workers by ensuring that copies of that guidance are made available to them.

**PART 14
CONSEQUENTIAL AMENDMENTS**

30. Amendment of the Employment Protection Ordinance

(1) This section amends the Employment Protection Ordinance.

(2) The following section is inserted after section 57 —

“57A. Dismissal relating to minimum wage

(1) An employee who is dismissed is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that —

(a) the employee is entitled to (or will or might become entitled to) —

- (i) the minimum wage;
- (ii) a particular rate of minimum wage; or

(b) action was taken (or was proposed to be taken) by (or on behalf of) the employee with a view to enforcing (or otherwise securing the benefit of) one or more of the employee's rights under the Minimum Wage Ordinance (No 00 of 2013).

(2) For the purposes of subsection (1)(b) —

(a) "action" includes (but is not limited to) —

(i) bringing proceedings before the Summary Court under section 20 of the Minimum Wage Ordinance;

(ii) making a complaint to the Summary Court under section 21 or 23 of that Ordinance; or

(iii) continuing proceedings or a complaint once made or brought.

(b) it is immaterial —

(i) whether or not the employee has (or had) the right; or

(ii) whether or not that right is being, has been or was infringed; but

(c) the claim to the right (and, if applicable, the claim that it has been infringed) must be (or must have been) made in good faith."

(3) Section 58(a) is amended by adding "or section 57A(1)".

(4) Section 63(3) is amended by adding "or section 57A(1)".

31. Power to make further consequential amendments by order

(1) The Governor may by order make further provision consequential on this Ordinance (or one or more of its provisions).

(2) An order made under subsection (1) may do one or more of the following things —

(a) amend or repeal written laws of the Falkland Islands;

(b) provide for United Kingdom legislation to apply in the Falkland Islands (with or without modifications);

(c) modify the application in the Falkland Islands of United Kingdom legislation that already applies in the Falkland Islands;

(d) provide that specific provisions of United Kingdom legislation no longer apply in the Falkland Islands.

PART 15 TRANSITIONAL PROVISIONS

32. Power to make transitional provisions by order

The Governor may by order make transitional provision in connection with this Ordinance (or one or more of its provisions).

PART 16
APPLICATION TO CROWN

33. Application to Crown

The minimum wage legislation applies to (and binds) the Crown in its capacity as an employer.

PART 17
REPEAL

34. Labour (Minimum Wage) Ordinance repealed

The Labour (Minimum Wage) Ordinance (Title 32.5) is repealed.

SCHEDULE 1
“WORKER”: SPECIAL CASES

1. Employment by FIG or UK Government (Crown employment)

A person who is employed by the Falkland Islands Government or the United Kingdom Government under a relevant work contract is a worker.

2. Agency workers

(1) Sub-paragraph (2) applies whenever an individual (“the agency worker”) —

(a) is supplied by one person (“the agent”) to do work for another person (“the principal”) under a contract or arrangement made between the agent and the principal; and

(b) is not a party to a contract under which the individual undertakes to do the work for another party to the contract whose status under the contract is that of a client or customer of a profession or business undertaking carried on by the individual; but

(c) would not otherwise be a worker in relation to that work (because there is no relevant work contract between the individual and the principal).

(2) If this sub-paragraph applies, then (for the purposes of the minimum wage legislation) —

(a) the agency worker is to be treated as a worker in relation to that work;

(b) the agent and the principal are to be treated as jointly being the agency worker’s employer in relation to that work.

3. Employers who are themselves employed

(1) Subsection (2) applies if —

(a) the worker is doing work for a person who is not the worker’s immediate employer; and

(b) the worker’s immediate employer is in the employment of that person, and

(2) If this subsection applies, then (for the purposes of the minimum wage legislation) the worker is to be treated as being employed by that person when doing that work (as well as by the worker’s immediate employer).

4. Home workers

(1) Sub-paragraph (2) applies whenever —

(a) an individual (“the home worker”) contracts with a person (for the purposes of that person’s business) for work to be done in a place that is not under the control or management of that person; and

(b) the status of that person under the contract is not that of a client or customer of a profession or business undertaking carried on by the home worker; but

(c) the contract is not a relevant work contract because it does not specifically require the home worker to do the work personally.

(2) If this sub-paragraph applies, then (for the purposes of the minimum wage legislation) —

(a) the home worker is to be treated as a worker in relation to that work;

(b) the person with whom the home worker has contracted for the work to be done is to be treated as being the home worker’s employer in relation to that work.

SCHEDULE 2

“ELIGIBLE WORK”: SPECIAL CASES

1. Territorial scope of “eligible work”

(1) Work done outside the Falkland Islands is not eligible work, unless either or both of the following apply —

(a) it is done by a worker who is primarily employed in the Falkland Islands (and who is working outside the Falkland Islands on a temporary basis);

(b) the worker is working in Falkland Islands controlled waters —

(i) in relation to exploring for (or exploiting) minerals in those waters; or

(ii) in support of that exploration (or exploitation).

(2) In sub-paragraph (1) —

(a) “Falkland Islands” includes the internal and territorial waters of the Falkland Islands; and

(b) “controlled waters”, “explore” and “exploit” have the same meaning as they do in the Offshore Minerals Ordinance (Title 53.1).

2. Work done on board vessels

Work is not eligible work (even if is done in the internal or territorial waters of the Falkland Islands) if it is done on board —

(a) a fishing vessel; or

(b) another vessel, but only if —

(i) it normally operates outside the internal and territorial waters of the Falkland Islands;
and

(ii) the work is not covered by paragraph 1(b).

3. Service in UK armed forces, FIDF and cadet forces, etc

(1) None of the following are eligible work —

(a) service in —

(i) the armed forces of the United Kingdom (whether that service is in the regular forces or the reserve forces); or

(ii) the cadet forces; and

(b) activities (whether military or otherwise) undertaken in the course of that service;

(c) activities undertaken as a volunteer assisting the cadet forces.

4. FIG-funded schemes and programmes

(1) Work is not eligible work if it is done as part of a scheme or programme which —

(a) is funded by the Falkland Islands Government; and

(b) is intended to provide either or both of the following —

(i) training (other than an apprenticeship);

(ii) employment support.

(2) In particular, work is not eligible work if it is done as part of either (or both) of the following schemes —

(a) the programme known as Entry to Employment (or E2E);

(b) the programme known as the Employment Programme.

5. Work experience

Work is not eligible work if —

(a) it is done as part of a work experience scheme by a person who is undertaking —

(i) compulsory education;

(ii) a transition programme under the Education Ordinance (Title 29.1); or

(iii) further or higher education; and

(b) the placement in which the work is done does not (and is not expected to) last for more than 1 year.

6. Voluntary work

(1) Work is not eligible work if it is voluntary work done for (or on behalf of) —

- (a) a charity;
- (b) a voluntary organisation;
- (c) an associated fund-raising body; or
- (d) a statutory body.

(2) Work is voluntary work if the person doing that work has no entitlement —

- (a) to be paid for it (or in connection with it); or
- (b) to benefit in kind from it (or in connection with it).

(3) When determining whether a person has an entitlement to be paid for work that would otherwise be voluntary work, the following are to be ignored —

(a) payment that —

(i) is intended to reimburse some or all of the person's expenses in relation to doing the work;

(ii) does not exceed —

(aa) the actual amount of those expenses; or

(bb) a reasonable estimate of what they are likely to be (or have been).

(b) the provision of subsistence or accommodation (or both of them) that is reasonable in the circumstances of the work being done;

(c) training that is provided for the purpose of carrying out the work that the person is (or will be) doing;

(d) training that the person necessarily acquires in the course of doing the work;

(e) one or more payments that are made to the person —

(i) solely for the purpose of providing the person with a means of subsistence; and

(ii) as a result of arrangements made between —

(aa) a charity, acting in pursuance of its charitable purposes; and

(bb) the charity, organisation or body for which (or on behalf of which) the work is done.

(4) In this paragraph —

“associated fund-raising body” means a body of persons the profits of which are applied wholly for the purposes of a charity or a voluntary organisation;

“charity” means a body of persons (or the trustees of a trust) established for charitable purposes only;

“statutory body” means a body established by or under —

(a) a written law of the Falkland Islands;

(b) legislation that applies in the United Kingdom (or part of it);

“voluntary organisation” means a body of persons (or the trustees of a trust) which —

(a) is not a charity; but

(b) is established for one or more of the following purposes (and for no other purposes) —

(i) charitable purposes (whether or not those purposes are charitable in law);

(ii) benevolent purposes;

(iii) philanthropic purposes.

7. Religious and other communities: resident workers

(1) Work is not eligible work if it is done —

(a) for a community of a kind described in sub-paragraph (2); and

(b) by a member of that community who lives as part of it.

(2) Sub-paragraph (1) applies to a community if —

(a) it is a charity or is established by a charity;

(b) the purpose of the community (or one of its purposes) is to practise or advance a belief of a religious or similar nature, and

(c) all or some of its members live together for that purpose.

8. Prisoners

(1) Work is not eligible work if —

(a) it is done by a person who is —

- (i) detained in a prison; or
 - (ii) on temporary release from a prison; and
- (b) it is done in accordance with —
- (i) prison legislation;
 - (ii) requirements imposed under prison legislation or as part of the prison regime; or
 - (iii) arrangements made under prison legislation or as part of the prison regime.

(2) In sub-paragraph (1) —

“prison” includes —

- (a) a young offender institution; or
- (b) another institution, establishment or place designated under prison legislation; and

“prison legislation” means —

- (a) the Prison Ordinance (Title 60.1);
- (b) subsidiary legislation made under the Prison Ordinance; and
- (c) orders and instructions made (or issued) under the Prison Ordinance (or subsidiary legislation made under it).

9. Unpaid work under community service order

Work is not eligible work if it is unpaid work that a person is required to do as punishment for a criminal offence under an order made by a court.

10. Family members (and others living and working as part of a family)

(1) Work is not eligible work if —

(a) the person resides in the family home of the employer for whom that person works;

(b) the person is either —

(i) a member of the employer’s family; or

(ii) treated as if the person were a member of the employer’s family, including (in particular) in relation to —

(aa) the provision of accommodation and meals; and

(bb) the sharing of tasks and leisure activities;

(c) if the person is not a member of the employer's family (but is treated as if the person were), the person —

(i) does not have to pay the employer (or anyone else) for the provision of living accommodation or meals; and

(ii) no deductions from payments to that person are made by the employer (or anyone else) for the provision of living accommodation or meals; and

(d) the work relates to the home or life of the family.

OBJECTS AND REASONS

This Bill would implement proposals for a minimum wage for the Falkland Islands.

A detailed explanation of the provisions of the Bill is set out in an Explanatory Memorandum which is published with it in the *Gazette*.

The Bill would also repeal the Labour (Minimum Wage) Ordinance (Title 32.4), which dates from 1942. That Ordinance has no current effect and has long since ceased to be fit for purpose.

Section 11(1) provides that there are two different minimum wage rates:

- (a) the minimum wage rate for eligible workers aged 18 or over (“the minimum wage rate for adults”); and
- (b) the minimum wage rate for eligible workers aged 16 or 17 (“the minimum wage rate for young persons”).

Section 11(2) deals with the situation in which a worker’s 18th birthday falls during a pay reference period: the minimum wage rate for young persons applies until end of the day before the worker’s 18th birthday; and the minimum wage for adults applies from the start of the worker’s 18th birthday.

Under section 12, the Governor has to make an order setting the initial rates of both minimum wage rates and this order satisfies that requirement.

The initial minimum wage rate for adults (ie for workers aged 18 over) is £5.05 per hour.

The initial minimum wage rate for young persons (ie for workers aged 16 and 17) is £3.10 per hour.

SUBSIDIARY LEGISLATION

EMPLOYMENT

Minimum Wage (Calculation of Hours Worked) Regulations 2013

S. R. & O. No. of 2013

Made: 2013

Published: 2013

Coming into force: see regulation 2

I make these regulations under section 14 of the Minimum Wage Ordinance (No 00 of 2013) on the advice of Executive Council.

1. Title

These regulations are the Minimum Wage (Calculation of Hours Worked) Regulations 2013.

2. Commencement

These regulations come into force on a day appointed by the Governor in a notice published in the *Gazette*.

3. Interpretation

In these regulations —

(a) a worker is to be treated as being paid for eligible work on a salaried basis to the extent that —

(i) the worker is required to do eligible work for a basic number of hours across an entire length of time that covers more than one pay reference period; and

(ii) the worker is paid for those hours in equal (or approximately equal) instalments over the course of that length of time.

(b) a reference to a number of hours need not be to a whole number of hours.

4. Hours of eligible work

(1) Regulations 5 and 6 apply for the purposes of calculating “H” for the purposes of the formula “M × H” in section 8(2) of the Minimum Wage Ordinance.

(2) Regulation 5 applies in relation to eligible work for which the worker is paid on a salaried basis.

(3) Regulation 6 applies when workers are being paid for their eligible work on any other basis.

(4) When a worker is paid for some of their eligible work on a salaried basis and the rest of their eligible work on some other basis —

(a) regulation 5 applies in relation to the eligible work that is paid for on a salaried basis; and

(b) regulation 6 applies to the rest of their eligible work.

5. Hours of eligible work: eligible work paid for on a salaried basis

(1) To the extent that this regulation applies, the number of hours of eligible work that the worker has done for an employer is to be calculated using the formula —

$$H \div P$$

(2) In the formula “H ÷ P” —

“H” means the basic number of hours that the worker is required to work across an entire length of time covering more than one pay reference period; and

“P” means the number of pay reference periods of equal length (which need not be a whole number) covered by that length of time.

6. Hours of eligible work: all other eligible work

To the extent that this regulation applies —

(a) the number of hours of eligible work that the worker has done for an employer during a pay reference period is the total number of hours during that pay reference period during which the worker was —

(i) doing eligible work for the employer; or

(ii) undertaking training under a relevant work contract with the employer; or

(iii) travelling in the course of eligible work for the employer; but

(b) the number of hours of eligible work that the worker has done for an employer during a pay reference period does not include hours during which the worker is travelling between the worker’s home and place of work, unless that travel forms part of the worker’s duties for the employer.

Made

2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Under section 14 of the Minimum Wage Ordinance (No 00 of 2013), the Governor has to make regulations about how to calculate the number of hours of eligible work that a worker has done during a pay reference period.

Under section 8(2), a formula “M × H” is used to calculate a worker’s minimum wage for a pay reference period by multiplying the minimum wage rate by the number of hours of eligible work.

These regulations deal with the calculation of “H” in that formula and, for that purpose, they distinguish between eligible work that is paid for on a salaried basis and eligible work that is paid for on some other basis (eg hourly paid work, piece rate work or overtime).

Regulation 5 deals with eligible work paid for on a salaried basis.

It provides that the basic number of hours of eligible work that the worker is required to do across a length of time are to be averaged out over the course of the length of time and apportioned between pay reference periods.

Regulation 6 deals with eligible work that is paid for on some other basis.

It provides that hours spent working, training and travelling (in the course of eligible work) are hours of eligible work but that time spent travelling between home and work are only included in the calculation if that travel forms part of the worker’s duties.

“D” means the total of amounts that —

- (a) have been deducted from the worker’s gross earning for the pay reference period; and
- (b) are of a kind listed in regulation 6.

“A” means either —

- (a) if no deduction has been made from the worker’s gross earnings in respect of board or accommodation provided to the worker, zero; or
- (b) if a deduction has been made from the worker’s gross earnings in respect of board and accommodation provided to the worker, either —
 - (i) 50% of the amount of that deduction; or
 - (ii) if the result of the calculation in (i) would exceed the equivalent of £90.60 per week, an amount equivalent to £90.60 per week.

5. Excluded payments (“X”)

The following payments are excluded from the calculation of amounts treated as having been paid to a worker in respect of the minimum wage for eligible work done during a pay reference period (and are included in the amount “X” in the formulae in regulations 4(1) and 6(1)(a)) —

- (a) amounts paid by an employer in respect of tips and gratuities received (whether by the worker or a group of workers of which the worker is a member);
- (b) advances of wages or salary to which the worker will (or is expected to) become entitled;
- (c) payments made by way of loan;
- (d) payments made under a staff suggestion scheme;
- (e) additional amounts (in excess of the normal rate) paid for working —
 - (i) overtime;
 - (ii) on a shift basis;
 - (iii) at unsocial hours; or
 - (iv) in dangerous or dirty conditions;
- (f) amounts paid as reimbursement for expenses incurred by the worker —
 - (i) in the course of the worker’s duties for the employer;
 - (ii) for one or more of the following that the worker requires (or is required) to have or use in the course of the worker’s duties for the employer

- (aa) uniform;
 - (bb) protective clothing;
 - (cc) tools;
 - (dd) equipment; or
- (iii) in relation to benefits in kind to which the worker is entitled;
- (g) payments made for travel to and from the Falkland Islands at the beginning and end of the employment of a worker recruited from outside the Falkland Islands;
- (h) redundancy payments; and
- (i) other severance payments made in connection with the termination of an employment (including payments made in lieu of notice).

6. Allowable deductions ("D")

(1) The following amounts deducted from the gross amount earned by the worker when calculating the worker's net pay are to be treated as if they were amounts that had been paid to the worker in respect of the minimum wage for eligible work done during a pay reference period (and are included in the amount "D" in the formula in regulation 4(1)) —

(a) amounts deducted under the Payments on Account of Tax (Employees' Deductions) Regulations (Title 69.1.3), but only in relation to the amount produced by the formula —

$$G - X$$

(b) amounts deducted in respect of the worker's employees' contributions under section 10 of the Retirement Pensions Ordinance (Title 65.2);

(c) amounts deducted to repay one or more of the following —

- (i) advances of wages or salary made to the worker;
- (ii) accidental overpayments of wages or salary made to the worker;
- (iii) loans made to the worker;

(d) amounts deducted in respect of the worker's conduct or work for which the worker is contractually liable (whether the worker is liable solely or jointly with others);

(e) amounts deducted in respect of the payment by the employer on the worker's behalf of charges for which the worker is liable under section 30 of the Stanley Rates Ordinance (Title 66.1);

(f) amounts deducted at the worker's voluntary direction in relation to either or both of the following —

(i) pension contributions;

(ii) contributions to a provident fund (or savings scheme).

(2) In the formula “G – X” —

“G” means the worker’s gross earnings; and

“X” means payments of a kind listed in regulation 5 (payments that are excluded from the calculation of the amount treated as having been paid to a worker in respect of the minimum wage for eligible work done during a pay reference period).

Made

2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Under section 15 of the Minimum Wage Ordinance (No 00 of 2013), the Governor has to make regulations about how to calculate the amount that a worker is treated as having been paid in respect of a pay reference period.

Under section 8, a worker is entitled to a minimum wage for each pay reference period (calculated using a formula in section 8(2)).

Under section 9, the amount that a worker is treated as having been paid (calculated using these regulations) must be at least as much as the minimum wage. (If it is not, the worker’s employer must make an additional payment to the worker under section 10.)

The amount that a worker is treated as having been paid is calculated using a formula:

$$(N - X) + D + A$$

As a guide, the calculation is made in the following stages:

Stage 1

The starting point is the worker’s net pay for the pay reference period – that is the amount actually received by the worker (in cash or by cheque or bank transfer).

That amount is N in the formula.

(The value of benefits in kind does not count at all at this stage and the only benefit in kind that counts at all is board and accommodation, which counts to some extent at *stage 5*.)

Stage 2

Some payments made to the worker are excluded payments that do not count towards payment of the minimum wage.

The kinds of payments that are excluded are listed in *regulation 5*. The excluded payments include:

- payments that come from tips and gratuities,
- payment advances and loans,
- certain premiums and allowances over the normal rate for a job;
- amounts paid to reimburse the worker;
- travel to and from the Falkland Islands for workers brought in from outside;
- redundancy payments, severance payments and payments made in lieu of notice.

The amounts of these payments are added up and the total amount is X in the formula.

Stage 3

X is subtracted from N to produce $(N - X)$.

Stage 4

The minimum wage rate for a worker is a gross hourly rate and, as well as some payments to workers being excluded for minimum wage purposes, some deductions have to be added back for the purposes of the minimum wage.

The kinds of deductions that have to be added back are listed in *regulation 6*.

The most important deductions that have to be added back are:

- deductions made under the POAT (Payments on Account of Tax) system (which cover income tax and Medical Services Tax), but the excluded payments that were dealt with at *Stage 2* have to be excluded for this calculation as well.
- deductions of employee Retirement Pension Contributions (RPCs).

Other deductions that have to be added back include:

- repayments of advances, overpayments and loans;
- amounts deducted for reasons such as shortages and damages;

- payments of the FIG service charge for properties in Stanley;
- voluntary contributions to pension schemes, provident funds and savings schemes.

The amounts of these deductions are added up and the total amount is D in the formula.

Stage 5

If a worker is provided with board and accommodation and deductions are made to pay for that, some of that can also be added back for the purposes of the minimum wage – this is the only benefit in kind that counts for minimum wage purposes.

Only 50% of the amount deducted for board and accommodation can be added back and the maximum amount that can be added back is £90.60 per week (or the pro-rated equivalent for pay reference periods longer or shorter than a week).

The amount that can be added back at this stage is A in the formula.

Stage 6

The following amounts are added together to arrive at the amount that a worker is treated as having been paid in respect of the minimum wage for a pay reference period:

- From *stage 3*, (N – X)
- From *stage 4*, D
- From *stage 5*, A

The total of these three amounts is the amount that the worker is treated as having been paid in respect of the minimum wage for a pay reference period.

Under section 9(b) of the Minimum Wage Ordinance, that amount must be greater than or equal to the worker's minimum wage for the pay reference period.

If it is less, an additional payment is due under section 10.

Labour Advisory Board (Repeal) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

1. Title
2. Commencement
3. Labour (Advisory Board) Ordinance repealed

LABOUR ADVISORY BOARD (REPEAL) BILL 2013

(No: of 2013)

(assented to: 2013)

(commencement: see section 2)

(published: 2013)

A BILL

for

AN ORDINANCE

To repeal the Labour (Advisory Board) Ordinance (Title 32.4).

BE IT ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Labour (Advisory Board)(Repeal) Ordinance 2013.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Labour (Advisory Board) Ordinance repealed

The Labour (Advisory Board) Ordinance is repealed.

OBJECTS AND REASONS

This Bill would repeal the Labour (Advisory Board) Ordinance (Title 32.4), which dates from 1942. It has long since been superseded in practice and is no longer fit for purpose in the modern era.

Members' Remuneration (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

PART 1 - INTRODUCTION

1. Title
2. Commencement

PART 2 - AMENDMENT OF MEMBERS' REMUNERATION ORDINANCE

3. Amendment of Members' Remuneration Ordinance
4. Amendment of section 4
5. New section 4A inserted – Resettlement grant
6. Amendment of section 7 – Income Tax and Medical Services Tax on amounts paid to Members
7. Amendment of section 8 – Publication of amounts paid to and in respect of Members
8. Amendment of Schedule

PART 3 - AMENDMENT OF MEDICAL SERVICES TAX ORDINANCE

9. Amendment of Medical Services Tax Ordinance
10. Amendment of section 3 – Interpretation
11. New section 13A inserted - Workers supplied through agencies and intermediaries
12. Section 15 repealed
13. Amendment of section 19 - Each business separate
14. Amendment of section 37 - Assessment of Medical Services Tax for employees, self-employed persons and MLAs

PART 4 - AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME ORDINANCE

15. Amendment of Falkland Islands Pension Scheme Ordinance - General Amendment
16. Amendment of section 2 – Interpretation
17. Amendment of section 17 – Membership of the Scheme
18. Amendment of section 17A – Opting-in elections
19. Amendment of section 18 – Contributions to the Scheme by the Director of Corporate Resources
20. Amendment of section 18B – Contributions by opted-in MLAs

PART 5 - AMENDMENT OF RETIREMENT PENSIONS ORDINANCE

21. Amendment of Retirement Pensions Ordinance
22. Amendment of section 2 – Interpretation
23. Amendment of section 14 – Payment and collection of contributions

PART 6 – AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME (GENERAL PROVISIONS) REGULATIONS

24. Amendment of Falkland Islands Pension Scheme (General Provisions) Regulations

MEMBERS' REMUNERATION (AMENDMENT) BILL 2013

(No: of 2013)

(assented to: 2013)

(commencement: see section 2)

(published: 2013)

A BILL

for

AN ORDINANCE

To amend the Members' Remuneration Ordinance (No 13 of 2009); and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands

PART 1 INTRODUCTION

1. Title

This Ordinance is the Members' Remuneration (Amendment) Bill 2013.

2. Commencement

- (1) This Ordinance comes into force on a date appointed by the Governor by notice published in the *Gazette*.
- (2) The Governor may appoint different dates for different provisions to come into force.

PART 2 AMENDMENT OF MEMBERS' REMUNERATION ORDINANCE

3. Amendment of Members' Remuneration Ordinance

This Part amends the Members' Remuneration Ordinance.

4. Amendment of section 4

Section 4 is repealed and replaced with the following —

"4. Amounts payable to Members

- (1) The amounts specified in the Schedule are payable to Members in respect of their salaries and expenses.
- (2) The payment or a part of the payment of any Member may be withheld in accordance with the procedure laid out in the Standing Rules and Orders of the Legislative Assembly."

5. New section 4A inserted – Resettlement grant

The following new section is inserted after section 4 —

“4A. Resettlement grant

A resettlement grant equivalent to one month’s salary is payable to a Member who, at the general election following a full term in which the Member has served —

- (a) stands for election and is not re-elected; or
- (b) does not stand for election.

6. Amendment of section 7 – Income Tax and Medical Services Tax on amounts paid to Members

Section 7 is repealed and replaced with the following —

“7. Members not employees

For the avoidance of doubt Members are not employees but they are to be treated as employees for purposes of —

- (a) income tax, under the Taxes Ordinance (Title 69.1);
- (b) medical services tax, under the Medical Services Tax Ordinance (No 13 of 2010);
- (c) contributions under the Retirement Pensions Ordinance (No 20 of 1996); and
- (d) contributions under the Falkland Islands Pensions Scheme Ordinance (No 18 of 1997).”.

7. Amendment of section 8 – Publication of amounts paid to and in respect of Members

Section 8(1) of the Ordinance is repealed and replaced with the following —

“(1) As soon as possible after the end of each calendar year, the Clerk of the Assembly must publish the following information —

- (a) the amounts paid to each Member during that year in respect of annual salaries made under paragraph 3 of the Schedule;
- (b) the amounts deducted from the payments made to each Member during that year in accordance with —
 - (i) section 23 of the Medical Services Tax Ordinance;
 - (ii) section 14 of the Retirement Pensions Ordinance;
 - (iii) section 18B of the Falkland Islands Pensions Scheme Ordinance; and
 - (iv) regulation 8 of the Payments on Account of Tax (Employees’ Deductions) Regulations;
- (c) the amounts paid in respect of each Member in accordance with section 11 of the Retirement Pensions Ordinance;

(d) the amounts contributed to the Falkland Islands Pensions Scheme in respect of each Member in accordance with section 18 of the Falkland Islands Pensions Scheme Ordinance;

(e) the amounts paid to each Member in respect of expenses claimed under the Schedule; and

(f) a detailed breakdown of the amounts paid to each Member in respect of such expenses.”

8. Amendment of Schedule

The Schedule to the Ordinance is amended as follows —

(a) in paragraph 1 by inserting at the end of the definition of “Assembly duties” the words, “or such other duties as may be specified in the Standing Rules and Orders of the Legislative Assembly”;

(b) by omitting the heading to Part 2 and replacing it with “Annual salaries”;

(c) by repealing paragraph 3 of the Schedule and replacing it with the following —

“3. Annual salaries

(1) Annual salaries are payable to Members at £40,000.00.

(2) The salary under sub-paragraph (1) is payable in 12 equal instalments.”; and

(d) by inserting the following new paragraph after paragraph 3 —

“3A. No double payment

A Member may not receive any payment for attending any meeting within the scope of paragraph 2(e).”

(e) by deleting Part 3 (paragraphs 4,5, 6, 7 and 8).

PART 3

AMENDMENT OF MEDICAL SERVICES TAX ORDINANCE

9. Amendment of Medical Services Tax Ordinance

This Part amends the Medical Services Tax Ordinance.

10. Amendment of section 3 - Interpretation

Section 3 is amended as follows —

(a) in the definition of “employee” by omitting paragraph (b)(ii) and replacing it with the following —

“(ii) as the holder of an office (including that of an MLA)”;

(b) in the definition of “employer” by omitting paragraph (b) and replacing it with the following new paragraph —

“(b) in relation to employment of the holder of another office (including that of an MLA), the person or body responsible for paying the earnings and benefits in kind of the holder of the office;”;

(c) in the definition of “self-employed person” by omitting paragraph (b) and replacing it with the following —

“(b) in business as a sole trader or partner.”

11. New section 13A inserted - MLAs to be treated as employees

The following new section is inserted after section 13 —

“13A. MLAs to be treated as employees

MLAs are liable for Medical Services Tax on amounts paid to them under the Members’ Remuneration Ordinance (No 13 of 2009), as if they earned the amounts as employees.”

12. Section 15 repealed

Section 15 is repealed.

13. Amendment of section 19 - Each business separate

Section 19 is repealed and replaced with the following —

“19. Each business separate

(1) Subsection (2) applies to an individual if the individual carries on more than one business.

(2) If this subsection applies —

(a) the relevant profits of each business are separate; and

(b) losses from one business may not be set off against relevant profits from another business.”

14. Amendment of section 37 - Assessment of Medical Services Tax for employees, self-employed persons and MLAs

The heading to section 37 is omitted and replaced with the following —

“37. Assessment of Medical Services Tax for employees (including MLAs) and self-employed persons”

PART 4

AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME ORDINANCE

15. Amendment of Falkland Islands Pension Scheme Ordinance - General Amendment

(1) This Part amends the Falkland Island Pension Scheme Ordinance (No 18 of 1997).

(2) The Ordinance is amended by omitting —

- (a) “opted-in MLA” in each place it appears and substituting “eligible MLA” ; and
- (b) “opting-in election” in each place it appears.

16. Amendment of section 2 – Interpretation

Section 2 is amended as follows —

(a) by omitting the following definitions —

- (i) “opted-in MLA”;
- (ii) “opting-in election”; and
- (iii) “annual and daily allowances”

(b) by inserting the following new definition after the definition “the Board” —

““eligible MLA” means an MLA who has not yet attained the age of 70 years;”

(c) in subsection (2) by omitting paragraph (b) and replacing it with the following —

“(b) any reference to an employee is to a person who —

- (i) works under a contract of service,
- (ii) is employed in government service,
- (iii) is a director or other officer of an incorporated or unincorporated body, or
- (iv) is an eligible MLA,

and references to an employer shall be construed accordingly.”

(d) by omitting subsection (2A) and replacing it with the following —

“(2A) For the avoidance of doubt an MLA is not (in that capacity) employed in government service.”.

17. Amendment of section 17 – Membership of the Scheme

Section 17 is amended by omitting subsection (3A) and replacing it with the following —

“(3A) A contribution may not be made in respect of any MLA (in that capacity) in respect of either of the following periods —

- (a) any period before 6 November 2009;

(b) any period during which the MLA was an opted-in MLA before the date of commencement of the Members' Remuneration (Amendment) Ordinance (No 00 of 2013); or

(c) beginning on or after the Member's 70th birthday."

18. Section 17A repealed

Section 17A is repealed.

19. Amendment of section 18 – Contributions to the Scheme by the Director of Corporate Resources

Section 18(2A) is amended by replacing "annual and daily allowances for that month" with "their salary for that month."

20. Amendment of section 18B – Contributions by opted-in MLAs

Section 18B is amended as follows —

(a) in subsection (1) by replacing "annual and daily allowances for each month" with "their monthly salary."; and

(b) in subsection (2) by replacing "allowances" with "monthly salary".

**PART 5
AMENDMENT OF RETIREMENT PENSIONS ORDINANCE**

21. Amendment of Retirement Pensions Ordinance

This Part amends the Retirement Pensions Ordinance (No 20 of 1996).

22. Amendment of section 2 – Interpretation

Section 2 is amended as follows —

(a) in the definition of "employee" by omitting paragraph (b);

(b) by omitting subsection (3A).

23. Amendment of section 14 – Payment and collection of contributions

Section 14(2A) is amended by replacing "allowances" with "salary".

**PART 6
AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME (GENERAL
PROVISIONS) REGULATIONS**

24. Amendment of Falkland Islands Pension Scheme (General Provisions) Regulations

The Falkland Islands Pension Scheme (General Provisions) Regulations (SR&O No 2 of 1999) are amended as follows —

(a) by omitting "opted-in MLA" in each place it appears and substituting "eligible MLA"; and

(b) in regulation 13 —

(i) by omitting article (1)(da); and

(ii) by inserting “or eligible MLAs” after “opted-in MLAs” in each place it appears.

OBJECTS AND REASONS

This Bill amends the Members’ Remuneration Ordinance and makes consequential amendments to several other Ordinances to bring them in line with the new changes.

Clause 4 amends section 4 to replace the current allowances and expenses with ‘salaries and expenses’ and the corresponding paragraph 2 under the Schedule sets out the amount of the annual salary.

Clause 5 introduces a resettlement grant which is equal to one month’s salary for a Member who at the next general election stands for election and is not re-elected or who does not stand for election at all.

Clause 6 replaces the current section 7 and while it clarifies that Members are not employees lays out a number of Ordinances under which the amounts payable to Members would be taxed on an employee basis and under which they are to make contributions in the same manner as employees.

Clause 7 provides that details of the amounts paid to or in respect of Members in relation to allowances, pension contributions and expenses would have to be published each year by the Clerk of the Assembly and expands the current provision to take into account contributions made by the employer as Members are now treated as employees.

Clause 8 amends the Schedule to provide for the amount of the annual salary and to delete all the provisions relating to annual and daily allowances and the procedure for claiming them.

Part 3 of the Bill addresses the consequential amendments in the Medical Services Tax Ordinance brought about by treating Members as though they are employees.

Clause 10 amends section 3 to include an MLA under the definition of ‘employee’ and deletes reference to MLAs under the definition of ‘self-employed person’.

Clauses 11, 12, 13 and 14 removes references of MLAs as ‘self-employed’ and provides in clause 11 that MLAs are liable to pay MST on amounts they earn as though they are employees.

Part 4 amends the Falkland Islands Pension Scheme Ordinance to make it compulsory for all eligible MLAs to make contributions on their salaries. Clauses 15 to 20 provide for this, and make the necessary amendments to the terms used. The provisions also go on to provide a definition for ‘eligible MLA’ to show which MLAs can make contributions under the Ordinance. The necessary consequential amendments are also made to reflect that Members are now paid ‘salaries’ instead of ‘annual and daily allowances’.

Part 5 amends the Retirement Pensions Ordinance to reflect that Members' contributions are deducted from monthly salaries instead of allowances.

Part 6 amends the Falkland Islands Pension Scheme (General Provisions) Regulations to bring them in line with the Ordinance and reflect that Members are no longer allowed to opt-in and are required to make contributions if eligible to join the Scheme.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Nine pound and sixty pence.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

12 July 2013

No. 7

The following is published in this Supplement –

Capital Equalisation Fund Order 2013 (SR&O No 11 of 2013).

SUBSIDIARY LEGISLATION

PUBLIC FUNDS

Capital Equalisation Fund Order 2013

S.R.& O. No: 11 of 2013

(assented to: 10 July 2013)

(commencement: on publication)

(published: 12 July 2013)

I make this order under section 11(2) of the Public Funds Ordinance (Title 19.7) —

- (a) on the advice of Executive Council; and
- (b) with the approval of the Secretary of State.

1. Title

This Order is the Capital Equalisation Fund Order 2013.

2. Commencement

This Order comes into force on publication.

3. Appropriation

(1) The Financial Secretary may make payments out of the Capital Equalisation Fund not exceeding, in total, fourteen million, five hundred and seven thousand, nine hundred and fifty pounds (£14,507,950) as are required to fund the amendments to the capital programme detailed in the Schedule.

(2) The authorisation given in paragraph (1) authorises payments additional to those authorised by previous orders.

SCHEDULE

	Financial Year 2012/13 £	Financial Year 2013/14 £	Total £
951 General	(166,470)	15,000	(151,470)
953 Plant & Vehicles	1,496,100	1,360,500	2,856,600
954 Roads	127,910	2,912,060	3,039,970
955 Housing	-	1,121,000	1,121,000
956 Government Land & Buildings	267,490	400,000	667,490
957 Municipal Services	2,093,900	1,750,000	3,843,900
958 Air Transportation	(180)	49,730	49,550
959 Consultancies	1,870,410	-	1,870,410
960 Departmental Assets	4,150	1,206,350	1,210,500
	<u>5,693,310</u>	<u>8,814,640</u>	<u>14,507,950</u>

Made 10 July 2013

J. S. Tyler-Haywood,
Acting Governor

EXPLANATORY NOTE

(not forming part of the above Order)

This Order, which is made with the approval of the Secretary of State, authorises the Financial Secretary to make additional payments out of the Capital Equalisation Fund totalling £14,507,950.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Two pound.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

6 August 2013

No. 8

The following are published in this Supplement –

Road Traffic (Taxi Drivers' Permits) Order 2013 (SR&O No 12 of 2013);

Electoral (Amendment) Bill 2013;

Road Traffic (Amendment) Bill 2013;

Taxes and Duties (Defence Contractors' Employees Exemption) Order 2013 (SR&O No 13 of 2013);

Minimum Wage Ordinance 2013 (No 10 of 2013);

Labour (Advisory Board) (Repeal) Ordinance 2013 (No 11 of 2013);

Members' Remuneration (Amendment) Ordinance 2013 (No 12 of 2013);

Minimum Wage (Initial Rates) Order 2013 (SR&O No 14 of 2013);

Minimum Wage (Calculation of Hours Worked) Regulations 2013 (SR&O No 15 of 2013); and

Minimum Wage (Calculation of Amount Paid) Regulations 2013 (SR&O No 16 of 2013).

SUBSIDIARY LEGISLATION

ROAD TRAFFIC

Road Traffic (Taxi Drivers' Permits) Order 2013

S. R. & O. No: 12 of 2013

Made: 11 July 2013

Published: 6 August 2013

Coming into force: 1 October 2013

I make this order under section 59(1)(q), (w) and (x) and section 59(2) of the Road Traffic Ordinance (Title 63.1) on the advice of Executive Council.

1. Title

This order is the Road Traffic (Taxi Drivers' Permits) Order 2013.

2. Commencement

This order comes into force on 1 October 2013.

3. Interpretation

In this order —

“administrative criteria” mean administrative criteria issued under article 7(2);

“application form” means an application form designated under article 5(3);

“authorised person” means —

(a) a senior police officer; or

(b) a person to whom the issue and administration of taxi drivers' permits has been delegated under article 5(2);

“renewal form” means a renewal form designated under article 5(3);

“senior police officer” means —

(a) the Chief Police Officer; or

(b) a police officer who holds the rank of sergeant or above;

“taxi driver's permit” means a permit issued under article 8; and

“taxi driver's photocard” means a photocard issued under article 10.

4. Requirement for permit to carry passengers for hire or reward, etc.

(1) Except as provided for in sub-article (2), a taxi driver's permit is required for the following activities —

- (a) driving a motor vehicle for the purpose of carrying passengers for hire or reward; or
- (b) plying or soliciting to carry passengers in a motor vehicle for hire or reward.

(2) Subject to sub-article (3), a person may engage in an activity for which a taxi driver's permit would otherwise be required without a taxi driver's permit if —

- (a) the person is an employee of the Falkland Islands Government driving passengers for hire or reward in the course of the person's duties for the Falkland Islands Government;
- (b) the person drives or seeks to drive passengers on a day when a cruise ship is visiting Stanley;
- (c) the person drives passengers for hire or reward as a volunteer and does not receive payment in respect of the journey;
- (d) the person is driving passengers as a tour guide; or
- (e) any of the passengers carried in the vehicle makes contributions (in cash or in kind) towards the cost of the journey.

(3) Where a person carries a passenger in terms of —

- (a) sub-article (2)(a), the person must comply with all the relevant requirements of the Management Code issued under section 85(3) of the Constitution;
- (b) sub-article (2)(b), the passenger must be from the cruise ship;
- (c) sub-article (2)(c), the payment made by the passenger for the hire or reward of the vehicle must not exceed the running costs of the vehicle for the journey;
- (d) sub-article (2)(d) the purpose of the journey must not be wholly or mainly to provide transport from one place to another; or
- (e) sub-article (2)(e) —
 - (i) the total amount contributed by the passengers in respect of the journey must not exceed the amount of the running costs of the vehicle for the journey (including an appropriate amount in respect of general wear and tear of the vehicle and depreciation in its value); and
 - (ii) arrangements must be made for the journey before it begins.

5. Issuing authority for taxi drivers' permits

(1) All taxi drivers' permits must be issued by or on behalf of the Chief Police Officer.

(2) The Chief Police Officer may delegate the issue and administration of taxi drivers' permits to an authorised person.

(3) The Chief Police Officer or a senior police officer must designate the following forms —

(a) an application form; and

(b) a renewal form.

(4) Copies of the forms designated under sub-article (3) must be made available, on request, to—

(a) holders of taxi drivers' permits; and

(b) prospective applicants.

6. Applications for taxi drivers' permits

(1) An application for a taxi drivers' permit must be made to the Chief Police Officer or to an authorised person.

(2) An applicant must —

(a) provide all information required in the application form;

(b) consent to inquiries being made in relation to the application and the holding of a taxi driver's permit, including checks of the applicant's criminal record and medical history;

(c) have an identity photograph taken;

(d) pay a non refundable fee of £15; and

(e) provide such further information as may be required.

7. Requirements for taxi driver's permit holder

(1) An authorised person must, before issuing a taxi driver's permit, be satisfied that the applicant is a fit and proper person to hold a taxi driver's permit.

(2) A senior police officer may issue administrative criteria setting out requirements outlining what determines fit and proper in relation to taxi drivers' permits.

(3) Administrative criteria must be made available to —

(a) prospective applicants for taxi drivers' permits; and

(b) holders of taxi drivers' permits.

(4) Whenever changes are made to administrative criteria, reasonable steps must be taken to bring the changes to the attention of —

(a) prospective applicants for taxi drivers' permits; and

(b) holders of taxi drivers' permits.

8. Consideration of applications (and decision-making)

(1) An authorised person may decide, subject to such conditions as may be imposed —

(a) to issue a taxi driver's permit for 1 year or for a shorter period; or

(b) to refuse the application.

(2) A decision by an authorised person refusing an application or issuing a taxi driver's permit for a period less than 1 year must be submitted to a senior police officer for review as soon as it is made.

(3) A senior police officer must review a decision as soon as reasonably possible.

(4) An authorised person must —

(a) provide written reasons to the applicant whenever —

(i) an application is refused; or

(ii) a taxi driver's permit is issued or renewed for a period of less than 1 year; and

(b) notify the applicant of his or her decision as soon as reasonably possible.

9. Taxi driver's permit

(1) A taxi driver's permit issued under article 8 must —

(a) contain the names of the holder;

(b) indicate the expiry date of the permit; and

(c) state concisely any conditions attached to the permit.

(2) If a taxi driver's permit is lost, stolen, destroyed or damaged, the holder —

(a) must have a replacement taxi driver's permit issued; and

(b) must pay a fee of £1.50 before the replacement permit is issued.

10. Taxi drivers' photocard

(1) Where an authorised person issues a taxi driver's permit under article 8, it must be issued together with a taxi driver's photocard.

(2) The photocard must —

(a) identify the holder of the taxi driver's permit; and

(b) indicate the expiry date of the photocard.

(3) The holder of a taxi driver's permit engaged in any activity for which a taxi driver's permit is required, must —

(a) wear the photocard; or

(b) display it in a conspicuous place in the vehicle being driven,

to allow the photocard to be easily seen by passengers or prospective passengers.

(4) If a taxi driver's photocard is lost, stolen, destroyed, defaced or damaged, the holder —

(a) must have a new identity photograph taken;

(b) must have a replacement taxi driver's photocard issued; and

(c) must pay a fee of £1.50 for the replacement photocard.

11. Conditions

(1) Any person issued with a taxi driver's permit must —

(a) during the validity of the permit, disclose to an authorised person information (including changes to the person's circumstances) that might be relevant to the person's continued suitability to hold a taxi driver's permit;

(b) as soon as possible disclose to an authorised person —

(i) changes in the information that was given for the purpose of obtaining or renewing the permit;

(ii) changes and new information that are or might be relevant to administrative criteria;

(c) when requested, produce the taxi driver's permit for inspection within 3 days;

(d) when requested, produce the taxi driver's photocard for inspection; and

(e) provide any other information as may be required.

(2) A senior police officer may issue guidance to the holders of taxi drivers' permits about the ongoing duty of disclosure.

(3) A person who holds a taxi driver's permit must comply with guidance that has been issued about the ongoing duty of disclosure.

(4) A senior police officer may impose any other conditions as may be necessary.

12. Renewal of taxi drivers' permits

(1) A person who wishes to renew a taxi driver's permit must apply to an authorised person.

- (2) The holder of a taxi driver's permit must —
- (a) provide all information required in the application form;
 - (b) consent to inquiries being made in relation to the application and the continued holding of a taxi driver's permit, including checks of the applicant's criminal record and medical history;
 - (c) have a new identity photograph taken;
 - (d) pay a non refundable fee of £15; and
 - (e) provide such further information as may be required.
- (3) An application to renew a taxi drivers' permits must be dealt with in accordance with article 8.

13. Suspension of taxi driver's permit

(1) An authorised person may suspend a taxi driver's permit if one or more of the following circumstances occur —

- (a) where the holder of the permit has disclosed a change or new information under article 11 which disqualifies the holder from continuing to hold a permit;
- (b) where information comes to the authorised person's attention to indicate that the holder of the permit has not fully complied with the ongoing duty of disclosure in article 11; or
- (c) where reasonable grounds exist showing that the holder of the permit may not be a fit or proper person to —
 - (i) have been issued with a permit; or
 - (ii) to continue holding a permit.

(2) A senior police officer must review a decision to suspend a taxi driver's permit as soon as reasonably possible.

(3) If a decision is made to suspend a taxi driver's permit —

- (a) the holder of the permit must be notified as soon as reasonably possible;
- (b) the holder of the permit must be given a reasonable opportunity to make representations about the decision;
- (c) the suspension may only continue as long as reasonably necessary for —
 - (i) inquiries to be made;
 - (ii) the holder to rectify any of the issues raised after which it may be reinstated;

(iii) a decision to be reached about whether or not the permit should be reinstated with conditions attached; or

(iv) a decision to be reached about whether or not the permit should be revoked.

14. Revocation of taxi driver's permit

(1) A senior police officer may revoke a taxi driver's permit if reasonable grounds exist showing that the holder of the permit may not be a fit or proper person to —

(a) have been issued with a permit; or

(b) continue holding a permit.

(2) A decision to revoke a taxi driver's permit may only be made after the holder of the permit has been given a reasonable opportunity to make representations about the decision.

(3) If a taxi driver's permit is revoked, the holder of the permit must, within 7 days of being notified, surrender the taxi driver's permit and the taxi driver's photocard.

15. Appeals

(1) An appeal may be made against any of the following decisions —

(a) to refuse to issue or renew a taxi driver's permit;

(b) to issue or renew a taxi driver's permit with conditions attached;

(c) to issue or renew a taxi driver's permit for a period less than 1 year (with or without conditions attached);

(d) to suspend a taxi driver's permit; or

(e) to revoke a taxi driver's permit.

(2) An appeal —

(a) may only be made by a person directly affected by it; and

(b) must be made in the first instance to the Summary Court.

(3) The Senior Magistrate may decide to deal with an appeal in the Magistrate's Court instead of the Summary Court.

(4) No further appeal lies from a decision made by the Summary Court or the Magistrate's Court.

16. Offences and penalties

(1) Except as provided for in article 4(2), a person must not engage in any activity for which a taxi driver's permit is required —

- (a) without holding a valid taxi driver's permit;
 - (b) without complying with conditions to which the taxi driver's permit is subject;
 - (c) without wearing or displaying a taxi driver's photocard so that it can easily be seen by passengers or prospective passengers; or
 - (d) by wearing or displaying a taxi driver's photocard that is no longer a good likeness of the person or that is defaced or damaged.
- (2) Any person who does any of the activities set out under sub-article (1) commits an offence and is liable to a fine of up to level 1 on the standard scale.
- (3) A person who fails to comply with the ongoing duty of disclosure in accordance with article 11 commits an offence and is liable to a fine of up to level 4 on the standard scale.
- (4) A person who wears, displays or makes use of a taxi driver's photocard in any other way when the taxi driver's permit to which it relates has expired, is suspended or has been revoked commits an offence and is liable to a fine of up to level 3 on the standard scale.
- (5) A person whose taxi driver's permit has been revoked and who fails to comply with the obligation under article 14(3) commits an offence and is liable to a fine of up to level 2 on the standard scale.
- (6) It is an offence for a person who provides information or makes a declaration for the purposes of this order —
- (a) to intentionally provide information or make a declaration that is false or misleading in a material particular;
 - (b) to be reckless as to whether the information or declaration is false or misleading in a material particular; and
 - (c) to intentionally or recklessly withhold information that is material and relevant.
- (7) A person convicted of an offence against sub-article (6) is liable to a fine of up to level 5 on the standard scale.

Made 11 July 2013

J. S. Tyler-Haywood,
Acting Governor

EXPLANATORY NOTE
(not part of the order)

Section 59 of the Road Traffic Ordinance (Title 63.1) allows the Governor to make orders regulating road traffic.

In particular, section 59(1)(q), (w), (x) and (z) allows the Governor to make orders covering:

- the granting and cancellation by the chief police officer (CPO) of permits authorising the use of public service vehicles and other motor vehicles for the carriage of passengers for hire or reward;
- forms and other documents;
- fees payable for licences and applications; and
- the general carrying into effect of the provisions of the Road Traffic Ordinance.

This order seeks to introduce a permit scheme which requires a person to have a permit in order to be able to carry passengers for hire or reward. This is covered under *article 4* of the order. This general requirement excludes the following:

- FIG employees driving passengers in the discharge of their normal duties for the government;
- a person driving passengers from a cruise ship;
- a volunteer driving passengers where the payment from the passengers does not exceed the running costs of the journey;
- a person driving passengers as a tour guide; and
- car shares where the payments are in different forms and where if it is cash it does not exceed the total running costs for the journey.

The order provides for an application process to the CPO for a permit under which the applicant provides all relevant information required in the application form (the CPO designates all forms) as well as a £15 application fee and other requirements set out in *articles 6* and *7*. The CPO can also issue administrative criteria which helps to guide applicants as to their eligibility to hold a permit.

The CPO is empowered to issue a permit with different conditions as provided by *articles 9* and *11* based on the assessment of the information provided by the applicant. *Article 10* requires that a photocard be issued alongside a permit so that customers and prospective customers are able to identify the taxi driver.

The order goes on to provide for renewals, suspensions, revocations and appeals. *Article 16* provides for offences and penalties.

Electoral (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

PART 1 - INTRODUCTION

1. Title
2. Commencement
3. Amendment of Electoral Ordinance and Regulations

PART 2 – AMENDMENT OF ELECTORAL ORDINANCE

4. Amendment of Electoral Ordinance
5. Section 2 amended – Interpretation
6. Section 11 amended – Maintenance of the Registers: registration of electors
7. New section 11A – Application for registration
8. Section 23 amended – Application for postal vote
9. Section 27 amended – Application for proxy vote
10. Section 34 amended – Application for postal proxy vote
11. New section 47A – Independent observation
12. Section 51 amended – Notice of election
13. Section 53 replaced – Disqualification from election
14. New section 60A inserted - Emergency voting
15. Section 61 amended – Mobile polling teams in the Camp Constituency
16. New section 61A inserted – Allocated polling places
17. Section 74B amended – Ballot papers: general requirements
18. Section 79 amended – Postal ballot papers
19. Section 83 amended – Marking of postal ballot paper
20. Section 91 amended – Opening of covering envelopes
21. Section 93 amended – Opening of ballot paper envelopes
22. Section 96 amended – Certified copies of Register and lists
23. Section 97 replaced – Effect of registers, etc
24. New section 97A inserted – Effect of registers, etc: supplementary
25. Section 98 amended – Requirement of secrecy

26. Section 99 replaced – Marking of register and lists
27. Section 104 amended – Admission to polling place, etc
28. Section 110A amended – Persons registered to vote by post attending to vote in person
29. Section 111 amended – Persons registered to vote by proxy attending to vote in person
30. Section 112 amended – Proxy voters registered to vote by post attending to vote in person
31. Section 113 amended – Voting procedure
32. Section 119 amended – Procedure on close of poll
33. Section 121A amended – Postal votes in United Kingdom to be incorporated in count
34. Section 122 amended – The count
35. Section 124 amended – Rejected ballot papers
36. Section 131 amended – Orders for production

PART 3 – AMENDMENT OF ELECTORAL FORMS REGULATIONS

37. Amendment of Electoral Forms Regulations
38. Electoral Forms revoked and replaced

PART 4 – AMENDMENT OF VOTING IN INSTITUTIONS REGULATIONS

39. Regulation 9 of Voting in Institutions Regulations replaced – Voting by members of staff

PART 5 – AMENDMENT OF ELECTORAL (POSTAL VOTING)(UNITED KINGDOM) ORDER

40. Article 6 of Electoral (Postal Voting) (United Kingdom) Order amended – Issue of ballot papers for postal voters at a United Kingdom address

PART 6 – CONSEQUENTIAL, TRANSITIONAL AND SAVING PROVISION

41. Power for Governor to make consequential provision by order
42. Power for Governor to make transitional and saving provision by order

SCHEDULE - NEW ELECTORAL FORMS

ELECTORAL (AMENDMENT) BILL 2013

(No: of 2013)

(assented to: 2013)

(commencement: see section 2)

(published: 2013)

A BILL

for

AN ORDINANCE

To amend the Electoral Ordinance (Title 30.1).

BE IT ENACTED by the Legislature of the Falkland Islands —

PART 1 INTRODUCTION

1. Title

This Ordinance is the Electoral (Amendment) Ordinance.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

3. Amendment of Electoral Ordinance and Regulations

This Ordinance amends —

- (a) the Electoral Ordinance;
- (b) the Electoral Forms Regulations (Title 30.1.2);
- (c) the Voting in Institutions Regulations (SR&O No 2 of 1993); and
- (d) the Electoral (Postal Voting)(United Kingdom) Order (SR&O No 17 of 2005).

PART 2 AMENDMENT OF ELECTORAL ORDINANCE

4. Amendment of Electoral Ordinance

This Part amends the Electoral Ordinance.

5. Section 2 amended – Interpretation

(1) This section amends section 2.

(2) The definition of “application for a postal proxy vote” is amended by replacing “section 34” with “section 34(1)”.

(3) The definition of “receptacle for ballot paper envelopes” is amended by replacing “section 91(4)” with “section 91(11)(b)”.

(4) The definition of “receptacle for declarations of identity” is amended by replacing “section 91(4)” with “section 91(11)(a)”.

6. Section 11 amended – Maintenance of the Registers: registration of electors

Section 11(1)(a) is omitted and replaced with the following paragraph —

“(a) made in accordance with section 11A;”

7. New section 11A – Application for registration

The following section is inserted after section 11 —

“11A. Application for registration

(1) An application for registration made under section 10 or 11 may be made by one of the following methods —

(a) handing it personally to the Registration Officer (or leaving it at the office of the Registration Officer);

(b) sending it by post to the Registration Officer;

(c) sending it by fax to the Registration Officer; or

(d) sending it by e-mail to the Registration Officer.

(2) An application must be received in legible form.

(3) If an application is made by e-mail, it must consist of a scanned image of a signed application form.

(4) An applicant’s signature must be witnessed by —

(a) a bank manager;

(b) a commissioner for oaths;

(c) an elector;

(d) a justice of the peace;

(e) a police officer;

(f) a teacher of (or tutor to) the applicant; or

(g) another person approved by the Registration Officer.”

8. Section 23 amended – Application for postal vote

(1) This section amends section 23.

(2) The following subsections are inserted after subsection (1) —

“(1A) For the purposes of this section, “delivered” means —

(a) handed personally to the Registration Officer (or left at the office of the Registration Officer);

(b) sent by post to the Registration Officer;

(c) sent by fax to the Registration Officer; or

(d) sent by e-mail to the Registration Officer.

(1B) An application must be received in legible form.

(1C) If an application is delivered by e-mail, it must consist of a scanned image of a signed application form.”

(3) Subsection (3)(b) is omitted and replaced with the following paragraph —

“(b) the applicant’s signature is witnessed by —

(i) a bank manager;

(ii) a commissioner for oaths;

(iii) an elector;

(iv) a justice of the peace;

(v) a police officer;

(vi) a teacher of (or tutor to) the applicant; or

(vii) another person approved by the Registration Officer.”

(4) The following subsections are inserted after subsection (4) —

“(4A) Subsection (4B) applies in relation to an application for a postal vote if—

(a) it was made in accordance with an arrangement made under the Referendum (Falkland Islands Political Status) Ordinance (No 16 of 2012);

(b) either —

(i) it was made in respect of all referenda or elections within a period specified in that application; or

(ii) it was made (or deemed to have been made) in respect of referenda and elections generally.

(4B) If this subsection applies to an application for a postal vote, it is to be treated as if it had validly been made in accordance with subsection (1) and will continue to apply.”

(5) Subsection (8) is amended by omitting “unless he satisfies the presiding officer at that polling place that he has not received a postal ballot paper in respect of that election”.

9. Section 27 amended – Application for proxy vote

(1) This section amends section 27.

(2) The following subsections are inserted after subsection (1) —

“(1A) An application must be —

(a) handed personally to the Registration Officer (or left at the office of the Registration Officer);

(b) sent by post to the Registration Officer;

(c) sent by fax to the Registration Officer; or

(d) sent by e-mail to the Registration Officer.

(1B) An application must be received in legible form.

(1C) If an application is made by e-mail, it must consist of a scanned image of a signed application form.”

(3) Subsection (2) is repealed and replaced with the following subsection —

“(2) An application to be permitted to vote by proxy (“an application for a proxy vote”) may be made —

(a) in respect of a specified referendum or election or in respect of referenda or elections held within a period stated in the application; or

(b) in respect of referenda and elections generally.”

(4) The following subsection is inserted after subsection (2) —

“(2A) An application to be permitted to vote by proxy (“an application for a proxy vote”) is invalid unless —

(a) it states the full name and address of the person whom the applicant wishes to appoint as proxy;

(b) it is signed by the elector personally; and

(c) the applicant's signature is witnessed by —

(i) a bank manager;

(ii) a commissioner for oaths;

(iii) an elector;

(iv) a justice of the peace;

(v) a police officer;

(vi) a teacher of (or tutor to) the applicant; or

(vii) another person approved by the Registration Officer.”

(5) Subsection (3) is amended by replacing “paragraph (b) of subsection (2)” with “subsection (2A)(a)”.

(6) Subsection (4) is amended by replacing “paragraph (b) thereof” with “subsection (2A)(a)”.

(7) The following subsections are inserted after subsection (5) —

“(5A) Subsection (5B) applies to an application for a proxy vote if it does not specify whether it is made —

(a) in respect of a specified referendum or election or all referenda or elections held within a period specified in the application; or

(b) in respect of referenda and elections generally,

(5B) If this subsection applies to an application for a proxy vote, it will be deemed to have been made in respect of referenda and elections generally.

(5C) Subsection (5D) applies in relation to an application for a proxy vote if —

(a) it was made in accordance with an arrangement made under the Referendum (Falkland Islands Political Status) Ordinance;

(b) either —

(i) it was made in respect of all referenda or elections within a period specified in that application; or

(ii) it was made (or deemed to have been made) in respect of referenda and elections generally.

(5D) If this subsection applies to an application for a proxy vote, it is to be treated as if it had validly been made in accordance with subsection (1) and will continue to apply.”

(8) Subsection (7) is amended by —

(a) replacing “subsections (1) to (3) inclusive” with “subsections (1) to (4)”; and

(b) replacing “subsection (2)(b)” with “subsection (2A)(a)”.

10. Section 34 amended – Application for postal proxy vote

(1) This section amends section 34.

(2) The following subsections are inserted after subsection (1) —

“(1A) For the purposes of this section, “delivered” means —

(a) handed personally to the Registration Officer (or left at the office of the Registration Officer);

(b) sent by post to the Registration Officer;

(c) sent by fax to the Registration Officer; or

(d) sent by e-mail to the Registration Officer.

(1B) An application must be received in legible form.

(1C) If an application is delivered by e-mail, it must consist of a scanned image of a signed application form.”

(3) Subsection (3)(b) is omitted and replaced with the following paragraph —

“(b) the applicant’s signature is witnessed by —

(i) a bank manager;

(ii) a commissioner for oaths;

(iii) an elector;

(iv) a justice of the peace;

(v) a police officer;

(vi) a teacher of (or tutor to) the applicant; or

(vii) another person approved by the Registration Officer.”

(4) Subsection (4) is amended by replacing “(4), (5), (6) and (7)” with “(4) to (8)”.

11. New section 47A – Independent observation

The following new section is inserted after section 47 —

“47A. Independent observation

(1) The Returning Officer may appoint individuals (from inside or outside the Falkland Islands) to act as independent observers of the electoral or referendum process.

(2) The Governor may make regulations providing for individuals appointed under subsection (1) to have (for observation purposes) access to restricted elements of the electoral or referendum process.”

12. Section 51 amended – Notice of election

(1) This section amends section 51.

(2) Subsection (6) is repealed and replaced with the following subsection —

“(6) Polling hours must constitute a period of at least six consecutive hours falling between 7am and 8pm.”

(3) The following subsection is added —

“(7) Polling hours for polling places in the Camp Constituency and polling hours for polling places in the Stanley Constituency may be different.”

13. Section 53 replaced – Disqualification from election

Section 53 is repealed and replaced with the following section —

“53. Disqualification from election (with power for Governor to amend by order)

(1) A person is qualified to be elected as a member of the Legislative Assembly if the person —

(a) is qualified under section 28 of the Constitution (qualifications for election); and

(b) is not disqualified under section 29 of the Constitution (disqualifications for election).

(2) Section 29(1) of the Constitution lists a number of disqualifications from election as a member of the Legislative Assembly.

(3) Section 29(1)(c) provides that a person is disqualified from election as a member of the Legislative Assembly if the person holds (or is acting in) a public office, except as may be specified (either individually or by reference to a class of office or otherwise) by Ordinance.

(4) For the purposes of section 29(1)(c), the following public offices are specified as offices that do not disqualify the holders of them (or persons acting in them), from election as members of the Legislative Assembly —

(a) an office in (or membership of) the Falkland Islands Defence Force, except in the following posts (and the holders of those posts and persons acting in them are disqualified from election as members of the Legislative Assembly) —

(i) Commanding Officer;

(ii) Permanent Staff Assistant; and

(iii) Training Sergeant;

(b) office in (or membership of) the Falkland Islands Fire and Rescue Service as a Retained Firefighter.

(5) In accordance with section 29(4)(b) of the Constitution, the office of General Manager in the Falkland Islands Development Corporation is prescribed as one that is deemed to be a public office (and the holder of that post or a person acting in it is disqualified from election as a member of the Legislative Assembly).

(6) Subsection (7) applies to a person who would be disqualified from election as a member of the Legislative Assembly because that person holds (or is acting in) a public office (“the disqualifying office”) which has not been specified in subsection (4).

(7) A person to whom this subsection applies may still stand as a candidate for election as a member of the Legislative but only if that person undertakes in writing to relinquish the disqualifying office (or to cease to act in it) if elected as a member of the Legislative Assembly.

(8) Subsection (9) applies to a person who —

(a) has given an undertaking under subsection (7); and

(b) is elected as a member of the Legislative Assembly.

(9) A person to whom this subsection applies —

(a) will be incapable of taking a seat in the Legislative Assembly until the undertaking has been fulfilled; and

(b) is to be treated as having vacated the seat if the undertaking has not been fulfilled within 100 days after the date on which the person was elected as a member of the Legislative Assembly.

(10) The Governor may amend this section by order.

14. New section 60A inserted - Emergency voting

The following new section is inserted after section 60 —

“60A. Emergency voting

(1) The Governor may make regulations to allow for emergency voting by persons who would otherwise be unable to vote (for themselves or as proxy for others) —

- (a) in person at a polling place or with a mobile polling team;
- (b) being an inmate or member of staff at an institution, at that institution;
- (c) by post;
- (d) by proxy; or
- (e) by postal proxy vote.

(2) Regulations made under subsection (1) may include provisions allowing for emergency voting by persons whose proxies are unable to vote as set out in subsection (1).”

15. Section 61 amended – Mobile polling teams in the Camp Constituency

Section 61 is amended by inserting the following subsection after subsection (1) —

“(1A) If voting is taking place in both the Stanley and Camp Constituencies in the same poll, voters from both constituencies may vote with a mobile polling team.”

16. New section 61A inserted – Allocated polling places

The following new section is inserted after section 61 —

“61A. Allocated polling places

(1) The Governor may make regulations under this section to allow for a system allocating polling stations to individual voters.

(2) The principal purpose of a system of allocating polling stations to individual voters must be to seek to minimise the risk of an elector voting twice in the same election.”

17. Section 74B amended – Ballot papers: general requirements

Section 74B(1) is amended by —

- (a) omitting paragraph (d); and
- (b) omitting paragraph (e) and replacing it with the following paragraph —

“(e) they must each have a counterfoil attached which has a serial number printed on its face;”.

18. Section 79 amended – Postal ballot papers

Section 79(1) is amended by omitting “bearing the number of the ballot paper”.

19. Section 83 amended – Marking of postal ballot paper

Section 83(2) is repealed.

20. Section 91 amended – Opening of covering envelopes
Section 91 is repealed and replaced with the following section —

“91. Opening of covering envelopes

(1) When a postal voters’ ballot box has been opened, the returning officer (or the Recording Officer) —

(a) must count and note the number of covering envelopes; and

(b) must then open each covering envelope separately.

(2) Subsection (3) applies to a covering envelope if it does not contain —

(a) a declaration of identity and a ballot paper envelope;

(b) a declaration of identity and a ballot paper; or

(c) a ballot paper envelope.

(3) If this subsection applies to a covering envelope, the officer must —

(a) mark it “Rejected”;

(b) if it contains anything, attach those contents to it; and

(c) place it in a receptacle for rejected votes.

(4) Subsection (5) applies to a covering envelope if it contains only a ballot paper envelope.

(5) If this subsection applies to a covering envelope, the officer must open the ballot paper envelope to check whether or not the declaration is inside.

(6) If, on opening the ballot paper envelope, there is no declaration of identity inside, the officer must —

(a) mark the ballot paper envelope “Rejected”;

(b) if it contains anything, attach those contents to it; and

(c) place it in the receptacle for rejected votes.

(7) On opening a covering envelope, other than one to which subsection (3) or subsection (5) applies, the officer must first check whether or not the declaration of identity has been duly signed and dated.

(8) If it has not, the officer must —

(a) mark the declaration “Rejected”;

(b) attach it to the ballot paper envelope (or, if there is no such envelope, to the ballot paper); and

(c) place it in the receptacle for rejected votes.

(9) If one or more election agents are present, the officer must (before rejecting a covering envelope or a declaration) show it to them.

(10) If one or more of the election agents object to a covering envelope or declaration being rejected, the officer must add the words "Rejection objected to" to it.

(11) If the declaration has been duly signed and dated, the officer must —

(a) place the declaration in a receptacle for declarations of identity; and

(b) the ballot paper envelope (or the ballot paper) in a receptacle for ballot paper envelopes.

(12) Subsection (13) applies if —

(a) either —

(i) there is no ballot paper envelope in a covering envelope; or

(ii) the ballot paper envelope has been opened in accordance with subsection (5); and

(b) the declaration of identity has been signed and dated.

(13) If this subsection applies, the officer must —

(a) place the declaration in the receptacle for declarations of identity; and

(b) place the ballot paper in a ballot box which has previously been —

(i) shown as empty to the election agents present (if there were any);

(ii) locked by the officer; and

(iii) sealed with the officer's seal and the seal of any election agent who wishes to place a seal on the ballot box.

(14) Unless it is opened in accordance with subsection (5), the officer must not open a ballot paper envelope until it is opened under section 93."

21. Section 93 amended – Opening of ballot paper envelopes
Section 93 is repealed and replaced with the following section —

“93. Opening of ballot paper envelopes

(1) After sealing up the packets referred to in section 92, the returning officer (or the Recording Officer) must separately open each ballot paper envelope which is in the receptacle for ballot paper envelopes.

(2) If the ballot paper envelope does not contain a ballot paper, the officer must mark the envelope “Rejected”.

(3) If the ballot paper envelope does contain a ballot paper, the officer must place the ballot paper in the ballot box referred to in section 91(13)(b).

(4) The officer must —

(a) put the envelopes and the ballot papers marked “Rejected” under this section into a separate packet; and

(b) seal that packet.”

22. Section 96 amended – Certified copies of Register and lists

Section 96 is repealed and replaced with the following section —

“96. Certified copies of Register and lists

(1) As soon as possible after the start of the closed period for an election or referendum, the registration officer must certify at least 6 copies of each of the following —

(a) the Register;

(b) the postal voters’ list;

(c) the proxy list; and

(d) the postal proxy voters’ list.

(2) Subject to subsection (3), the copies of the Register certified under subsection (1)(a) must contain the same entries as the version of the register published under section 14A(1).

(3) For the purpose of making the voting process more efficient —

(a) the certified copies of the Register and lists may be combined into a single document;

(b) entries in that document may be rearranged into a different order; and

(c) those entries may be supplemented by —

(i) marks for the purposes of section 99; and

(ii) additional information in connection with a system of allocation of polling stations provided for in regulations made under section 61A.

(4) The registration officer must forward the certified copies made under subsection (1) to the returning officer as soon as possible as they have been made.”

23. Section 97 replaced – Effect of registers, etc

Section 97 is repealed and replaced with the following section —

“97. Effect of registers, etc

(1) Subject to section 97A, the certified copies of the Register forwarded to the returning officer under section 96(4) are conclusive as to the following matters for the purposes of this Part (but only in relation to the referendum or the election for which those copies were produced) —

- (a) that every person registered was resident at the address shown on the qualifying date;
- (b) that the person’s address is in the constituency to which the register relates;
- (c) that, if a person’s name appears in it, that person is an elector;
- (d) that, if a person’s name does not appear in it, that person is not an elector.

(2) Subject to section 97A, the certified copies of the postal voters' list forwarded to the returning officer under section 96(4) are be conclusive for the purposes of this Part as to whether or not a person's right to vote at the referendum or the election is exercisable by post (but only in relation to the referendum or the election for which those copies were produced).

(3) Subject to section 97A, the certified copies of the proxy list forwarded to the returning officer under section 96(4) are be conclusive for the purposes of this Part as to whether or not there is in force an appointment of a proxy to vote for a person and, if so, who is appointed (but only in relation to the referendum or the election for which those copies were produced).

(4) Subject to section 97A, the certified copies of the postal proxy voters' list forwarded to the returning officer under section 96(4) are be conclusive for the purposes of this Part as to whether or not a proxy voter's right to vote as proxy is exercisable by post (but only in relation to the referendum or the election for which those copies were produced).”

24. New section 97A inserted – Effect of registers, etc: supplementary

The following new section is inserted after section 97 —

“97A. Effect of registers, etc: supplementary

(1) If a single document has been produced under section 96(3), references in section 97 to the Register (or to a list) refer to the entries in the single document that relate to entries in the Register (or the list).

(2) Subsection (3) applies to a person who is either —

- (a) registered as an elector; or
- (b) entered into the list of proxies.

(3) A person to whom this subsection applies may not be excluded from voting on the ground that either —

(a) the person is not qualified under section 32(1) of the Constitution; or

(b) that the person is disqualified from voting under section 32(2) of the Constitution.

(4) Subsection (3) does not do either of the following things —

(a) preventing a vote from being rejected under scrutiny; or

(b) affecting a person's liability to a penalty for voting when either —

(i) not qualified to vote; or

(ii) disqualified from voting.

(5) Subsection (6) applies to each of the following documents —

(a) the Register;

(b) the postal voters' list;

(c) the proxy list;

(d) the postal proxy voters' list;

(e) a single document produced under section 96(3);

(f) every proxy paper;

(g) every nomination paper;

(h) every ballot paper;

(i) every notice or other document required for the purposes of this Part.

(6) No inaccuracy in the name or description of a person (or the description of a place) in a document to which this subsection applies affects the validity or operation of that document if the name or description of the person (or the description of the place) is such that it can still commonly be understood.”

25. Section 98 amended – Requirement of secrecy

(1) This section amends section 98.

(2) Subsection (2) is amended by omitting paragraph (a).

(3) Subsection (3)(c) is amended omitting “, or as to the number on the back of the ballot paper given to that voter”.

(4) Subsection (4) is amended by omitting paragraphs (b) and (c).

(5) Subsection (5) is amended by omitting “, or as to the number on the back of the ballot paper given for the use of that voter”

26. Section 99 replaced – Marking of register and lists

Section 99 is repealed and replaced with the following section —

“99. Marking of register and lists

(1) The certified copies forwarded to the returning officer under section 96(4) must be marked as follows —

(a) the entries relating to elector who are postal voters must be marked with the letter “M”;

(b) the entries relating to electors who have appointed proxies must be marked with the letters “PXY”;

(c) the entries relating to electors who are postal voters registered to vote at addresses in the United Kingdom must be marked with the letters “UKM”; and

(d) the entries relating to proxies who are postal proxy voters must be marked with the letters “PM”.

(2) Subsection (3) applies if a single document has been produced under section 96(3).

(3) If this subsection applies, the returning officer must (as soon as practicable after receiving the certified copies of the single document) —

(a) check whether the marks required by subsection (1) have been made on them (and, if they have, that they have been made correctly); and

(b) make or correct the necessary marks as necessary.

(4) Subsection (5) applies if a single document has not been produced under section 96(3).

(5) If this subsection applies, the returning officer must (as soon as practicable after receiving the certified copies forwarded under section 96(4) make the necessary marks on the Register and Part 1 of the proxy list.”

27. Section 104 amended – Admission to polling place, etc

Section 104 is amended by inserting the following paragraphs after paragraph (d) —

“(da) members of the press approved by the Returning Officer;

(db) independent observers appointed under section 47A;”.

28. Section 110A amended – Persons registered to vote by post attending to vote in person

Section 110A(1)(b) is omitted and replaced with the following paragraph —

“(b) the entry relating to that person has been marked “M” or “UKM” in accordance with section 99.”

29. Section 111 amended – Persons registered to vote by proxy attending to vote in person
Section 111(1)(b) is omitted and replaced with the following paragraph —

“(b) the entry relating to that person has been marked “PXY” in accordance with section 99.”

30. Section 112 amended – Proxy voters registered to vote by post attending to vote in person
Section 112(1)(b) is omitted and replaced with the following paragraph —

“(b) the entry relating to that person has been marked “PM” in accordance with section 99.”

31. Section 113 amended – Voting procedure

(1) This section amends section 113.

(2) Subsection (1) is amended by —

(a) replacing paragraph (b) with the following paragraph —

“(b) the number, name and address of the elector as stated in the copy of the register (or the single document produced under section 96(3)) must be called out;”;

(b) amending paragraph (c) by adding “; and”;

(c) replacing paragraph (d) with the following paragraph —

“(d) a mark shall be placed against the entry relating to that voter (in the Register or the single document) to denote that a ballot paper has been received by that voter (but without showing the particular ballot paper that has been received).”; and

(d) omitting paragraph (e).

(2) The following subsections are inserted after subsection (1) —

“(1A) Subsection (1B) applies if —

(a) the person is applying for a ballot paper as a proxy; and

(b) a single document has not been produced under section 96(3).

(1B) If this subsection applies, a mark must also be placed against the entry relating to that person in the proxy voters’ list.”

32. Section 119 amended – Procedure on close of poll

(1) This section amends section 119.

(2) Subsection (1)(e) is omitted and the following paragraph substituted —

“(e) either —

(i) the marked copies of the register of electors and of the list of proxies; or

(ii) if single document has been produced under section 96(3), the marked copy of that single document.”

(3) Subsection (2) is repealed and replaced with the following subsection —

“(2) Subsection (2A) applies if a single document has not been produced under section 96(3).”

(4) The following subsections are inserted after subsection (2) —

“(2A) If this subsection applies, the marked copies of the register of electors and of the list of proxies must be placed in the same packet.

(2B) The counterfoils of the used ballot papers are placed in a separate packet from the one in which the marked copies of the register of electors and of the list of proxies (or the marked copy of the single document) are placed.”

33. Section 121A amended – Postal votes in United Kingdom to be incorporated in count

Section 121A(1)(b) is amended by omitting “and number”.

34. Section 122 amended – The count

Section 122(4) is repealed.

35. Section 124 amended – Rejected ballot papers

Section 124(1)(c) is amended by omitting “except the printed number on the back”.

36. Section 131 amended – Orders for production

(1) This section amends section 131.

(2) The proviso to subsection (2) is repealed.

(3) Subsection (6) is repealed.

PART 3

AMENDMENT OF ELECTORAL FORMS REGULATIONS

37. Amendment of Electoral Forms Regulations

This Part amends the Electoral Forms Regulations.

38. Electoral Forms revoked and replaced

The following forms are revoked and replaced with the forms set out in the Schedule —

VII – Form of application for a postal vote

XI – Form of application for a proxy vote

XII – Form of consent to act as proxy

XVII – Form of application for a postal proxy vote
XXVIII – Form of ballot paper

PART 4
AMENDMENT OF VOTING IN INSTITUTIONS REGULATIONS

39. Regulation 9 of Voting in Institutions Regulations replaced – Voting by Members of staff

Regulation 9 of the Voting in Institutions Regulations is revoked and replaced with the following regulation —

“9. Voting by members of staff

A member of staff is entitled to vote under these regulations if that member of staff has not previously voted in the election.”

PART 5
AMENDMENT OF ELECTORAL (POSTAL VOTING) (UNITED KINGDOM) ORDER

40. Article 6 of Electoral (Postal Voting) (United Kingdom) Order amended – Issue of ballot papers for postal voters at a United Kingdom address

Article 6 of the Electoral (Postal Voting) (United Kingdom) Order is amended by omitting “bearing the number of the ballot paper”.

PART 6
CONSEQUENTIAL, TRANSITIONAL AND SAVING PROVISION

41. Power for Governor to make consequential provision by order

(1) The Governor may by order make provision consequential on this Ordinance (or one or more of its provisions).

(2) An order made under subsection (1) may do one or more of the following things —

(a) amend or repeal written laws of the Falkland Islands;

(b) provide for United Kingdom legislation to apply in the Falkland Islands (with or without modifications);

(c) modify the application in the Falkland Islands of United Kingdom legislation that already applies in the Falkland Islands;

(d) provide that specific provisions of United Kingdom legislation no longer apply in the Falkland Islands.

42. Power for Governor to make transitional and saving provision by order

The Governor may by order make transitional or saving provision (or both) in connection with this Ordinance (or one or more of its provisions).

SCHEDULE

NEW ELECTORAL FORMS

(S23)

ELECTORAL FORM VII
FORM OF APPLICATION FOR A POSTAL VOTE
(Please read the Notes attached to this Form before completing)

TO: The Registration Officer *Camp/*Stanley Constituency.

I, of
(full name) (address)

hereby apply to be allowed to vote at an election or at a referendum by post ^{(1)&(2)}.

1. I wish to be allowed to vote by post in respect of⁽³⁾:

(a) the election/referendum to be held on

(b) all elections and referenda held within the period fromto.....

OR

(c) elections generally

(d) referenda generally

2. Postal ballot papers may be sent to me at (the address must be in the Falkland Islands, or in the United Kingdom)⁽⁴⁾:

.....
.....

Dated

Signed⁽⁵⁾

Witness⁽⁵⁾

***Delete whichever is inapplicable.**

NOTES TO FORM VII

1. The Registration Officer shall not grant an application for a postal vote between 12 noon on the day proceeding the last day for nominations for an election and the return of the writ in

respect of that election. This period is known as “the closed period” and further information of its duration may be obtained by contacting the Registration Officer for your constituency.

2. The closed period for a referendum normally begins at 12 noon 14 days before the election date.
3. An elector should choose (and indicate by striking out on the Form those options which he does not wish to select) in respect of which election or elections he wishes to hold a postal vote. If the elector’s Application Form does not specify his choice, it shall be deemed to have been made in respect of elections generally.
4. The Application Form must contain the full address to which postal ballot papers are to be sent. Failure to specify a full address will render the application invalid.
5. The Application Form must be signed by the elector personally, whose signature must be witnessed by one of the following:
 - a Falkland Islands registered elector;
 - a justice of the peace;
 - a bank manager;
 - a commissioner for oaths;
 - a teacher of, or tutor to, the applicant; or
 - any other person approved by the Registration Officer
6. The completed Application Form may be submitted by handing it personally to the Registration Officer or left at the office of the Registration Officer; sent by post to the Registration Officer; sent by fax to the Registration Officer; or sent by e-mail to the Registration Officer. If submitted by fax or e-mail an application form must be received in legible form. If submitted by e-mail, an application must consist of a scanned image of a signed application form.

ELECTORAL FORM XI
FORM OF APPLICATION FOR A PROXY VOTE
(Please read the Notes attached to this Form before completing)

TO: The Registration Officer *Camp/*Stanley Constituency

I, of
(full name) **(address)**

hereby apply to be permitted to vote by proxy^{(1)&(2)}.

1. My application is made in respect of⁽³⁾:

(a) the election/referendum to be held on

(b) elections and referenda held within the period from to

OR

(c) elections generally

(d) referenda generally

2. The name and address of the person whom I wish to appoint as proxy are⁽⁴⁾:

..... of
(full name of proxy) **(address)**

3. I enclose the written consent of the person named in 2 above to act as my proxy⁽⁵⁾.

Dated

Signed⁽⁶⁾

Witness⁽⁶⁾

*** Delete whichever is inapplicable.**

NOTES TO FORM XI

1. The Registration Officer shall not grant an application for permission to vote by proxy between 12 noon on the day proceeding the last day for nominations for an election and the return of the writ in respect of that election. This period is known as "the closed period" and further information of its duration may be obtained by contacting the Registration Officer for your constituency.

2. The closed period for a referendum normally begins at 12 noon 14 days before the election date.
3. An elector should choose (and indicate by striking out on the form those options which he/she does not wish to select) in respect of which election or elections, and/or referendum or referenda, he/she wishes his/her proxy to hold a proxy vote.
4. Your proxy must be someone who is an elector in respect of the same constituency as you and he/she may not be appointed the proxy of more than two electors.
5. Please obtain **ELECTORAL FORM XII** indicating his/her consent to act for you.
6. The Application Form must be signed by the elector personally, whose signature must be witnessed by one of the following:
 - a Falkland Islands registered elector;
 - a justice of the peace;
 - a bank manager;
 - a commissioner for oaths;
 - a teacher of, or tutor to, the applicant; or
 - any other person approved by the Registration Officer
7. The completed Application Form may be submitted by handing it personally to the Registration Officer or left at the office of the Registration Officer; sent by post to the Registration Officer; sent by fax to the Registration Officer; or sent by e-mail to the Registration Officer. If submitted by fax or e-mail, the application form must be received in legible form. If submitted by e-mail, an application must consist of a scanned image of a signed application form.

**ELECTORAL FORM XII
FORM OF CONSENT TO ACT AS PROXY**

TO: The Registration Officer *Camp/*Stanley Constituency

I, of
(full name) **(address)**

refer to the application of
(full name of applicant)

of
(address of applicant)

dated for permission to vote by proxy and hereby consent to act as proxy for that person.

Dated

Signed

*** Delete whichever is inapplicable.**

NOTE: YOU MAY ONLY BE APPOINTED AS SOMEONE'S PROXY IF YOU ARE AN ELECTOR IN RESPECT OF THE SAME CONSTITUENCY AND YOU MAY NOT BE APPOINTED THE PROXY OF MORE THAN TWO ELECTORS

ELECTORAL FORM XVII
FORM OF APPLICATION FOR A POSTAL PROXY VOTE
(Please read the Notes attached to this Form before completing)

TO: The Registration Officer *Camp/*Stanley Constituency.

I, of
(full name) **(address)**

hereby confirm that *I am the proxy of/*I am the proxy named in an application submitted to appoint me the proxy of

.....of.....
(full name of elector) **(address)**

and I apply to be allowed to vote as proxy by post^{(1),(2)&(3)}.

1. My application is made in respect of⁽⁴⁾:

(a) the election/referendum to be held on

(b) all elections and referenda held within the period from to
OR

(c) elections generally

(d) referenda generally

2. Postal ballot papers for completion by me as proxy for the above elector may be sent to me in the Falkland Islands, or in the United Kingdom at⁽⁵⁾:

.....
.....

Dated

Signed⁽⁶⁾

Witness⁽⁶⁾

***Delete whichever is inapplicable.**

NOTES TO FORM XVII

1. An application for a postal proxy shall not be granted unless:

- (a) Electoral Form XVII is completed in full, and
- (b) the applicant is already a postal voter in respect of his right to vote (otherwise than as proxy for another) or an application by him for a postal vote in respect of his right to vote is allowed at the same time.
2. The Registration Officer shall not grant an application for a postal vote between 12 noon on the day proceeding the last day for nominations for an election and the return of the writ in respect of that election. This period is known as "the closed period" and further information of its duration may be obtained by contacting the Registration Officer for your constituency.
 3. The closed period for a referendum normally begins at 12 noon 14 days before the election date.
 4. An elector should choose (and indicate by striking out on the Form those options which he does not wish to select) in respect of which election or elections he wishes to hold a postal vote. If the elector's Application Form does not specify his choice, it shall be deemed to have been made in respect of elections generally.
 5. The Application Form must contain the full address to which postal ballot papers are to be sent. Failure to specify a full address will render the application invalid.
 6. The Application Form must be signed by the elector personally, whose signature must be witnessed by one of the following:
 - a Falkland Islands registered elector;
 - a justice of the peace;
 - a bank manager;
 - a commissioner for oaths;
 - a teacher of, or tutor to, the applicant; or
 - any other person approved by the Registration Officer
 7. The completed Application Form may be submitted by handing it personally to the Registration Officer or left at the office of the Registration Officer; sent by post to the Registration Officer; sent by fax to the Registration Officer; or sent by e-mail to the Registration Officer. If submitted by fax or e-mail an application form must be received in legible form. If submitted by e-mail, an application must consist of a scanned image of a signed application form.

OBJECTS AND REASONS

This Bill would make a number of amendments to the Electoral Ordinance (Title 30.1).

It reflects some of the recommendations made by the MIOR Referendum Observers' Report on the referendum held in March 2013 on the political status of the Falkland Islands.

It also adopts for future elections and referenda some of the practices that were implemented under arrangements made under the Referendum (Political Status) Ordinance (No 16 of 2012) but which would need to be provided for in the Electoral Ordinance in order to continue.

It reflects the recommendation of the Legislative Assembly Pay Review Panel that, if the post of MLA is to become full time (which is separately proposed in the Members' Remuneration (Amendment) Bill), the question of disqualification of public servants for election would have to be reviewed.

Finally, it makes a number of changes to the Electoral Ordinance that have been identified as being necessary in the course of other work.

The Bill is divided into 6 Parts and there is also a Schedule to the Bill:

- Part 1 contains introductory provisions.
- Part 2 would make a number of amendments to the Electoral Ordinance.
- Part 3 (and the Schedule) would amend the Electoral Forms Regulations (Title 30.1.2).
- Part 4 would amend the Voting in Institutions Regulations (SR&O No 2 of 1993).
- Part 5 would amend the Electoral (Postal Voting) (United Kingdom) Order (SR&O No 17 of 2005).
- Part 6 would allow the Governor (who would, normally, have to act on the advice of Executive Council) to make consequential, transitional and saving provision by order.
- The Schedule contains new forms that would replace old forms in the Electoral Forms Regulations.

Part 1 contains introductory provisions.

Clause 2 would provide for the Ordinance to come into force as soon as it is published in the *Gazette* (if it is passed). It is intended that the amendments would come into force in time for the forthcoming General Election.

Part 2 would make a number of amendments to the Electoral Ordinance.

Clause 5 would update a number of cross-references in section 3 (the interpretation section of the Electoral Ordinance).

Clause 6 would update a cross-reference in section 11, which deals with applications to register as an elector.

Clause 7 would insert a new section 11A to allow for applications to register as an elector by fax or by e-mail (as well as by hand or by post, as at present) The new section would also extend the categories of persons who may witness signatures on applications for registration.

Clause 8 would make similar changes to section 23 in relation to applications for postal votes by:

- allowing for applications to be made by fax or by e-mail; and
- extending the categories of persons who may witness signatures on applications.

It would also provide that applications for postal votes that were made by fax or e-mail in the run up to the political status referendum would remain valid. Finally, it would reflect a previous change to electoral legislation in the information to be given to electors who are granted postal votes.

Clause 9 would make similar changes to section 27 in relation to applications for proxy votes by:

- allowing for applications to be made by fax or by e-mail;
- extending the categories of persons who may witness signatures on applications; and
- providing for applications for proxy votes made by fax or e-mail in the run up to the political status referendum to remain valid.

It would also:

- make it clear that applications for proxy votes can be made for all referenda and elections held within a specified period or for referenda and elections generally; and
- update various cross-references.

Clause 10 would make similar changes to section 34 in relation to applications for postal proxy votes by

- allowing for applications to be made by fax or by e-mail;
- extending the categories of persons who may witness signatures on applications; and
- indirectly providing for applications for postal proxy votes made by fax or e-mail in the run up to the political status referendum to remain valid.

It would also update the cross-reference to section 23 (part of which applies to postal proxy votes in modified form).

Clause 11 would insert a new section 47A allowing the returning officer to appoint independent observers at an election or referendum. It would also allow the Governor (who would, normally, have to act on the advice of Executive Council) to make regulations dealing with the access to be granted to independent observers. (An amendment to be made to section 104 by *clause 27* would allow independent observers to enter polling places.)

Clause 12 would make two changes to section 51:

- it would allow for polling to start at 7am (instead of 8am); and
- it would allow for different polling hours at polling places in Camp and Stanley.

Clause 13 would completely replace the existing provisions in section 53 about the disqualification of public officers from election as members of the Legislative Assembly:

- Section 29(1) of the Constitution provides for a number of disqualifications from election. In particular, section 29(1)(c) provides that anyone holding (or acting in) public

office in the Falkland Islands is disqualified from election, unless the office is one specified in an Ordinance as one that does not disqualify the person holding it (or acting in it).

- At present, the effect of section 53 is that there is a list of offices that disqualify from election but that other public offices do not.
- The proposed new version of section 53 (which would be introduced by *clause 13*) would reverse that and provide that, apart from a number of specific exemptions, all other public offices would be disqualifying ones.
- The exceptions would cover:
 - members of the Falkland Islands Defence Force (but not those in staff posts); and
 - retained firefighters.
- The General Manager of the Falkland Islands Development Corporation would also be disqualified from election.
- However, those holding (or acting in) public office to stand for election would still be allowed to stand for election, provided that they give undertakings to stand down from that office if elected.
- Anyone who stands on that basis and is elected would not be able to take a seat in the Legislative Assembly until the undertaking is fulfilled and there would be a 100 day time limit (which is intended to allow time for the person to resign with a notice period of up to 3 months) – after that, the seat would be vacated.

Clause 14 would introduce a new section 60A allowing the Governor (who would, normally, have to act on the advice of Executive Council) to make regulations providing for emergency voting where a person would otherwise be unable to vote in any other way (or where a proxy is unable to vote on behalf of another person).

Clause 15 would amend section 61 to allow voters in the Stanley constituency to vote with mobile polling teams – this is currently restricted to voters in the Camp constituency.

Clause 16 would introduce a new section 61A allowing the Governor (who would, normally, have to act on the advice of Executive Council) to make regulations allowing for a system of allocated polling stations (similar to the one that was operated for the political status referendum).

Clauses 17 to 19 would make a number of amendments implementing the recommendation that there should no longer be a serial number on the back of every ballot paper.

Clauses 20 and 21 also involve implementing that recommendation. However, the amendments required to sections 91 and 93 were more extensive, so these sections are replaced entirely (and the opportunity has been taken to try and make them clearer).

Clause 22 would replace section 96 to allow for the implementation of a recommendation that the polling process should be made more efficient by providing for a single document to be used at polling stations and by mobile polling teams (instead of the Register and the various lists being kept separate). It would also allow for the possibility that there will be a system of allocated polling stations.

Clauses 23 and 24 would replace the existing section 97 with two new sections: 97 and 97A. These reflect consequential amendments that are necessary to deal with the possibility that a single document will be used at polling places and by mobile polling teams (instead of the separate register and lists).

Clause 25 would make a number of consequential amendments to section 98, dealing with the removal of serial numbers from the back of ballot papers.

Clause 26 would replace section 99 to allow for the possibility that a single document will be used at polling places and by mobile polling teams (instead of the separate register and lists).

Clause 27 would allow members of the press and independent observers (see *clause 10*) to be present inside polling places and alongside mobile polling teams (as happened during the political status referendum).

Clauses 28 to 32 would make consequential amendments to sections 110A, 111, 112, 113 and 119 to deal with the possibility that a single document will be used at polling places and by mobile polling teams (instead of the separate register and lists).

Clauses 33 to 36 would make consequential amendments to sections 121A, 122, 124 and 131 to deal with the removal of serial numbers from the back of ballot papers.

Part 3 (and the Schedule) would amend the Electoral Forms Regulations.

Clause 38 provides for a number of the forms in the Electoral Forms Regulations to be replaced with the new forms that appear in the *Schedule*.

Part 4 would amend the Voting in Institutions Regulations.

Clause 39 would amend the Voting in Institutions Regulations to allow all members of the staff of the institutions that a mobile polling team is visiting to vote with the mobile polling team (provided they are entitled to vote and have not already voted). At present, staff can only vote with the mobile polling team in certain limited circumstances.

Part 5 would amend the Electoral (Postal Voting) (United Kingdom) Order.

Clause 40 would make a consequential amendment to the Electoral (Postal Voting) (United Kingdom) Order, dealing with the removal of serial numbers from the back of ballot papers.

Part 6 would allow the Governor to make consequential, transitional and saving provision by order.

Clause 41 would allow the Governor to make consequential provision and *clause 42* would allow the Governor to make transitional and/or saving provision. In both cases, the Governor would, normally, have to act on the advice of Executive Council.

The Schedule contains the new forms that would replace old forms in the Electoral Forms Regulations.

Road Traffic (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

1. Title
2. Commencement
3. Amendment of Road Traffic Ordinance
4. Section 4 of Road Traffic Ordinance replaced – Motor vehicle and trailer licences
5. New section 4A and 4B
6. Saving: Vehicle Licence Labels Regulations

ROAD TRAFFIC (AMENDMENT) BILL 2013

(No: of 2013)

(assented to: 2013)

(commencement: see section 2)

(published: 2013)

A BILL

for

AN ORDINANCE

To amend the provisions in the Road Traffic Ordinance (Title 63.1) about vehicle licensing; and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Road Traffic (Amendment) Ordinance 2013.

2. Commencement

This Ordinance comes into force on a date appointed by the Governor by notice published in the *Gazette*.

3. Amendment of Road Traffic Ordinance

This Ordinance amends the Road Traffic Ordinance.

4. Section 4 of Road Traffic Ordinance replaced – Motor vehicle and trailer licences

Section 4 is repealed and replaced with the following new section —

“4. Motor vehicle and trailer licences

(1) Unless an exemption under section 4B applies to it, a vehicle licence must be in force for —

(a) a motor vehicle whenever it is used on a road; or

(b) a trailer whenever it is drawn on a road by a motor vehicle that exceeds 3,400kg in weight.

(2) Duty is payable on vehicles at the following annual rates —

(a) for a motor vehicle that do not weigh more than 500kg, £52.25;

(b) for motor vehicles that weigh more than 500kg but no more than 3,400kg, £120.50;

(c) for motor vehicles of any weight that are designed and constructed as agricultural tractors, £120.50;

(d) for motor vehicles (apart from those that are designed and constructed as agricultural tractors) that weigh more than 3,400 kilograms, £185.50; and

(e) for trailers being drawn by motor vehicles that weigh more than 3,400kg, £44.00.

(3) If a vehicle licence is being taken out for a period of 12 months, duty must be paid on the licence at the annual rate that applies to the vehicle under subsection (2).

(4) If a vehicle licence is being taken out for a period shorter than 12 months, the proportion of the annual rate of duty for the vehicle that must be paid is as follows —

(a) for a period of 6 months, 55%;

(b) for a period of 4 months, 37%;

(c) for a period of 3 months, 28%;

(d) for a period of 2 months, 19%; and

(e) for a period of 1 month, 10%.

(5) When calculating the duty payable under subsection (4), the amount payable must be rounded to the nearest multiple of 10p.

(6) If a vehicle licence is required for a motor vehicle or a trailer under subsection (1), it is an offence —

(a) for a person to drive the motor vehicle (or draw the trailer) on a road without a vehicle licence being in force for it; or

(b) for the owner of the motor vehicle or trailer to allow another person to drive or draw it on a road without a vehicle licence being in force for it.

(7) A person who commits an offence against subsection (6) is liable on conviction to a fine of up to level 3 on the standard scale.”

5. New sections 4A and 4B

The following new sections are inserted after section 4 —

“4A. Motor vehicle and trailer licences: display of labels

(1) The Governor may make regulations that require a label of a type specified in the regulations to be displayed on every motor vehicle and trailer in respect of which a vehicle licence has been taken out (and duty paid) under section 4.

(2) It is an offence for the owner of a motor vehicle or trailer (or the person in charge of it) not to comply with a requirement to display a label of the specified type.

(3) A person who commits an offence against subsection (2) is liable on conviction to a fine of up to level 2 on the standard scale.

4B. Motor vehicle and trailer licences: exemptions

(1) Neither section 4 nor regulations made under section 4A apply to vehicles owned by —

- (a) the Falkland Islands Government;
- (b) the United Kingdom Government; or
- (c) the British Antarctic Survey.

(2) The Governor may by order exempt one or more other classes of motor vehicles and trailers from the requirements of —

- (a) section 4; and
- (b) regulations made under section 4A.

(3) An order made under subsection (2) may include provisions —

- (a) defining the scope of the exemption;
- (b) imposing conditions that must be complied with for the exemption to apply.

(4) To the extent that an exemption under subsection (1) or under an order made under subsection (2) applies to a motor vehicle or trailer (and conditions to which that exemption is subject are complied with) —

(a) neither section 4 nor regulations made under section 4A apply to —

- (i) the motor vehicle or trailer (even if it is being used or drawn on a road);
- (ii) the person driving or drawing it on a road;
- (iii) its owner; or
- (iv) the person in charge of it;

(b) a person driving the motor vehicle (or drawing the trailer) on a road does not commit an offence against section 4(6) by doing that, even if one or more of the following apply —

- (i) a vehicle licence is not in force in respect of it;
- (ii) duty has not been paid in respect of the motor vehicle or trailer;

(c) the owner of the motor vehicle or trailer does not commit an offence against section 4(6) of the Road Traffic Ordinance by permitting another person to drive or draw it on a road, even if —

- (i) duty has not been paid in respect of the motor vehicle or trailer; or

(ii) a vehicle licence is not in force in respect of it;

(d) neither the owner of the motor vehicle or trailer nor the person in charge of it commits an offence against section 4A(2), even if a label of a specified type is not displayed on the motor vehicle or trailer.”

6. Saving: Vehicle Licence Labels Regulations

The Vehicle Licence Labels Regulations (No 33 of 1998) are to be treated as if they had been made under section 4A(1) of the Road Traffic Ordinance (as inserted by section 5).

OBJECTS AND REASONS

This Bill would replace section 4 of the Road Traffic Ordinance (Title 63.1) with three new sections: new sections 4, 4A and 4B.

Largely, the Bill restates the existing provisions of section 4 (which have been amended on a number of occasions) in a way that is intended to make them clearer and more logical. (The Bill also provides for existing legislation about the display of vehicle licence labels to continue in force.)

However, there would be a substantive change to a provision that exempts certain vehicles from vehicle licensing:

- Section 4(3)(b) currently provides for a blanket exemption from vehicle licensing for motor vehicles and trailers that are normally kept in the Falkland Islands at a place not in East Falkland, even when they are used on designated roads or on roads in or around Stanley.
- This Bill would remove that blanket exemption and replace it with a power for the Governor (who would normally have to act on the advice of Executive Council) to grant more targeted exemptions for specific classes of motor vehicles and trailers. These exemptions could be made subject to conditions.

Even if the Bill is passed, the new Ordinance would not come into force immediately. It is envisaged that it would be brought into force at the same time as an order exempting certain agricultural vehicles from vehicle licensing as part of proposals to designate most of the Camp road network as roads for the purposes of the Road Traffic Ordinance.

SUBSIDIARY LEGISLATION

TAXATION

Taxes and Duties (Defence Contractors' Employees Exemption) Order 2013

S. R. & O. No. 13 of 2013

Made: 1 August 2013
Published: 6 August 2013
Coming into force: on publication

I make this order under section 9A of the Taxes and Duties (Special Exemptions) Ordinance (Title 69.2) —

- (a) on the advice of the Standing Finance Committee, as required by section 9A(1) of the Ordinance; and
- (b) on the advice of Executive Council.

1. Title

This order is the Taxes and Duties (Defence Contractors' Employees Exemption) Order 2013.

2. Commencement

This order comes into force on publication in the *Gazette*.

3. Interpretation

In this order —

“designated employer” means an employer listed in the Schedule;

“qualifying employee” means a person who —

- (a) satisfies the requirements of section 9A of the Ordinance; and
- (b) is employed by a designated employer;

“relevant employment” means —

- (a) employment only for the purpose of providing services in the Falkland Islands to either —
 - (i) Her Majesty's regular armed forces; or
 - (ii) the Ministry of Defence of Her Majesty's Government in the United Kingdom; or

(b) employment only for the purposes of providing services to persons who are themselves in relevant employment by virtue of paragraph (a) of this definition or by virtue of this paragraph of this definition;

“relevant income” means income from relevant employment; and

“retirement pension contributions” means contributions that an employee is required to pay under the Retirement Pensions Ordinance (No. 20 of 1996).

4. Application

(1) Subject to article 5, a qualifying employee is exempt from liability under any law of the Falkland Islands to pay —

(a) income tax on relevant income from a designated employer; and

(b) retirement pension contributions in respect of that employment.

(2) The exemption applies whether the liability arises before or after this order comes into force.

5. Duration

Nothing in this order confers any exemption to pay either —

(a) income tax in relation to earnings after 31 December 2014; or

(b) retirement pension contributions in respect of employment after that date.

6. Revocation

The Taxes and Duties (Defence Contractors' Employees Exemption) Order 2012 (No. 18 of 2012) is revoked.

SCHEDULE DESIGNATED EMPLOYERS

(article 3)

Agrimarine Limited
Babcock Aerospace Limited
Babcock Communications Limited
BAE Systems (Military Air) Overseas Limited
British International Helicopter Services Limited
COLAS Limited
David Lomas Limited
Fujitsu Services Limited
Gifford Global Limited
Interserve Defence Limited
Mott MacDonald Limited
MPI Aviation Limited
Navy, Army and Air Force Institutes
Satec Limited
Serco Limited

Services Sound and Vision Corporation
Sodexo Defence Services Limited
Trant Construction Limited
Van Wijngaarden Marine Services b.v.
Westland Helicopters Limited

Made 1 August 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the order)

Section 9A of the Taxes and Duties (Special Exemptions) Ordinance (Title 69.2) gives the Governor power to make orders granting exemptions from income tax and retirement pension contributions to certain individuals engaged in defence-based employment.

This order means that employees who work for one of the employers listed in the Schedule are exempt from income tax and retirement pension contributions until the end of 2014, provided that they are engaged in relevant employment (as defined) and the other requirements set out in section 9A of the Ordinance are met.

The effect of section 21(1)(e) of the Medical Services Tax Ordinance (No 13 of 2010) provides that the earnings and benefits in kind that are exempt from income tax under this order are also exempt from Medical Services Tax.

The effects of this order (which replaces a previous order) are:

- (a) to remove Argyll Coastal Services Limited (which is no longer in existence) from the list of designated employers;
- (b) to add Fujitsu Services Limited to the list of designated employers; and
- (c) to extend the life of the exemption (which was due to expire on 31 December 2013) for another year.

Under section 9A, orders have to be made on the advice of the Standing Finance Committee. However, Executive Council specifically approved the extension of the life of the exemption and, so, to that extent, the order is made on the advice of Executive Council in addition to that of the Standing Finance Committee.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Minimum Wage Ordinance 2013

(No: 10 of 2013)

ARRANGEMENT OF PROVISIONS

Section

PART 1 – INTRODUCTION

1. Title
2. Commencement

PART 2 – INTERPRETATION

3. Interpretation: defined terms
4. Interpretation: “work”, etc
5. Interpretation: “worker” (with powers for Governor to amend Schedule 1 and to make subsidiary legislation about special cases)
6. Interpretation: “eligible work” (with powers for Governor to amend Schedule 2 and to make subsidiary legislation about special cases)
7. Interpretation: “pay reference period”

PART 3 – ENTITLEMENT TO MINIMUM WAGE

8. Entitlement to minimum wage for each pay reference period
9. Amount treated as having been paid in respect of minimum wage for pay reference period
10. Worker’s entitlement to additional payment if amount treated as having been paid less than minimum wage for pay reference period

PART 4 – MINIMUM WAGE RATES

11. Minimum wage rates

12. Minimum wage rates: duty on Governor to set initial rates by order
13. Minimum wage rates: duty to keep under review and power for Governor to adjust by order

PART 5 – CALCULATION OF HOURS WORKED

14. Duty on Governor to make regulations about calculation of hours worked

PART 6 – CALCULATION OF AMOUNTS TREATED AS HAVING BEEN PAID

15. Duty on Governor to make regulations about calculation of amounts treated as having been paid

PART 7 – RECORD KEEPING BY EMPLOYERS (AND WORKER'S RIGHTS TO ACCESS EMPLOYER'S RECORDS)

16. Records to be kept by employers (and duty of employees to provide information reasonably required for record keeping purposes)
17. Worker's right of reasonable access to employer's minimum wage records
18. Dealing with refusal to allow worker access to records

PART 8 – WORKER'S RIGHT NOT TO SUFFER DETRIMENT RELATING TO MINIMUM WAGE

19. Worker's right not to suffer detriment relating to minimum wage

PART 9 – ENFORCEMENT BY WORKERS OF THEIR RIGHTS

20. Proceedings for additional payment if minimum wage not paid
21. Enforcement by worker of right of reasonable access to employer's records
22. Enforcement by worker of right not to be dismissed in relation to minimum wage
23. Enforcement by worker of right not to suffer detriment (other than dismissal) in relation to minimum wage

PART 10 – REVERSAL OF BURDEN OF PROOF

24. Reversal of burden of proof

PART 11 – APPEALS FROM DECISIONS OF SUMMARY COURT

25. Appeals from decisions of Summary Court

PART 12 – RESTRICTIONS ON CONTRACTING OUT

26. Restrictions on contracting out

PART 13 – PUBLICITY, GUIDANCE AND INFORMATION FOR WORKERS

27. Publicity

28. Guidance
29. Employers to provide workers with information about rights under the minimum wage legislation

PART 14 – CONSEQUENTIAL AMENDMENTS

30. Amendment of the Employment Protection Ordinance
31. Power to make further consequential amendments by order

PART 15 – TRANSITIONAL PROVISIONS

32. Power to make transitional provisions by order

PART 16 – APPLICATION TO CROWN

33. Application to Crown

PART 17 – REPEAL

34. Labour (Minimum Wage) Ordinance repealed

Schedule 1 – “Worker”: special cases

Schedule 2 – “Eligible work”: special cases

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

MINIMUM WAGE ORDINANCE 2013

(No: 10 of 2013)

(assented to: 2 August 2013)
(commencement: see section 2)
(published: 6 August 2013)

AN ORDINANCE

To provide for the introduction of a minimum wage to be paid to workers; and for connected purposes.

ENACTED by the Legislature of the Falkland Islands —

**PART 1
INTRODUCTION**

1. Title

This Ordinance is the Minimum Wage Ordinance 2013.

2. Commencement

(1) This Ordinance comes into force on a date appointed by the Governor in a notice published in the *Gazette*.

(2) The Governor may appoint different days for different provisions of the Ordinance to come into force.

**PART 2
INTERPRETATION**

3. Interpretation: defined terms

(1) In this Ordinance (and subsidiary legislation made under it) —

“contract” means an express or implied contract (and, if it is an express contract, whether it was made orally, in writing or in some other way);

“dismissal” has the same meaning as it does under section 53 of the Employment Protection Ordinance (Title 32.3);

“eligible work” has the meaning given by section 6;

“employer” —

(a) in relation to a worker, means the person for whom the worker is (or was) working under a relevant work contract; and

(b) is also to be interpreted in accordance with Schedule 1;

“minimum wage legislation” means —

(a) this Ordinance; and

(b) subsidiary legislation made under it;

“minimum wage rate” has the meaning given by section 11(1);

“minimum wage rate for adults” has the meaning given by section 11(1)(a);

“minimum wage rate for young persons” has the meaning given by section 11(1)(b);

“pay reference period” has the meaning given by section 7;

“relevant work contract” means —

(a) a contract of service or apprenticeship; or

(b) a contract that is not a contract of service or apprenticeship but under which —

(i) an individual undertakes personally to do work for another party to the contract; and

(ii) the status of that other party under the contract is not that of a client or customer of a profession or business undertaking carried on by the individual;

“work” is to be interpreted in accordance with section 4; and

“worker” is to be interpreted in accordance with section 5.

4. Interpretation: “work”, etc

Every reference in the minimum wage legislation to a person doing work also includes references to that person performing a service or performing services (and “work” and other related expressions are to be understood accordingly).

5. Interpretation: “worker” (with powers for Governor to amend Schedule 1 and to make subsidiary legislation about special cases)

(1) A person is a worker if —

- (a) the person has entered into a relevant work contract;
- (b) the person is working under a relevant work contract; or
- (c) the person worked under a relevant work contract that has come to an end.

(2) A person may also be treated as being a worker (or treated as not being a worker) in accordance with —

- (a) Schedule 1 (which deals with special cases relating to the definition of “worker”); or
- (b) an order made under subsection (4).

(3) The Governor may amend Schedule 1 by order.

(4) The Governor may make one or more orders dealing with special cases relating to the definition of “worker”.

(5) An order made under subsection (3) or (4) may provide for the minimum wage legislation to apply in a modified way in a special case with which it deals.

(6) An order made under subsection (3) or (4) may come into force as soon as it is published in the *Gazette* but the order may only continue in force beyond the next meeting of the Legislative Assembly that takes place after publication if it is approved by resolution of the Legislative Assembly at that meeting.

(7) If the order is not approved by resolution of the Legislative Assembly in accordance with subsection (6) —

- (a) the order ceases to have effect from the end of the meeting at which it needed to be approved to continue in force; and
- (b) the Governor must arrange for a notice to be published in the *Gazette* stating that the order has ceased to have effect.

(8) An order ceasing to have effect under subsection 7(a) does not —

- (a) affect the validity of the order while it was in force, or
- (b) prevent the making of a new order.

(9) Subsections (6) to (8) do not prevent the Legislative Assembly from amending an order under section 35(2) of the Interpretation and General Clauses Ordinance (Title 67.2).

6. Interpretation: “eligible work” (with powers for Governor to amend Schedule 2 and to make subsidiary legislation about special cases)

(1) Work is eligible work if —

- (a) it is done by a worker;
- (b) it is done under a relevant work contract; and
- (c) it is done in the Falkland Islands.

(2) Work may also be treated as being eligible work (or treated as not being eligible) in accordance with —

(a) Schedule 2 (which deals with special cases relating to the definition of “eligible work”);
or

(b) an order made under subsection (4).

(3) The Governor may amend Schedule 2 by order.

(4) The Governor may make one or more orders dealing with special cases relating to the definition of “eligible work”.

(5) An order made under subsection (3) or (4) may provide for the minimum wage legislation to apply in a modified way in a special case with which it deals.

(6) An order made under subsection (3) or (4) may come into force as soon as it is published in the *Gazette* but the order may only continue in force beyond the next meeting of the Legislative Assembly that takes place after publication if it is approved by resolution of the Legislative Assembly at that meeting.

(7) If the order is not approved by resolution of the Legislative Assembly in accordance with subsection (6) —

(a) the order ceases to have effect from the end of the meeting at which it needed to be approved to continue in force; and

(b) the Governor must arrange for a notice to be published in the *Gazette* stating that the order has ceased to have effect.

(8) An order ceasing to have effect under subsection 7(a) does not —

(a) affect the validity of the order while it was in force, or

(b) prevent the making of a new order.

(9) Subsections (6) to (8) do not prevent the Legislative Assembly from amending an order under section 35(2) of the Interpretation and General Clauses Ordinance (Title 67.2).

7. Interpretation: “pay reference period”

(1) The minimum wage payable to a worker who has done eligible work is to be calculated for each pay reference period during which that worker does eligible work for an employer.

(2) The normal pay reference period for a worker is —

(a) a period of 1 month, unless —

(b) the worker is paid wages for a period that is shorter than 1 month, in which case that period is the pay reference period for that worker; or

(3) A reference in the minimum wage legislation to a person being paid for a pay reference period is a reference to the person being paid by the person’s employer in respect of eligible work done by that person during that pay reference period (regardless of when that payment is made).

PART 3

ENTITLEMENT TO MINIMUM WAGE

8. Entitlement to minimum wage for each pay reference period

(1) Workers aged 16 or over are entitled to at least a minimum wage for each pay reference period in which they do eligible work.

(2) A worker’s minimum wage for a pay reference period is to be calculated using the formula —

$$M \times H$$

(3) In the formula $M \times H$ —

“M” is the minimum wage rate that applies to that worker in accordance with section 11; and

“H” —

(a) is the number of hours (which need not be a whole number) of eligible work that the worker has done during the pay reference period; and

(b) is to be calculated in accordance with regulations made under section 14.

9. Amount treated as having been paid in respect of minimum wage for pay reference period

The amount that a worker is treated as having been paid by an employer in respect of the minimum wage for a pay reference period —

(a) is to be calculated in accordance with regulations made under section 15; and

(b) must be greater than or equal to the worker’s minimum wage for that pay reference period (calculated using the formula in section 8(2)).

10. Worker's entitlement to additional payment if amount treated as having been paid less than minimum wage for pay reference period

(1) Subsection (2) applies if the amount that a worker is treated as having been paid in relation to the minimum wage for a pay reference period (calculated in accordance with regulations made under section 15) is less than the minimum wage for that pay reference period.

(2) If this subsection applies, the employer must pay to the worker an amount which is equal to the difference between —

(a) the amount treated as having been paid to the worker in respect of the minimum wage for that pay reference period; and

(b) the worker's minimum wage for that pay reference period (calculated using the formula in section 8(2)).

**PART 4
MINIMUM WAGE RATES**

11. Minimum wage rates

(1) There are two minimum wage rates for workers —

(a) the minimum wage rate for workers aged 18 or over ("the minimum wage rate for adults"); and

(b) the minimum wage rate for workers aged 16 or 17 ("the minimum wage rate for young persons").

(2) If a worker's 18th birthday takes place during a pay reference period —

(a) the minimum wage rate for young persons applies to that worker in relation to the eligible work done by that worker from the start of the period until the end of the day before the worker's birthday; and

(b) the minimum wage rate for adults applies to that worker in relation to the eligible work done by that worker from the start of the worker's 18th birthday until the end of the period.

12. Minimum wage rates: duty on Governor to set initial rates by order

The Governor must make an order setting the initial rates of —

(a) the minimum wage rate for adults; and

(b) the minimum wage rate for young persons.

13. Minimum wage rates: duty to keep under review and power for Governor to adjust by order

(1) The minimum wage rates must be kept under review.

(2) A review of the minimum wage rates must take place at least every 12 months.

(3) Following a review of the minimum wage rates, the Governor may make an order adjusting —

- (a) the minimum wage rate for adults;
- (b) the minimum wage rate for young persons; or
- (c) both minimum wage rates.

(4) No order adjusting either minimum wage rate (or both of them) may take effect until at least 3 months after it has been published in the *Gazette*.

PART 5 CALCULATION OF HOURS WORKED

14. Duty on Governor to make regulations about calculation of hours worked

The Governor must make regulations about how the number of hours of eligible work that a worker has done during a pay reference period is to be calculated.

PART 6 CALCULATION OF AMOUNTS TREATED AS HAVING BEEN PAID

15. Duty on Governor to make regulations about calculation of amounts treated as having been paid

The Governor must make regulations about how the amount treated as having been paid to a worker in respect of the minimum wage for a pay reference period is to be calculated.

PART 7 RECORD KEEPING BY EMPLOYERS (AND WORKER'S RIGHTS TO ACCESS EMPLOYER'S RECORDS)

16. Records to be kept by employers (and duty of employees to provide information reasonably required for record keeping purposes)

(1) Every employer of one or more workers who do (or have done) eligible work must keep records that are adequate for the following purposes —

(a) establishing that the workers have been paid at least the minimum wage for their eligible work; and

(b) enabling workers to exercise their right to access those records under section 17.

(2) The records that an employer must keep —

(a) may be kept —

(i) on paper;

(ii) by means of a computer; or

(iii) in some other way; but

(b) must be in a form which enables the information kept about a worker in respect of a pay reference period to be produced in a single document; and

(c) in relation to each pay reference period, must be kept by the employer for at least 6 years after the end of that pay reference period.

(3) If an employer reasonably requires information from a worker for the purpose of keeping the records, the worker is under a duty to provide the employer with that information.

(4) To the extent that a worker does not provide an employer with information that is reasonably required to keep the records —

(a) the employer is not to be treated as having kept records that are not adequate; and

(b) in relation to proceedings under section 20 (or a complaint under section 21 or 23), the Summary Court (and the Magistrate's Court when dealing with an appeal) must take that into account when —

(i) determining the claim or complaint;

(ii) determining whether or not to award additional damages against the employer (and, if so, how much those additional damages should be); and

(iii) determining whether or not to award costs against either party (and, if so, what proportion of the costs should be awarded).

17. Worker's right of reasonable access to employer's minimum wage records

(1) Every worker has a right ("the right of reasonable access") of reasonable access to the records kept by the worker's employer under section 16 in order to confirm that the worker has been paid at least the minimum wage for each pay reference period.

(2) A worker may only exercise the right of reasonable access for the purpose of establishing whether or not the worker is being (or has been) paid at least the minimum wage for one or more pay reference periods.

(3) When exercising the right of reasonable access, the worker may —

(a) require the employer to produce the records that the employer has kept under section 16 to the extent that they relate to that worker;

(b) inspect and examine those records; and

(c) copy them (or part of them).

(4) The right of reasonable access may be exercised —

(a) by the worker alone; or

(b) by the worker accompanied by another person.

18. Dealing with refusal to allow worker access to records

- (1) If the employer refuses to give the worker access to the records under section 17, the worker may give the employer a written notice ("a production notice") requesting the production of the employer's records kept under section 16 to the extent that they relate to that worker over a period specified in the production notice.
- (2) If the worker intends to inspect and examine those records accompanied by another person, the production notice must contain a statement of that intention.
- (3) An employer may refuse a request made in a production notice if (in all of the circumstances) the request is unreasonable.
- (4) If the employer intends to refuse a request made in a production notice, the employer must give the worker a written notice ("a refusal notice") —
 - (a) indicating that the request is being refused; and
 - (b) explaining why the employer considers that the request is unreasonable.
- (5) Within 7 days of receiving a production notice from a worker, the employer must either —
 - (a) give the worker a refusal notice; or
 - (b) give the worker reasonable written notice of a place and time at which the records will be produced to the worker (or to the worker and the person accompanying the worker).
- (6) The place where the records are produced must be —
 - (a) the worker's place of work; or
 - (b) another place at which it is reasonable (in all the circumstances) for the worker to attend to inspect the relevant records; or
 - (c) another place that has been agreed between the worker and the employer after the production notice was given to the employer.
- (7) The records must be produced either —
 - (a) no later than 14 days after the date on which the employer receives the production notice; or
 - (b) at a later time that has been agreed between the worker and the employer after the production notice was given to the employer.

PART 8
WORKER'S RIGHT NOT TO SUFFER DETRIMENT RELATING TO MINIMUM WAGE

19. Worker's right not to suffer detriment relating to minimum wage

(1) A worker has the right not to be subjected by the worker's employer to detriment on the ground that —

(a) the employee is entitled to (or will or might become entitled to) —

(i) the minimum wage;

(ii) a particular rate of minimum wage; or

(b) action was taken (or was proposed to be taken) by (or on behalf of) the worker with a view to enforcing (or otherwise securing the benefit of) one or more of the worker's rights under the minimum wage legislation.

(2) For the purposes of subsection (1) —

(a) "detriment" includes dismissal;

(b) "detriment" may also include either or both of the following —

(i) one or more acts;

(ii) one or more deliberate failures to act; and

(c) in the case of acts (or deliberate failures to act), it is immaterial whether they were carried out —

(i) by the employer;

(ii) by another (or others) on the employer's behalf;

(iii) by another (or others) at the employer's instigation.

(3) For the purposes of subsection (1)(b) —

(a) "action" includes (but is not limited to) —

(i) bringing proceedings before the Summary Court under section 20;

(ii) making a complaint to the Summary Court under section 21 or 23; or

(iii) continuing proceedings or a complaint once made or brought; and

(b) it is immaterial —

(i) whether or not the worker has (or had) a right; or

(ii) whether or not that right is being, has been or was infringed; but

(c) the claim to the right (and, if applicable, the claim that it has been infringed) must be (or must have been) made in good faith.

PART 9

ENFORCEMENT BY WORKERS OF THEIR RIGHTS

20. Proceedings for additional payment if minimum wage not paid

(1) Subsection (2) applies if a worker believes that the worker's employer must make one or more additional payments to the worker under section 10(2).

(2) If this subsection applies, the worker may bring proceedings in the Summary Court.

(3) If the Summary Court finds that the worker is entitled to one or more additional payments under section 10(2) —

(a) it must order that the employer pays the worker the additional payments to which the worker is entitled (but not in relation to pay reference periods that ended more than 6 years before the proceedings were brought); and

(b) it may order that the employer pays the worker —

(i) interest on those additional payments as if they were qualifying debts for the purposes of the Interest on Debts Ordinance (Title 20.3); and

(ii) if it considers that the employer's conduct warrants it, additional damages of up to £5,000 reflecting that conduct.

(4) The Summary Court may only order that one party to proceedings under this section pays the other's costs in those proceedings (or a proportion of those costs) if the court considers that the party has acted unreasonably in bringing or conducting those proceedings.

21. Enforcement by worker of right of reasonable access to employer's records

(1) Subsection (2) applies to a worker if —

(a) the worker has given a production notice to an employer under section 18(1); and

(b) one or more of the following apply —

(i) the employer has given a refusal notice to the worker under section 18(4) and the worker disagrees with it;

(ii) the employer has not given the worker notice under section 18(5) of a reasonable place and time at which the records will be produced;

(iii) the worker does not agree that the place and time specified by an employer in a notice given under section 18(5) is reasonable;

(iv) the employer does not produce the records in accordance with a notice given under section 18(5);

(v) the worker believes that the records produced by the employer are incomplete or inaccurate (or both);

(vi) the worker believes that the employer has (in some other way) done either or both of the following things —

(aa) failed to comply with the obligation to keep records under section 16;

(bb) breached the worker's right of reasonable access under section 17.

(2) A worker to whom this subsection applies may make a complaint to the Summary Court.

(3) The Summary Court will not entertain a complaint unless it is presented to the court either —

(a) within 3 months of when the production notice was given to the employer; or

(b) after a longer period, if the Summary Court considers that it is reasonable (in all of the circumstances of the case) that the complaint was not brought until after that longer period.

(4) If the Summary Court finds that the complaint is justified, it may make an order against the employer requiring the employer to produce the records to the worker (or to the worker accompanied by another person) at a place and time ordered by the court.

(5) The Summary Court may also order that the employer pays the worker —

(a) damages compensating the worker for any loss that the worker has suffered; and

(b) if it considers that the employer's conduct warrants it, additional damages of up to £5,000 reflecting that conduct.

(6) The Summary Court may only order that one party to proceedings under this section pays the other's costs in those proceedings (or a proportion of those costs) if the court considers that the party has acted unreasonably in bringing or conducting those proceedings.

22. Enforcement by worker of right not to be dismissed in relation to minimum wage

(1) Subsection (2) applies to a worker who —

(a) was employed under a contract of service or apprenticeship;

(b) has been dismissed; and

(c) believes that the dismissal breached the worker's right under section 19 not to suffer detriment relating to the minimum wage.

(2) A worker to whom this subsection applies may bring proceedings for unfair dismissal under the Employment Protection Ordinance (Title 32.3) and section 57A of that Ordinance will apply in those proceedings.

23. Enforcement by worker of right not to suffer detriment (other than dismissal) in relation to minimum wage

(1) Subsection (2) applies to a worker who believes that —

(a) the worker is suffering (or has suffered) detriment (other than dismissal from employment under a contract of service or apprenticeship); and

(b) the detriment breaches (or breached) the worker's right under section 19 not to suffer detriment in relation to the minimum wage.

(2) A worker to whom this subsection applies may make a complaint to the Summary Court.

(3) The Summary Court will not entertain a complaint unless it is presented to the court either —

(a) within 3 months of the last act or deliberate failure to act specified in the complaint; or

(b) after a longer period, if the Summary Court considers that it is reasonable (in all of the circumstances of the case) that the complaint was not brought until after that longer period.

(4) If the Summary Court finds that the complaint is justified, it may make an order against the employer requiring the employer —

(a) to do one or more things;

(b) to refrain from doing one or more things; or

(c) to do one or more things and to refrain from doing one or more other things.

(5) The purpose of an order against the employer must be to —

(a) remedy the detriment (as far as possible);

(b) to prevent (as far as possible) further detriment; or

(c) to do both of those things.

(6) The Summary Court may also order that the employer pays the worker —

(a) damages compensating the worker for any loss that the worker has suffered; and

(b) if it considers that the employer's conduct warrants it, additional damages of up to £5,000 reflecting that conduct.

(7) The Summary Court may only order that one party to proceedings under this section pays the other's costs in those proceedings (or a proportion of those costs) if the court considers that the party has acted unreasonably in bringing or conducting those proceedings.

PART 10
REVERSAL OF BURDEN OF PROOF

24. Reversal of burden of proof

(1) This section applies in relation to —

(a) proceedings before the Summary Court under section 20; and

(b) complaints made to the Summary Court under section 21 or 23.

(2) If this section applies and an issue arises as to whether or not an individual is (or was) a worker, it is to be presumed that the individual is (or was) a worker unless the contrary is established.

(3) If this section applies and an issue arises as to whether or not a contract is (or was) a relevant work contract, it is to be presumed that the contract is (or was) a relevant work contract unless the contrary is established.

(4) If this section applies and an issue arises as to whether or not work is (or was) eligible work, it is to be presumed that the work is (or was) eligible work unless the contrary is established.

PART 11
APPEALS FROM DECISIONS OF SUMMARY COURT

25. Appeals from decisions of Summary Court

(1) An appeal may be taken to the Magistrate's Court by either party against a decision of the Summary Court —

(a) in proceedings under section 20;

(b) following a complaint under section 21 or 23.

(2) No further appeal may be brought against a decision of the Magistrate's Court on an appeal under subsection (1).

PART 12
RESTRICTIONS ON CONTRACTING OUT

26. Restrictions on contracting out

(1) Subsection (3) applies to a contract or agreement (or to a provision in a contract or agreement) to the extent that it purports —

(a) to exclude or limit the operation of one or more provisions of the minimum wage legislation; or

(b) to preclude a person from —

(i) bringing proceedings before the Summary Court under section 20;

- (ii) making a complaint to the Summary Court under section 21 or 23; or
 - (iii) continuing proceedings or a complaint once made or brought.
- (2) In subsection (1), “contract or agreement” is capable of applying to a contract or agreement even if it is not a relevant work contract.
- (3) To the extent that this subsection applies to a provision in a contract or agreement —
- (a) that provision is only valid if that it is covered by the exception in subsection (4);
 - (b) if it is valid at all, it is only valid as far as it is covered by the exception; and
 - (c) apart from that, it is void.
- (4) Subsection (3) does not apply to an agreement —
- (a) if (but only if) it is an agreement made in writing to refrain from —
 - (i) bringing proceedings before the Summary Court under section 20;
 - (ii) making a complaint to the Summary Court under section 21 or 23; or
 - (iii) continuing an existing set of proceedings (or an existing complaint);
 - (b) to the extent (and only to the extent) that it relates to —
 - (i) a specific claim;
 - (ii) a specific set of proceedings; or
 - (iii) a specific complaint.

PART 13

PUBLICITY, GUIDANCE AND INFORMATION FOR WORKERS

27. Publicity

The Falkland Islands Government will arrange for publicity about the minimum wage legislation.

28. Guidance

(1) The Falkland Islands Government may issue —

- (a) guidance for employers about how they are to comply with their obligations under the minimum wage legislation; and
- (b) guidance for workers about their rights under the minimum wage legislation.

(2) If guidance has been issued —

(a) it does not override the provisions of the minimum wage legislation; but

(b) the Summary Court (and the Magistrate's Court when dealing with an appeal) must take into account whether the parties to proceedings under section 20 (or a complaint under section 21 or 23) have (or have not) followed that guidance when —

(i) determining a claim or complaint;

(ii) determining whether or not to award additional damages against the employer (and, if so, how much those additional damages should be); and

(iii) determining whether or not to award costs against either party (and, if so, what proportion of the costs should be awarded).

29. Employers to provide workers with information about rights under the minimum wage legislation

(1) Every employer of one or more workers who do (or have been engaged to do) eligible work must provide those workers with adequate information about —

(a) their entitlement to be paid the minimum wage for their eligible work;

(b) their rights to access their employers' records (and how they can exercise that right);

(c) their rights not to suffer detriment; and

(d) how they can (if need be) enforce their rights under the minimum wage legislation.

(2) If the Falkland Islands Government has produced guidance for workers about their rights under the minimum wage legislation, employers may comply with their obligation to provide information to their workers by ensuring that copies of that guidance are made available to them.

PART 14

CONSEQUENTIAL AMENDMENTS

30. Amendment of the Employment Protection Ordinance

(1) This section amends the Employment Protection Ordinance.

(2) The following section is inserted after section 57 —

“57A. Dismissal relating to minimum wage

(1) An employee who is dismissed is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that —

(a) the employee is entitled to (or will or might become entitled to) —

(i) the minimum wage;

(ii) a particular rate of minimum wage; or

(b) action was taken (or was proposed to be taken) by (or on behalf of) the employee with a view to enforcing (or otherwise securing the benefit of) one or more of the employee's rights under the Minimum Wage Ordinance (No 10 of 2013).

(2) For the purposes of subsection (1)(b) —

(a) “action” includes (but is not limited to) —

(i) bringing proceedings before the Summary Court under section 20 of the Minimum Wage Ordinance;

(ii) making a complaint to the Summary Court under section 21 or 23 of that Ordinance; or

(iii) continuing proceedings or a complaint once made or brought.

(b) it is immaterial —

(i) whether or not the employee has (or had) the right; or

(ii) whether or not that right is being, has been or was infringed; but

(c) the claim to the right (and, if applicable, the claim that it has been infringed) must be (or must have been) made in good faith.”

(3) Section 58(a) is amended by adding “or section 57A(1)”.

(4) Section 63(3) is amended by adding “or section 57A(1)”.

31. Power to make further consequential amendments by order

(1) The Governor may by order make further provision consequential on this Ordinance (or one or more of its provisions).

(2) An order made under subsection (1) may do one or more of the following things —

(a) amend or repeal written laws of the Falkland Islands;

(b) provide for United Kingdom legislation to apply in the Falkland Islands (with or without modifications);

(c) modify the application in the Falkland Islands of United Kingdom legislation that already applies in the Falkland Islands;

(d) provide that specific provisions of United Kingdom legislation no longer apply in the Falkland Islands.

**PART 15
TRANSITIONAL PROVISIONS**

32. Power to make transitional provisions by order

The Governor may by order make transitional provision in connection with this Ordinance (or one or more of its provisions).

**PART 16
APPLICATION TO CROWN**

33. Application to Crown

The minimum wage legislation applies to (and binds) the Crown in its capacity as an employer.

**PART 17
REPEAL**

34. Labour (Minimum Wage) Ordinance repealed

The Labour (Minimum Wage) Ordinance (Title 32.5) is repealed.

**SCHEDULE 1
“WORKER”: SPECIAL CASES**

1. Employment by FIG or UK Government (Crown employment)

A person who is employed by the Falkland Islands Government or the United Kingdom Government under a relevant work contract is a worker.

2. Agency workers

(1) Sub-paragraph (2) applies whenever an individual (“the agency worker”) —

(a) is supplied by one person (“the agent”) to do work for another person (“the principal”) under a contract or arrangement made between the agent and the principal; and

(b) is not a party to a contract under which the individual undertakes to do the work for another party to the contract whose status under the contract is that of a client or customer of a profession or business undertaking carried on by the individual; but

(c) would not otherwise be a worker in relation to that work (because there is no relevant work contract between the individual and the principal).

(2) If this sub-paragraph applies, then (for the purposes of the minimum wage legislation) —

(a) the agency worker is to be treated as a worker in relation to that work;

(b) the agent and the principal are to be treated as jointly being the agency worker’s employer in relation to that work.

3. Employers who are themselves employed

(1) Subsection (2) applies if —

(a) the worker is doing work for a person who is not the worker’s immediate employer; and

(b) the worker’s immediate employer is in the employment of that person, and

(2) If this subsection applies, then (for the purposes of the minimum wage legislation) the worker is to be treated as being employed by that person when doing that work (as well as by the worker's immediate employer).

4. Home workers

(1) Sub-paragraph (2) applies whenever —

(a) an individual (“the home worker”) contracts with a person (for the purposes of that person's business) for work to be done in a place that is not under the control or management of that person; and

(b) the status of that person under the contract is not that of a client or customer of a profession or business undertaking carried on by the home worker; but

(c) the contract is not a relevant work contract because it does not specifically require the home worker to do the work personally.

(2) If this sub-paragraph applies, then (for the purposes of the minimum wage legislation) —

(a) the home worker is to be treated as a worker in relation to that work;

(b) the person with whom the home worker has contracted for the work to be done is to be treated as being the home worker's employer in relation to that work.

SCHEDULE 2

“ELIGIBLE WORK”: SPECIAL CASES

1. Territorial scope of “eligible work”

(1) Work done outside the Falkland Islands is not eligible work, unless either or both of the following apply —

(a) it is done by a worker who is primarily employed in the Falkland Islands (and who is working outside the Falkland Islands on a temporary basis);

(b) the worker is working in Falkland Islands controlled waters —

(i) in relation to exploring for (or exploiting) minerals in those waters; or

(ii) in support of that exploration (or exploitation).

(2) In sub-paragraph (1) —

(a) “Falkland Islands” includes the internal and territorial waters of the Falkland Islands; and

(b) “controlled waters”, “explore” and “exploit” have the same meaning as they do in the Offshore Minerals Ordinance (Title 53.1).

2. Work done on board vessels

Work is not eligible work (even if it is done in the internal or territorial waters of the Falkland Islands) if it is done on board —

- (a) a fishing vessel; or
- (b) another vessel, but only if —
 - (i) it normally operates outside the internal and territorial waters of the Falkland Islands; and
 - (ii) the work is not covered by paragraph 1(b).

3. Service in UK armed forces and cadet forces, etc

(1) None of the following are eligible work —

- (a) service in —
 - (i) the armed forces of the United Kingdom (whether that service is in the regular forces or the reserve forces); or
 - (ii) the cadet forces; and
- (b) activities (whether military or otherwise) undertaken in the course of that service;
- (c) activities undertaken as a volunteer assisting the cadet forces.

4. FIG-funded schemes and programmes

(1) Work is not eligible work if it is done as part of a scheme or programme which —

- (a) is funded by the Falkland Islands Government; and
- (b) is intended to provide either or both of the following —
 - (i) training (other than an apprenticeship);
 - (ii) employment support.

(2) In particular, work is not eligible work if it is done as part of either (or both) of the following schemes —

- (a) the programme known as Entry to Employment (or E2E);
- (b) the programme known as the Employment Programme.

5. Work experience

Work is not eligible work if —

- (a) it is done as part of a work experience scheme by a person who is undertaking —
 - (i) compulsory education;
 - (ii) a transition programme under the Education Ordinance (Title 29.1); or

(iii) further or higher education; and

(b) the placement in which the work is done does not (and is not expected to) last for more than 1 year.

6. Voluntary work

(1) Work is not eligible work if it is voluntary work done for (or on behalf of) —

(a) a charity;

(b) a voluntary organisation;

(c) an associated fund-raising body; or

(d) a statutory body.

(2) Work is voluntary work if the person doing that work has no entitlement —

(a) to be paid for it (or in connection with it); or

(b) to benefit in kind from it (or in connection with it).

(3) When determining whether a person has an entitlement to be paid for work that would otherwise be voluntary work, the following are to be ignored —

(a) payment that —

(i) is intended to reimburse some or all of the person's expenses in relation to doing the work;

(ii) does not exceed —

(aa) the actual amount of those expenses; or

(bb) a reasonable estimate of what they are likely to be (or have been).

(b) the provision of subsistence or accommodation (or both of them) that is reasonable in the circumstances of the work being done;

(c) training that is provided for the purpose of carrying out the work that the person is (or will be) doing;

(d) training that the person necessarily acquires in the course of doing the work;

(e) one or more payments that are made to the person —

(i) solely for the purpose of providing the person with a means of subsistence; and

(ii) as a result of arrangements made between —

(aa) a charity, acting in pursuance of its charitable purposes; and

(bb) the charity, organisation or body for which (or on behalf of which) the work is done.

(4) In this paragraph —

“associated fund-raising body” means a body of persons the profits of which are applied wholly for the purposes of a charity or a voluntary organisation;

“charity” means a body of persons (or the trustees of a trust) established for charitable purposes only;

“statutory body” means a body established by or under —

(a) a written law of the Falkland Islands;

(b) legislation that applies in the United Kingdom (or part of it);

“voluntary organisation” means a body of persons (or the trustees of a trust) which —

(a) is not a charity; but

(b) is established for one or more of the following purposes (and for no other purposes) —

(i) charitable purposes (whether or not those purposes are charitable in law);

(ii) benevolent purposes;

(iii) philanthropic purposes.

7. Religious and other communities: resident workers

(1) Work is not eligible work if it is done —

(a) for a community of a kind described in sub-paragraph (2); and

(b) by a member of that community who lives as part of it.

(2) Sub-paragraph (1) applies to a community if —

(a) it is a charity or is established by a charity;

(b) the purpose of the community (or one of its purposes) is to practise or advance a belief of a religious or similar nature, and

(c) all or some of its members live together for that purpose.

8. Prisoners

(1) Work is not eligible work if —

(a) it is done by a person who is —

(i) detained in a prison; or

(ii) on temporary release from a prison; and

(b) it is done in accordance with —

(i) prison legislation;

(ii) requirements imposed under prison legislation or as part of the prison regime; or

(iii) arrangements made under prison legislation or as part of the prison regime.

(2) In sub-paragraph (1) —

“prison” includes —

(a) a young offender institution; or

(b) another institution, establishment or place designated under prison legislation; and

“prison legislation” means —

(a) the Prison Ordinance (Title 60.1);

(b) subsidiary legislation made under the Prison Ordinance; and

(c) orders and instructions made (or issued) under the Prison Ordinance (or subsidiary legislation made under it).

9. Unpaid work under community service order

Work is not eligible work if it is unpaid work that a person is required to do as punishment for a criminal offence under an order made by a court.

10. Family members (and others living and working as part of a family)

(1) Work is not eligible work if —

(a) the person resides in the family home of the employer for whom that person works;

(b) the person is either —

(i) a member of the employer’s family; or

(ii) treated as if the person were a member of the employer’s family, including (in particular) in relation to —

(aa) the provision of accommodation and meals; and

- (bb) the sharing of tasks and leisure activities;
- (c) if the person is not a member of the employer's family (but is treated as if the person were), the person —
 - (i) does not have to pay the employer (or anyone else) for the provision of living accommodation or meals; and
 - (ii) no deductions from payments to that person are made by the employer (or anyone else) for the provision of living accommodation or meals; and
- (d) the work relates to the home or life of the family.

Passed by the Legislature of the Falkland Islands on 25 July 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Labour (Advisory Board) (Repeal) Ordinance 2013

(No: 11 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Labour (Advisory Board) Ordinance repealed

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

LABOUR (ADVISORY BOARD) (REPEAL) ORDINANCE 2013

(No: 11 of 2013)

(assented to: 2 August 2013)

(commencement: see section 2)

(published: 6 August 2013)

AN ORDINANCE

To repeal the Labour (Advisory Board) Ordinance (Title 32.4).

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Labour (Advisory Board)(Repeal) Ordinance 2013.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Labour (Advisory Board) Ordinance repealed

The Labour (Advisory Board) Ordinance is repealed.

Passed by the Legislature of the Falkland Islands on 25 July 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Members' Remuneration (Amendment) Ordinance 2013

(No: 12 of 2013)

ARRANGEMENT OF PROVISIONS

Section

PART 1 - INTRODUCTION

1. Title
2. Commencement

PART 2 - AMENDMENT OF MEMBERS' REMUNERATION ORDINANCE

3. Amendment of Members' Remuneration Ordinance
4. Amendment of section 4
5. New section 4A inserted – Resettlement grant
6. Amendment of section 7 – Income Tax and Medical Services Tax on amounts paid to Members
7. Amendment of section 8 – Publication of amounts paid to and in respect of Members
8. Amendment of Schedule

PART 3 - AMENDMENT OF MEDICAL SERVICES TAX ORDINANCE

9. Amendment of Medical Services Tax Ordinance
10. Amendment of section 3 – Interpretation
11. New section 13A inserted – MLAs to be treated as employees
12. Section 15 repealed
13. Amendment of section 19 - Each business separate
14. Amendment of section 37 - Assessment of Medical Services Tax for employees, self-employed persons and MLAs

PART 4 - AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME ORDINANCE

15. Amendment of Falkland Islands Pension Scheme Ordinance - General Amendment
16. Amendment of section 2 – Interpretation
17. Amendment of section 17 – Membership of the Scheme
18. Section 17A – repealed
19. Amendment of section 18 – Contributions to the Scheme by the Director of Corporate Resources
20. Amendment of section 18B – Contributions by opted-in MLAs

PART 5 - AMENDMENT OF RETIREMENT PENSIONS ORDINANCE

21. Amendment of Retirement Pensions Ordinance
22. Amendment of section 2 – Interpretation
23. Amendment of section 14 – Payment and collection of contributions

PART 6 – AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME (GENERAL PROVISIONS) REGULATIONS

24. Amendment of Falkland Islands Pension Scheme (General Provisions) Regulations

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

MEMBERS' REMUNERATION (AMENDMENT) ORDINANCE 2013

(No: 12 of 2013)

(assented to: 2 August 2013)

(commencement: see section 2)

(published: 6 August 2013)

AN ORDINANCE

To amend the Members' Remuneration Ordinance (No 13 of 2009); and for connected purposes.

ENACTED by the Legislature of the Falkland Islands

**PART 1
INTRODUCTION**

1. Title

This Ordinance is the Members' Remuneration (Amendment) Ordinance 2013.

2. Commencement

(1) This Ordinance comes into force on a date appointed by the Governor by notice published in the *Gazette*.

(2) The Governor may appoint different dates for different provisions to come into force.

**PART 2
AMENDMENT OF MEMBERS' REMUNERATION ORDINANCE**

3. Amendment of Members' Remuneration Ordinance

This Part amends the Members' Remuneration Ordinance.

4. Amendment of section 4

Section 4 is repealed and replaced with the following —

“4. Amounts payable to Members

(1) The amounts specified in the Schedule are payable to Members in respect of their salaries and expenses.

(2) The payment or a part of the payment of any Member may be withheld in accordance with the procedure laid out in the Standing Rules and Orders of the Legislative Assembly.”

5. New section 4A inserted – Resettlement grant

The following new section is inserted after section 4 —

“4A. Resettlement grant

A resettlement grant equivalent to one month’s salary is payable to a Member who, at the general election following a full term in which the Member has served —

(a) stands for election and is not re-elected; or

(b) does not stand for election.

6. Amendment of section 7 – Income Tax and Medical Services Tax on amounts paid to Members

Section 7 is repealed and replaced with the following —

“7. Members not employees

For the avoidance of doubt Members are not employees but they are to be treated as employees for purposes of —

(a) income tax, under the Taxes Ordinance (Title 69.1);

(b) medical services tax, under the Medical Services Tax Ordinance (No 13 of 2010);

(c) contributions under the Retirement Pensions Ordinance (No 20 of 1996); and

(d) contributions under the Falkland Islands Pensions Scheme Ordinance (No 18 of 1997).”.

7. Amendment of section 8 – Publication of amounts paid to and in respect of Members

Section 8(1) of the Ordinance is repealed and replaced with the following —

“(1) As soon as possible after the end of each calendar year, the Clerk of the Assembly must publish the following information —

(a) the amounts paid to each Member during that year in respect of annual salaries made under paragraph 3 of the Schedule;

(b) the amounts deducted from the payments made to each Member during that year in accordance with —

- (i) section 23 of the Medical Services Tax Ordinance;
 - (ii) section 14 of the Retirement Pensions Ordinance;
 - (iii) section 18B of the Falkland Islands Pensions Scheme Ordinance; and
 - (iv) regulation 8 of the Payments on Account of Tax (Employees' Deductions) Regulations;
- (c) the amounts paid in respect of each Member in accordance with section 11 of the Retirement Pensions Ordinance;
- (d) the amounts contributed to the Falkland Islands Pensions Scheme in respect of each Member in accordance with section 18 of the Falkland Islands Pensions Scheme Ordinance;
- (e) the amounts paid to each Member in respect of expenses claimed under the Schedule; and
- (f) a detailed breakdown of the amounts paid to each Member in respect of such expenses.”

8. Amendment of Schedule

The Schedule to the Ordinance is amended as follows —

- (a) in paragraph 1 by inserting at the end of the definition of “Assembly duties” the words, “or such other duties as may be specified in the Standing Rules and Orders of the Legislative Assembly”;
- (b) by omitting the heading to Part 2 and replacing it with “Annual salaries”;
- (c) by repealing paragraph 3 of the Schedule and replacing it with the following —
 - “**3. Annual salaries**
 - (1) Annual salaries are payable to Members at £40,000.00.
 - (2) The salary under sub-paragraph (1) is payable in 12 equal instalments.”; and
- (d) by inserting the following new paragraph after paragraph 3 —
 - “**3A. No double payment**
 - A Member may not receive any payment for attending any meeting within the scope of paragraph 2(e).”
- (e) by deleting Part 3 (paragraphs 4,5, 6, 7 and 8).

PART 3
AMENDMENT OF MEDICAL SERVICES TAX ORDINANCE

9. Amendment of Medical Services Tax Ordinance

This Part amends the Medical Services Tax Ordinance.

10. Amendment of section 3 - Interpretation

Section 3 is amended as follows —

(a) in the definition of “employee” by omitting paragraph (b)(ii) and replacing it with the following —

“(ii) as the holder of an office (including that of an MLA)”;

(b) in the definition of “employer” by omitting paragraph (b) and replacing it with the following new paragraph —

“(b) in relation to employment of the holder of another office (including that of an MLA), the person or body responsible for paying the earnings and benefits in kind of the holder of the office;”;

(c) in the definition of “self-employed person” by omitting paragraph (b) and replacing it with the following —

“(b) in business as a sole trader or partner.”

11. New section 13A inserted - MLAs to be treated as employees

The following new section is inserted after section 13 —

“13A. MLAs to be treated as employees

MLAs are liable for Medical Services Tax on amounts paid to them under the Members’ Remuneration Ordinance (No 13 of 2009), as if they earned the amounts as employees.”

12. Section 15 repealed

Section 15 is repealed.

13. Amendment of section 19 - Each business separate

Section 19 is repealed and replaced with the following —

“19. Each business separate

(1) Subsection (2) applies to an individual if the individual carries on more than one business.

(2) If this subsection applies —

(a) the relevant profits of each business are separate; and

(b) losses from one business may not be set off against relevant profits from another business.”

14. Amendment of section 37 - Assessment of Medical Services Tax for employees, self-employed persons and MLAs

The heading to section 37 is omitted and replaced with the following —

“37. Assessment of Medical Services Tax for employees (including MLAs) and self-employed persons”

PART 4

AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME ORDINANCE

15. Amendment of Falkland Islands Pension Scheme Ordinance - General Amendment

(1) This Part amends the Falkland Island Pension Scheme Ordinance (No 18 of 1997).

(2) The Ordinance is amended by omitting —

- (a) “opted-in MLA” in each place it appears and substituting “eligible MLA” ; and
- (b) “opting-in election” in each place it appears.

16. Amendment of section 2 – Interpretation

Section 2 is amended as follows —

(a) by omitting the following definitions —

- (i) “opted-in MLA”;
- (ii) “opting-in election”; and
- (iii) “annual and daily allowances”

(b) by inserting the following new definition after the definition “the Board” —

““eligible MLA” means an MLA who has not yet attained the age of 70 years;”

(c) in subsection (2) by omitting paragraph (b) and replacing it with the following –

“(b) any reference to an employee is to a person who –

- (i) works under a contract of service,
- (ii) is employed in government service,
- (iii) is a director or other officer of an incorporated or unincorporated body, or
- (iv) is an eligible MLA,

and references to an employer shall be construed accordingly.”

(d) by omitting subsection (2A) and replacing it with the following –

“(2A) For the avoidance of doubt an MLA is not (in that capacity) employed in government service.”.

17. Amendment of section 17 – Membership of the Scheme

Section 17 is amended by omitting subsection (3A) and replacing it with the following —

“(3A) A contribution may not be made in respect of any MLA (in that capacity) in respect of either of the following periods —

(a) any period before 6 November 2009;

(b) any period during which the MLA was an opted-in MLA before the date of commencement of the Members’ Remuneration (Amendment) Ordinance (No 00 of 2013); or

(c) beginning on or after the Member’s 70th birthday.”

18. Section 17A repealed

Section 17A is repealed.

19. Amendment of section 18 – Contributions to the Scheme by the Director of Corporate Resources

Section 18(2A) is amended by replacing “annual and daily allowances for that month” with “their salary for that month.”

20. Amendment of section 18B – Contributions by opted-in MLAs

Section 18B is amended as follows —

(a) in subsection (1) by replacing “annual and daily allowances for each month” with “their monthly salary.”; and

(b) in subsection (2) by replacing “allowances” with “monthly salary”.

PART 5

AMENDMENT OF RETIREMENT PENSIONS ORDINANCE

21. Amendment of Retirement Pensions Ordinance

This Part amends the Retirement Pensions Ordinance (No 20 of 1996).

22. Amendment of section 2 – Interpretation

Section 2 is amended as follows —

(a) in the definition of “employee” by omitting paragraph (b);

(b) by omitting subsection (3A).

23. Amendment of section 14 – Payment and collection of contributions

Section 14(2A) is amended by replacing “allowances” with “salary”.

PART 6
AMENDMENT OF FALKLAND ISLANDS PENSION SCHEME (GENERAL PROVISIONS) REGULATIONS

24. Amendment of Falkland Islands Pension Scheme (General Provisions) Regulations

The Falkland Islands Pension Scheme (General Provisions) Regulations (SR&O No 2 of 1999) are amended as follows —

(a) by omitting “opted-in MLA” in each place it appears and substituting “eligible MLA”; and

(b) in regulation 13 —

(i) by omitting article (1)(da); and

(ii) by inserting “or eligible MLAs” after “opted-in MLAs” in each place it appears.

Passed by the Legislature of the Falkland Islands on 25 July 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

SUBSIDIARY LEGISLATION

EMPLOYMENT

Minimum Wage (Initial Rates) Order 2013

S. R. & O. No. 14 of 2013

Made: 2 August 2013

Published: 6 August 2013

Coming into force: see article 2

I make this order under section 12 of the Minimum Wage Ordinance (No 10 of 2013) on the advice of Executive Council.

1. Title

This order is Minimum Wage (Initial Rates) Order 2013.

2. Commencement

This order comes into force on a day appointed by the Governor in a notice published in the *Gazette*.

3. Minimum wage rate for adults

The minimum wage rate for adults is £5.05 per hour.

4. Minimum wage rate for young persons

The minimum wage rate for young persons is £3.10 per hour.

Made 2 August 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE

(not part of the order)

Section 8(2) of the Minimum Wage Ordinance (No 10 of 2013) provides that the minimum wage that a worker must be paid for a pay reference period is to be calculated using the minimum wage rate for that worker.

Section 11(1) provides that there are two different minimum wage rates:

(a) the minimum wage rate for eligible workers aged 18 or over (“the minimum wage rate for adults”); and

(b) the minimum wage rate for eligible workers aged 16 or 17 (“the minimum wage rate for young persons”).

Section 11(2) deals with the situation in which a worker’s 18th birthday falls during a pay reference period: the minimum wage rate for young persons applies until end of the day before the worker’s 18th birthday; and the minimum wage for adults applies from the start of the worker’s 18th birthday.

Under section 12, the Governor has to make an order setting the initial rates of both minimum wage rates and this order satisfies that requirement.

The initial minimum wage rate for adults (ie for workers aged 18 over) is £5.05 per hour.

The initial minimum wage rate for young persons (ie for workers aged 16 and 17) is £3.10 per hour.

SUBSIDIARY LEGISLATION

EMPLOYMENT

Minimum Wage (Calculation of Hours Worked) Regulations 2013

S. R. & O. No. 15 of 2013

Made: 2 August 2013
Published: 6 August 2013
Coming into force: see regulation 2

I make these regulations under section 14 of the Minimum Wage Ordinance (No 10 of 2013) on the advice of Executive Council.

1. Title

These regulations are the Minimum Wage (Calculation of Hours Worked) Regulations 2013.

2. Commencement

These regulations come into force on a day appointed by the Governor in a notice published in the *Gazette*.

3. Interpretation

In these regulations —

(a) a worker is to be treated as being paid for eligible work on a salaried basis to the extent that —

(i) the worker is required to do eligible work for a basic number of hours across an entire length of time that covers more than one pay reference period; and

(ii) the worker is paid for those hours in equal (or approximately equal) instalments over the course of that length of time.

(b) a reference to a number of hours need not be to a whole number of hours.

4. Hours of eligible work

(1) Regulations 5 and 6 apply for the purposes of calculating “H” for the purposes of the formula “ $M \times H$ ” in section 8(2) of the Minimum Wage Ordinance.

(2) Regulation 5 applies in relation to eligible work for which the worker is paid on a salaried basis.

(3) Regulation 6 applies when workers are being paid for their eligible work on any other basis.

(4) When a worker is paid for some of their eligible work on a salaried basis and the rest of their eligible work on some other basis —

(a) regulation 5 applies in relation to the eligible work that is paid for on a salaried basis; and

(b) regulation 6 applies to the rest of their eligible work.

5. Hours of eligible work: eligible work paid for on a salaried basis

(1) To the extent that this regulation applies, the number of hours of eligible work that the worker has done for an employer is to be calculated using the formula —

$$H \div P$$

(2) In the formula “H ÷ P” —

“H” means the basic number of hours that the worker is required to work across an entire length of time covering more than one pay reference period; and

“P” means the number of pay reference periods of equal length (which need not be a whole number) covered by that length of time.

6. Hours of eligible work: all other eligible work

To the extent that this regulation applies —

(a) the number of hours of eligible work that the worker has done for an employer during a pay reference period is the total number of hours during that pay reference period during which the worker was —

(i) doing eligible work for the employer; or

(ii) undertaking training under a relevant work contract with the employer; or

(iii) travelling in the course of eligible work for the employer; but

(b) the number of hours of eligible work that the worker has done for an employer during a pay reference period does not include hours during which the worker is travelling between the worker’s home and place of work, unless that travel forms part of the worker’s duties for the employer.

Made 2 August 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Under section 14 of the Minimum Wage Ordinance (No 10 of 2013), the Governor has to make regulations about how to calculate the number of hours of eligible work that a worker has done during a pay reference period.

Under section 8(2), a formula " $M \times H$ " is used to calculate a worker's minimum wage for a pay reference period by multiplying the minimum wage rate by the number of hours of eligible work.

These regulations deal with the calculation of "H" in that formula and, for that purpose, they distinguish between eligible work that is paid for on a salaried basis and eligible work that is paid for on some other basis (eg hourly paid work, piece rate work or overtime).

Regulation 5 deals with eligible work paid for on a salaried basis.

It provides that the basic number of hours of eligible work that the worker is required to do across a length of time are to be averaged out over the course of the length of time and apportioned between pay reference periods.

Regulation 6 deals with eligible work that is paid for on some other basis.

It provides that hours spent working, training and travelling (in the course of eligible work) are hours of eligible work but that time spent travelling between home and work are only included in the calculation if that travel forms part of the worker's duties.

SUBSIDIARY LEGISLATION

EMPLOYMENT

Minimum Wage (Calculation of Amount Paid) Regulations 2013

S. R. & O. No. 16 of 2013

Made: 1 August 2013
Published: 6 August 2013
Coming into force: see regulation 2

I make these regulations under section 15 of the Minimum Wage Ordinance (No 10 of 2013) on the advice of Executive Council.

1. Title

These regulations are the Minimum Wage (Calculation of Amount Paid) Regulations 2013.

2. Commencement

These regulations come into force on a day appointed by the Governor in a notice published in the *Gazette*.

3. Interpretation

In these regulations —

“worker’s gross earnings” means, in relation to a pay reference period, the gross amount earned by the worker for eligible work done during the pay reference period (before any deductions are made); and

“worker’s net pay” means, in relation to a pay reference period, the net amount actually paid to the worker by the employer in respect of the eligible work done during the pay reference period.

4. Calculation of amount paid in respect of minimum wage for pay reference period

(1) The amount treated as having been paid to a worker in respect of the minimum wage for eligible work done during a pay reference period is to be calculated using the formula —

$$(N - X) + D + A$$

(2) In the formula “ $(N - X) + D + A$ ” —

“N” means the worker’s net pay for the pay reference period;

“X” means payments of a kind listed in regulation 5 (payments that are excluded from the calculation of the amount treated as having been paid to a worker in respect of the minimum wage for eligible work done during a pay reference period);

“D” means the total of amounts that —

- (a) have been deducted from the worker’s gross earning for the pay reference period; and
- (b) are of a kind listed in regulation 6.

“A” means either —

- (a) if no deduction has been made from the worker’s gross earnings in respect of board or accommodation provided to the worker, zero; or
- (b) if a deduction has been made from the worker’s gross earnings in respect of board and accommodation provided to the worker, either —
 - (i) 50% of the amount of that deduction; or
 - (ii) if the result of the calculation in (i) would exceed the equivalent of £90.60 per week, an amount equivalent to £90.60 per week.

5. Excluded payments (“X”)

The following payments are excluded from the calculation of amounts treated as having been paid to a worker in respect of the minimum wage for eligible work done during a pay reference period (and are included in the amount “X” in the formulae in regulations 4(1) and 6(1)(a)) —

- (a) amounts paid by an employer in respect of tips and gratuities received (whether by the worker or a group of workers of which the worker is a member);
- (b) advances of wages or salary to which the worker will (or is expected to) become entitled;
- (c) payments made by way of loan;
- (d) payments made under a staff suggestion scheme;
- (e) additional amounts (in excess of the normal rate) paid for working —
 - (i) overtime;
 - (ii) on a shift basis;
 - (iii) at unsocial hours; or
 - (iv) in dangerous or dirty conditions;
- (f) amounts paid as reimbursement for expenses incurred by the worker —
 - (i) in the course of the worker’s duties for the employer;
 - (ii) for one or more of the following that the worker requires (or is required) to have or use in the course of the worker’s duties for the employer

- (aa) uniform;
 - (bb) protective clothing;
 - (cc) tools;
 - (dd) equipment; or
- (iii) in relation to benefits in kind to which the worker is entitled;
- (g) payments made for travel to and from the Falkland Islands at the beginning and end of the employment of a worker recruited from outside the Falkland Islands;
- (h) redundancy payments; and
- (i) other severance payments made in connection with the termination of an employment (including payments made in lieu of notice).

6. Allowable deductions (“D”)

(1) The following amounts deducted from the gross amount earned by the worker when calculating the worker’s net pay are to be treated as if they were amounts that had been paid to the worker in respect of the minimum wage for eligible work done during a pay reference period (and are included in the amount “D” in the formula in regulation 4(1)) —

(a) amounts deducted under the Payments on Account of Tax (Employees' Deductions) Regulations (Title 69.1.3), but only in relation to the amount produced by the formula —

$$G - X$$

(b) amounts deducted in respect of the worker’s employees’ contributions under section 10 of the Retirement Pensions Ordinance (Title 65.2);

(c) amounts deducted to repay one or more of the following —

- (i) advances of wages or salary made to the worker;
- (ii) accidental overpayments of wages or salary made to the worker;
- (iii) loans made to the worker;

(d) amounts deducted in respect of the worker’s conduct or work for which the worker is contractually liable (whether the worker is liable solely or jointly with others);

(e) amounts deducted in respect of the payment by the employer on the worker’s behalf of charges for which the worker is liable under section 30 of the Stanley Rates Ordinance (Title 66.1);

(f) amounts deducted at the worker’s voluntary direction in relation to either or both of the following —

(i) pension contributions;

(ii) contributions to a provident fund (or savings scheme).

(2) In the formula “G – X” —

“G” means the worker’s gross earnings; and

“X” means payments of a kind listed in regulation 5 (payments that are excluded from the calculation of the amount treated as having been paid to a worker in respect of the minimum wage for eligible work done during a pay reference period).

Made 2 August 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Under section 15 of the Minimum Wage Ordinance (No 10 of 2013), the Governor has to make regulations about how to calculate the amount that a worker is treated as having been paid in respect of a pay reference period.

Under section 8, a worker is entitled to a minimum wage for each pay reference period (calculated using a formula in section 8(2)).

Under section 9, the amount that a worker is treated as having been paid (calculated using these regulations) must be at least as much as the minimum wage. (If it is not, the worker’s employer must make an additional payment to the worker under section 10.)

The amount that a worker is treated as having been paid is calculated using a formula:

$$(N - X) + D + A$$

As a guide, the calculation is made in the following stages:

Stage 1

The starting point is the worker’s net pay for the pay reference period – that is the amount actually received by the worker (in cash or by cheque or bank transfer).

That amount is N in the formula.

(The value of benefits in kind does not count at all at this stage and the only benefit in kind that counts at all is board and accommodation, which counts to some extent at *stage 5*.)

Stage 2

Some payments made to the worker are excluded payments that do not count towards payment of the minimum wage.

The kinds of payments that are excluded are listed in *regulation 5*. The excluded payments include:

- payments that come from tips and gratuities,
- payment advances and loans,
- certain premiums and allowances over the normal rate for a job;
- amounts paid to reimburse the worker;
- travel to and from the Falkland Islands for workers brought in from outside;
- redundancy payments, severance payments and payments made in lieu of notice.

The amounts of these payments are added up and the total amount is X in the formula.

Stage 3

X is subtracted from N to produce $(N - X)$.

Stage 4

The minimum wage rate for a worker is a gross hourly rate and, as well as some payments to workers being excluded for minimum wage purposes, some deductions have to be added back for the purposes of the minimum wage.

The kinds of deductions that have to be added back are listed in *regulation 6*.

The most important deductions that have to be added back are:

- deductions made under the POAT (Payments on Account of Tax) system (which cover income tax and Medical Services Tax), but the excluded payments that were dealt with at *Stage 2* have to be excluded for this calculation as well.
- deductions of employee Retirement Pension Contributions (RPCs).

Other deductions that have to be added back include:

- repayments of advances, overpayments and loans;
- amounts deducted for reasons such as shortages and damages;
- payments of the FIG service charge for properties in Stanley;
- voluntary contributions to pension schemes, provident funds and savings schemes.

The amounts of these deductions are added up and the total amount is D in the formula.

Stage 5

If a worker is provided with board and accommodation and deductions are made to pay for that, some of that can also be added back for the purposes of the minimum wage – this is the only benefit in kind that counts for minimum wage purposes.

Only 50% of the amount deducted for board and accommodation can be added back and the maximum amount that can be added back is £90.60 per week (or the pro-rated equivalent for pay reference periods longer or shorter than a week).

The amount that can be added back at this stage is A in the formula.

Stage 6

The following amounts are added together to arrive at the amount that a worker is treated as having been paid in respect of the minimum wage for a pay reference period:

- From *stage 3*, $(N - X)$
- From *stage 4*, D
- From *stage 5*, A

The total of these three amounts is the amount that the worker is treated as having been paid in respect of the minimum wage for a pay reference period.

Under section 9(b) of the Minimum Wage Ordinance, that amount must be greater than or equal to the worker's minimum wage for the pay reference period.

If it is less, an additional payment is due under section 10.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Thirteen pound.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

10 September 2013

No. 9

The following are published in this Supplement –

Supplementary Appropriation (2012-2013)(No 3) Ordinance 2013 (No 13 of 2013);

Electoral (Amendment) Ordinance 2013 (No 14 of 2013); and

Electoral (Emergency and Replacement Proxies) Regulations 2013 (SR&O No 17 of 2013).

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Supplementary Appropriation (2012-2013)(No 3) Ordinance 2013

(No: 13 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Withdrawal of additional sum

Schedule

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

SUPPLEMENTARY APPROPRIATION (2012-2013)(No 3) ORDINANCE 2013

(No: 13 of 2013)

(assented to: 23 August 2013)
(commencement: on publication)
(published: 10 September 2013)

AN ORDINANCE

To authorise the withdrawal from the Consolidated Fund of the additional sum of £7,830,000.00 for the financial year ending 30 June 2013.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Supplementary Appropriation (2012-2013)(No 3) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the Gazette.

3. Withdrawal of additional sum

(1) The Financial Secretary may withdraw an additional sum of £7,830,000.00 from the Consolidated Fund.

(2) Any additional sum withdrawn under subsection (1) may be applied in the financial year ending 30 June 2013 in accordance with the Schedule.

SCHEDULE

Number	Head of Service	Amount £
	Operating Budget	
0990	Fund Transfers & Transfer Payments	7,830,000.00
	Total Operating Budget	<u>7,830,000.00</u>
	Total Schedule	<u>7,830,000.00</u>

Passed by the Legislature of the Falkland Islands on 22 August 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Electoral (Amendment) Ordinance 2013

(No: 14 of 2013)

ARRANGEMENT OF PROVISIONS

Section

PART 1 - INTRODUCTION

1. Title
2. Commencement
3. Amendment of Electoral Ordinance and Regulations

PART 2 – AMENDMENT OF ELECTORAL ORDINANCE

4. Amendment of Electoral Ordinance
5. Section 2 amended – Interpretation
6. Section 11 amended – Maintenance of the Registers: registration of electors
7. New section 11A – Application for registration
8. Section 23 amended – Application for postal vote
9. Section 27 amended – Application for proxy vote
10. Section 34 amended – Application for postal proxy vote
11. New section 47A – Independent observation
12. Section 51 amended – Notice of election
13. Section 53 replaced – Disqualification from election
14. New section 60A inserted - Emergency voting
15. Section 61 amended – Mobile polling teams in the Camp Constituency
16. New section 61A inserted – Allocated polling places

17. Section 74B amended – Ballot papers: general requirements
18. Section 79 amended – Postal ballot papers
19. Section 83 amended – Marking of postal ballot paper
20. Section 91 amended – Opening of covering envelopes
21. Section 93 amended – Opening of ballot paper envelopes
22. Section 96 amended – Certified copies of Register and lists
23. Section 97 replaced – Effect of registers, etc
24. New section 97A inserted – Effect of registers, etc: supplementary
25. Section 98 amended – Requirement of secrecy
26. Section 99 replaced – Marking of register and lists
27. Section 104 amended – Admission to polling place, etc
28. Section 110A amended – Persons registered to vote by post attending to vote in person
29. Section 111 amended – Persons registered to vote by proxy attending to vote in person
30. Section 112 amended – Proxy voters registered to vote by post attending to vote in person
31. Section 113 amended – Voting procedure
32. Section 119 amended – Procedure on close of poll
33. Section 121A amended – Postal votes in United Kingdom to be incorporated in count
34. Section 122 amended – The count
35. Section 124 amended – Rejected ballot papers
36. Section 131 amended – Orders for production

PART 3 – AMENDMENT OF ELECTORAL FORMS REGULATIONS

37. Amendment of Electoral Forms Regulations
38. Electoral Forms revoked and replaced

PART 4 – AMENDMENT OF VOTING IN INSTITUTIONS REGULATIONS

39. Regulation 9 of Voting in Institutions Regulations replaced – Voting by members of staff

**PART 5 – AMENDMENT OF ELECTORAL (POSTAL VOTING)(UNITED KINGDOM)
ORDER**

40. Article 6 of Electoral (Postal Voting) (United Kingdom) Order amended – Issue of ballot papers for postal voters at a United Kingdom address

PART 6 – CONSEQUENTIAL, TRANSITIONAL AND SAVING PROVISION

41. Power for Governor to make consequential provision by order
42. Power for Governor to make transitional and saving provision by order

SCHEDULE - NEW ELECTORAL FORMS

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

ELECTORAL (AMENDMENT) ORDINANCE 2013

(No: 14 of 2013)

(assented to: 23 August 2013)

(commencement: see section 2)

(published: 10 September 2013)

AN ORDINANCE

To amend the Electoral Ordinance (Title 30.1).

ENACTED by the Legislature of the Falkland Islands —

**PART 1
INTRODUCTION**

1. Title

This Ordinance is the Electoral (Amendment) Ordinance.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

3. Amendment of Electoral Ordinance and Regulations

This Ordinance amends —

- (a) the Electoral Ordinance;
- (b) the Electoral Forms Regulations (Title 30.1.2);
- (c) the Voting in Institutions Regulations (SR&O No 2 of 1993); and
- (d) the Electoral (Postal Voting)(United Kingdom) Order (SR&O No 17 of 2005).

PART 2
AMENDMENT OF ELECTORAL ORDINANCE

4. Amendment of Electoral Ordinance

This Part amends the Electoral Ordinance.

5. Section 2 amended – Interpretation

(1) This section amends section 2.

(2) The definition of “application for a postal proxy vote” is amended by replacing “section 34” with “section 34(1)”.

(3) The definition of “receptacle for ballot paper envelopes” is amended by replacing “section 91(4)” with “section 91(11)(b)”.

(4) The definition of “receptacle for declarations of identity” is amended by replacing “section 91(4)” with “section 91(11)(a)”.

6. Section 11 amended – Maintenance of the Registers: registration of electors

Section 11(1)(a) is omitted and replaced with the following paragraph —

“(a) made in accordance with section 11A;”

7. New section 11A – Application for registration

The following section is inserted after section 11 —

“11A. Application for registration

(1) An application for registration made under section 10 or 11 may be made by one of the following methods —

(a) handing it personally to the Registration Officer (or leaving it at the office of the Registration Officer);

(b) sending it by post to the Registration Officer;

(c) sending it by fax to the Registration Officer; or

(d) sending it by e-mail to the Registration Officer.

(2) An application must be received in legible form.

(3) If an application is made by e-mail, it must consist of a scanned image of a signed application form.

(4) An applicant’s signature must be witnessed by —

(a) a bank manager;

(b) a commissioner for oaths;

- (c) an elector;
- (d) a justice of the peace;
- (e) a police officer;
- (f) a teacher of (or tutor to) the applicant; or
- (g) another person approved by the Registration Officer.”

8. Section 23 amended – Application for postal vote

(1) This section amends section 23.

(2) The following subsections are inserted after subsection (1) —

“(1A) For the purposes of this section, “delivered” means —

- (a) handed personally to the Registration Officer (or left at the office of the Registration Officer);
- (b) sent by post to the Registration Officer;
- (c) sent by fax to the Registration Officer; or
- (d) sent by e-mail to the Registration Officer.

(1B) An application must be received in legible form.

(1C) If an application is delivered by e-mail, it must consist of a scanned image of a signed application form.”

(3) Subsection (3)(b) is omitted and replaced with the following paragraph —

“(b) the applicant’s signature is witnessed by —

- (i) a bank manager;
- (ii) a commissioner for oaths;
- (iii) an elector;
- (iv) a justice of the peace;
- (v) a police officer;
- (vi) a teacher of (or tutor to) the applicant; or
- (vii) another person approved by the Registration Officer.”

(4) The following subsections are inserted after subsection (4) —

“(4A) Subsection (4B) applies in relation to an application for a postal vote if —

(a) it was made in accordance with an arrangement made under the Referendum (Falkland Islands Political Status) Ordinance (No 16 of 2012);

(b) either —

(i) it was made in respect of all referenda or elections within a period specified in that application; or

(ii) it was made (or deemed to have been made) in respect of referenda and elections generally.

(4B) If this subsection applies to an application for a postal vote, it is to be treated as if it had validly been made in accordance with subsection (1) and will continue to apply.”

(5) Subsection (8) is amended by omitting “unless he satisfies the presiding officer at that polling place that he has not received a postal ballot paper in respect of that election”.

9. Section 27 amended – Application for proxy vote

(1) This section amends section 27.

(2) The following subsections are inserted after subsection (1) —

“(1A) An application must be —

(a) handed personally to the Registration Officer (or left at the office of the Registration Officer);

(b) sent by post to the Registration Officer;

(c) sent by fax to the Registration Officer; or

(d) sent by e-mail to the Registration Officer.

(1B) An application must be received in legible form.

(1C) If an application is made by e-mail, it must consist of a scanned image of a signed application form.”

(3) Subsection (2) is repealed and replaced with the following subsection —

“(2) An application to be permitted to vote by proxy (“an application for a proxy vote”) may be made —

(a) in respect of a specified referendum or election or in respect of referenda or elections held within a period stated in the application; or

(b) in respect of referenda and elections generally.”

(4) The following subsection is inserted after subsection (2) —

“(2A) An application to be permitted to vote by proxy (“an application for a proxy vote”) is invalid unless —

(a) it states the full name and address of the person whom the applicant wishes to appoint as proxy;

(b) it is signed by the elector personally; and

(c) the applicant’s signature is witnessed by —

(i) a bank manager;

(ii) a commissioner for oaths;

(iii) an elector;

(iv) a justice of the peace;

(v) a police officer;

(vi) a teacher of (or tutor to) the applicant; or

(vii) another person approved by the Registration Officer.”

(5) Subsection (3) is amended by replacing “paragraph (b) of subsection (2)” with “subsection (2A)(a)”.

(6) Subsection (4) is amended by replacing “paragraph (b) thereof” with “subsection (2A)(a)”.

(7) The following subsections are inserted after subsection (5) —

“(5A) Subsection (5B) applies to an application for a proxy vote if it does not specify whether it is made —

(a) in respect of a specified referendum or election or all referenda or elections held within a period specified in the application; or

(b) in respect of referenda and elections generally,

(5B) If this subsection applies to an application for a proxy vote, it will be deemed to have been made in respect of referenda and elections generally.

(5C) Subsection (5D) applies in relation to an application for a proxy vote if —

(a) it was made in accordance with an arrangement made under the Referendum (Falkland Islands Political Status) Ordinance;

(b) either —

(i) it was made in respect of all referenda or elections within a period specified in that application; or

(ii) it was made (or deemed to have been made) in respect of referenda and elections generally.

(5D) If this subsection applies to an application for a proxy vote, it is to be treated as if it had validly been made in accordance with subsection (1) and will continue to apply.”

(8) Subsection (7) is amended by —

(a) replacing “subsections (1) to (3) inclusive” with “subsections (1) to (4)”; and

(b) replacing “subsection (2)(b)” with “subsection (2A)(a)”.

10. Section 34 amended – Application for postal proxy vote

(1) This section amends section 34.

(2) The following subsections are inserted after subsection (1) —

“(1A) For the purposes of this section, “delivered” means —

(a) handed personally to the Registration Officer (or left at the office of the Registration Officer);

(b) sent by post to the Registration Officer;

(c) sent by fax to the Registration Officer; or

(d) sent by e-mail to the Registration Officer.

(1B) An application must be received in legible form.

(1C) If an application is delivered by e-mail, it must consist of a scanned image of a signed application form.”

(3) Subsection (3)(b) is omitted and replaced with the following paragraph —

“(b) the applicant’s signature is witnessed by —

(i) a bank manager;

(ii) a commissioner for oaths;

- (iii) an elector;
- (iv) a justice of the peace;
- (v) a police officer;
- (vi) a teacher of (or tutor to) the applicant; or
- (vii) another person approved by the Registration Officer.”

(4) Subsection (4) is amended by replacing “(4), (5), (6) and (7)” with “(4) to (8)”.

11. New section 47A – Independent observation

The following new section is inserted after section 47 —

“47A. Independent observation

- (1) The Returning Officer may appoint individuals (from inside or outside the Falkland Islands) to act as independent observers of the electoral or referendum process.
- (2) The Governor may make regulations providing for individuals appointed under subsection (1) to have (for observation purposes) access to restricted elements of the electoral or referendum process.”

12. Section 51 amended – Notice of election

(1) This section amends section 51.

(2) Subsection (6) is repealed and replaced with the following subsection —

“(6) Polling hours must constitute a period of at least six consecutive hours falling between 7am and 8pm.”

(3) The following subsection is added —

“(7) Polling hours for polling places in the Camp Constituency and polling hours for polling places in the Stanley Constituency may be different.”

13. Section 53 replaced – Disqualification from election

Section 53 is repealed and replaced with the following section —

“53. Disqualification from election (with power for Governor to amend by order)

- (1) A person is qualified to be elected as a member of the Legislative Assembly if the person —
 - (a) is qualified under section 28 of the Constitution (qualifications for election); and
 - (b) is not disqualified under section 29 of the Constitution (disqualifications for election).
- (2) Section 29(1) of the Constitution lists a number of disqualifications from election as a member of the Legislative Assembly.

(3) Section 29(1)(c) provides that a person is disqualified from election as a member of the Legislative Assembly if the person holds (or is acting in) a public office, except as may be specified (either individually or by reference to a class of office or otherwise) by Ordinance.

(4) For the purposes of section 29(1)(c), the following public offices are specified as offices that do not disqualify the holders of them (or persons acting in them), from election as members of the Legislative Assembly —

(a) an office in (or membership of) the Falkland Islands Defence Force, except in the following posts (and the holders of those posts and persons acting in them are disqualified from election as members of the Legislative Assembly) —

(i) Commanding Officer;

(ii) Permanent Staff Assistant; and

(iii) Training Sergeant;

(b) office in (or membership of) the Falkland Islands Fire and Rescue Service as a Retained Firefighter.

(5) In accordance with section 29(4)(b) of the Constitution, the office of General Manager in the Falkland Islands Development Corporation is prescribed as one that is deemed to be a public office (and the holder of that post or a person acting in it is disqualified from election as a member of the Legislative Assembly).

(6) Subsection (7) applies to a person who would be disqualified from election as a member of the Legislative Assembly because that person holds (or is acting in) a public office (“the disqualifying office”) which has not been specified in subsection (4).

(7) A person to whom this subsection applies may still stand as a candidate for election as a member of the Legislative but only if that person undertakes in writing to relinquish the disqualifying office (or to cease to act in it) if elected as a member of the Legislative Assembly.

(8) Subsection (9) applies to a person who —

(a) has given an undertaking under subsection (7); and

(b) is elected as a member of the Legislative Assembly.

(9) A person to whom this subsection applies —

(a) will be incapable of taking a seat in the Legislative Assembly until the undertaking has been fulfilled; and

(b) is to be treated as having vacated the seat if the undertaking has not been fulfilled within 100 days after the date on which the person was elected as a member of the Legislative Assembly.

(10) The Governor may amend this section by order.

14. New section 60A inserted - Emergency voting

The following new section is inserted after section 60 —

“60A. Emergency voting

(1) The Governor may make regulations to allow for emergency voting by persons who would otherwise be unable to vote (for themselves or as proxy for others) —

- (a) in person at a polling place or with a mobile polling team;
- (b) being an inmate or member of staff at an institution, at that institution;
- (c) by post;
- (d) by proxy; or
- (e) by postal proxy vote.

(2) Regulations made under subsection (1) may include provisions allowing for emergency voting by persons whose proxies are unable to vote as set out in subsection (1).”

15. Section 61 amended – Mobile polling teams in the Camp Constituency

Section 61 is amended by inserting the following subsection after subsection (1) —

“(1A) If voting is taking place in both the Stanley and Camp Constituencies in the same poll, voters from both constituencies may vote with a mobile polling team.”

16. New section 61A inserted – Allocated polling places

The following new section is inserted after section 61 —

“61A. Allocated polling places

(1) The Governor may make regulations under this section to allow for a system allocating polling stations to individual voters.

(2) The principal purpose of a system of allocating polling stations to individual voters must be to seek to minimise the risk of an elector voting twice in the same election.”

17. Section 74B amended – Ballot papers: general requirements

Section 74B(1) is amended by —

- (a) omitting paragraph (d); and
- (b) omitting paragraph (e) and replacing it with the following paragraph —

“(e) they must each have a counterfoil attached which has a serial number printed on its face;”.

18. Section 79 amended – Postal ballot papers

Section 79(1) is amended by omitting “bearing the number of the ballot paper”.

19. Section 83 amended – Marking of postal ballot paper

Section 83(2) is repealed.

20. Section 91 amended – Opening of covering envelopes

Section 91 is repealed and replaced with the following section —

“91. Opening of covering envelopes

(1) When a postal voters’ ballot box has been opened, the returning officer (or the Recording Officer) —

- (a) must count and note the number of covering envelopes; and
- (b) must then open each covering envelope separately.

(2) Subsection (3) applies to a covering envelope if it does not contain —

- (a) a declaration of identity and a ballot paper envelope;
- (b) a declaration of identity and a ballot paper; or
- (c) a ballot paper envelope.

(3) If this subsection applies to a covering envelope, the officer must —

- (a) mark it “Rejected”;
- (b) if it contains anything, attach those contents to it; and
- (c) place it in a receptacle for rejected votes.

(4) Subsection (5) applies to a covering envelope if it contains only a ballot paper envelope.

(5) If this subsection applies to a covering envelope, the officer must open the ballot paper envelope to check whether or not the declaration is inside.

(6) If, on opening the ballot paper envelope, there is no declaration of identity inside, the officer must —

- (a) mark the ballot paper envelope “Rejected”;
- (b) if it contains anything, attach those contents to it; and
- (c) place it in the receptacle for rejected votes.

(7) On opening a covering envelope, other than one to which subsection (3) or subsection (5) applies, the officer must first check whether or not the declaration of identity has been duly signed and dated.

(8) If it has not, the officer must —

(a) mark the declaration “Rejected”;

(b) attach it to the ballot paper envelope (or, if there is no such envelope, to the ballot paper); and

(c) place it in the receptacle for rejected votes.

(9) If one or more election agents are present, the officer must (before rejecting a covering envelope or a declaration) show it to them.

(10) If one or more of the election agents object to a covering envelope or declaration being rejected, the officer must add the words “Rejection objected to” to it.

(11) If the declaration has been duly signed and dated, the officer must —

(a) place the declaration in a receptacle for declarations of identity; and

(b) the ballot paper envelope (or the ballot paper) in a receptacle for ballot paper envelopes.

(12) Subsection (13) applies if —

(a) either —

(i) there is no ballot paper envelope in a covering envelope; or

(ii) the ballot paper envelope has been opened in accordance with subsection (5); and

(b) the declaration of identity has been signed and dated.

(13) If this subsection applies, the officer must —

(a) place the declaration in the receptacle for declarations of identity; and

(b) place the ballot paper in a ballot box which has previously been —

(i) shown as empty to the election agents present (if there were any);

(ii) locked by the officer; and

(iii) sealed with the officer’s seal and the seal of any election agent who wishes to place a seal on the ballot box.

(14) Unless it is opened in accordance with subsection (5), the officer must not open a ballot paper envelope until it is opened under section 93.”

21. Section 93 amended – Opening of ballot paper envelopes

Section 93 is repealed and replaced with the following section —

“93. Opening of ballot paper envelopes

(1) After sealing up the packets referred to in section 92, the returning officer (or the Recording Officer) must separately open each ballot paper envelope which is in the receptacle for ballot paper envelopes.

(2) If the ballot paper envelope does not contain a ballot paper, the officer must mark the envelope “Rejected”.

(3) If the ballot paper envelope does contain a ballot paper, the officer must place the ballot paper in the ballot box referred to in section 91(13)(b).

(4) The officer must —

(a) put the envelopes and the ballot papers marked “Rejected” under this section into a separate packet; and

(b) seal that packet.”

22. Section 96 amended – Certified copies of Register and lists

Section 96 is repealed and replaced with the following section —

“96. Certified copies of Register and lists

(1) As soon as possible after the start of the closed period for an election or referendum, the registration officer must certify at least 6 copies of each of the following —

(a) the Register;

(b) the postal voters’ list;

(c) the proxy list; and

(d) the postal proxy voters’ list.

(2) Subject to subsection (3), the copies of the Register certified under subsection (1)(a) must contain the same entries as the version of the register published under section 14A(1).

(3) For the purpose of making the voting process more efficient —

(a) the certified copies of the Register and lists may be combined into a single document;

(b) entries in that document may be rearranged into a different order; and

(c) those entries may be supplemented by —

(i) marks for the purposes of section 99; and

(ii) additional information in connection with a system of allocation of polling stations provided for in regulations made under section 61A.

(4) The registration officer must forward the certified copies made under subsection (1) to the returning officer as soon as possible as they have been made.”

23. Section 97 replaced – Effect of registers, etc

Section 97 is repealed and replaced with the following section —

“97. Effect of registers, etc

(1) Subject to section 97A, the certified copies of the Register forwarded to the returning officer under section 96(4) are conclusive as to the following matters for the purposes of this Part (but only in relation to the referendum or the election for which those copies were produced) —

(a) that every person registered was resident at the address shown on the qualifying date;

(b) that the person’s address is in the constituency to which the register relates;

(c) that, if a person’s name appears in it, that person is an elector;

(d) that, if a person’s name does not appear in it, that person is not an elector.

(2) Subject to section 97A, the certified copies of the postal voters' list forwarded to the returning officer under section 96(4) are be conclusive for the purposes of this Part as to whether or not a person's right to vote at the referendum or the election is exercisable by post (but only in relation to the referendum or the election for which those copies were produced).

(3) Subject to section 97A, the certified copies of the proxy list forwarded to the returning officer under section 96(4) are be conclusive for the purposes of this Part as to whether or not there is in force an appointment of a proxy to vote for a person and, if so, who is appointed (but only in relation to the referendum or the election for which those copies were produced).

(4) Subject to section 97A, the certified copies of the postal proxy voters’ list forwarded to the returning officer under section 96(4) are be conclusive for the purposes of this Part as to whether or not a proxy voter's right to vote as proxy is exercisable by post (but only in relation to the referendum or the election for which those copies were produced).”

24. New section 97A inserted – Effect of registers, etc: supplementary

The following new section is inserted after section 97 —

“97A. Effect of registers, etc: supplementary

(1) If a single document has been produced under section 96(3), references in section 97 to the Register (or to a list) refer to the entries in the single document that relate to entries in the Register (or the list).

(2) Subsection (3) applies to a person who is either —

- (a) registered as an elector; or
 - (b) entered into the list of proxies.
- (3) A person to whom this subsection applies may not be excluded from voting on the ground that either —
- (a) the person is not qualified under section 32(1) of the Constitution; or
 - (b) that the person is disqualified from voting under section 32(2) of the Constitution.
- (4) Subsection (3) does not do either of the following things —
- (a) preventing a vote from being rejected under scrutiny; or
 - (b) affecting a person's liability to a penalty for voting when either —
 - (i) not qualified to vote; or
 - (ii) disqualified from voting.
- (5) Subsection (6) applies to each of the following documents —
- (a) the Register;
 - (b) the postal voters' list;
 - (c) the proxy list;
 - (d) the postal proxy voters' list;
 - (e) a single document produced under section 96(3);
 - (f) every proxy paper;
 - (g) every nomination paper;
 - (h) every ballot paper;
 - (i) every notice or other document required for the purposes of this Part.
- (6) No inaccuracy in the name or description of a person (or the description of a place) in a document to which this subsection applies affects the validity or operation of that document if the name or description of the person (or the description of the place) is such that it can still commonly be understood.”

25. Section 98 amended – Requirement of secrecy

- (1) This section amends section 98.

- (2) Subsection (2) is amended by omitting paragraph (a).
- (3) Subsection (3)(c) is amended omitting “, or as to the number on the back of the ballot paper given to that voter”.
- (4) Subsection (4) is amended by omitting paragraphs (b) and (c).
- (5) Subsection (5) is amended by omitting “, or as to the number on the back of the ballot paper given for the use of that voter”

26. Section 99 replaced – Marking of register and lists

Section 99 is repealed and replaced with the following section —

“99. Marking of register and lists

(1) The certified copies forwarded to the returning officer under section 96(4) must be marked as follows —

(a) the entries relating to elector who are postal voters must be marked with the letter “M”;

(b) the entries relating to electors who have appointed proxies must be marked with the letters “PXY”;

(c) the entries relating to electors who are postal voters registered to vote at addresses in the United Kingdom must be marked with the letters “UKM”; and

(d) the entries relating to proxies who are postal proxy voters must be marked with the letters “PM”.

(2) Subsection (3) applies if a single document has been produced under section 96(3).

(3) If this subsection applies, the returning officer must (as soon as practicable after receiving the certified copies of the single document) —

(a) check whether the marks required by subsection (1) have been made on them (and, if they have, that they have been made correctly); and

(b) make or correct the necessary marks as necessary.

(4) Subsection (5) applies if a single document has not been produced under section 96(3).

(5) If this subsection applies, the returning officer must (as soon as practicable after receiving the certified copies forwarded under section 96(4) make the necessary marks on the Register and Part 1 of the proxy list.”

27. Section 104 amended – Admission to polling place, etc

Section 104 is amended by inserting the following paragraphs after paragraph (d) —

“(da) members of the press approved by the Returning Officer;

(db) independent observers appointed under section 47A;”.

28. Section 110A amended – Persons registered to vote by post attending to vote in person
Section 110A(1)(b) is omitted and replaced with the following paragraph —

“(b) the entry relating to that person has been marked “M” or “UKM” in accordance with section 99.”

29. Section 111 amended – Persons registered to vote by proxy attending to vote in person
Section 111(1)(b) is omitted and replaced with the following paragraph —

“(b) the entry relating to that person has been marked “PXY” in accordance with section 99.”

30. Section 112 amended – Proxy voters registered to vote by post attending to vote in person
Section 112(1)(b) is omitted and replaced with the following paragraph —

“(b) the entry relating to that person has been marked “PM” in accordance with section 99.”

31. Section 113 amended – Voting procedure

(1) This section amends section 113.

(2) Subsection (1) is amended by —

(a) replacing paragraph (b) with the following paragraph —

“(b) the number, name and address of the elector as stated in the copy of the register (or the single document produced under section 96(3)) must be called out;”;

(b) amending paragraph (c) by adding “; and”;

(c) replacing paragraph (d) with the following paragraph —

“(d) a mark shall be placed against the entry relating to that voter (in the Register or the single document) to denote that a ballot paper has been received by that voter (but without showing the particular ballot paper that has been received).”; and

(d) omitting paragraph (e).

(2) The following subsections are inserted after subsection (1) —

“(1A) Subsection (1B) applies if —

(a) the person is applying for a ballot paper as a proxy; and

(b) a single document has not been produced under section 96(3).

(1B) If this subsection applies, a mark must also be placed against the entry relating to that person in the proxy voters’ list.”

32. Section 119 amended – Procedure on close of poll

(1) This section amends section 119.

(2) Subsection (1)(e) is omitted and the following paragraph substituted —

“(e) either —

(i) the marked copies of the register of electors and of the list of proxies; or

(ii) if single document has been produced under section 96(3), the marked copy of that single document.”

(3) Subsection (2) is repealed and replaced with the following subsection —

“(2) Subsection (2A) applies if a single document has not been produced under section 96(3).”

(4) The following subsections are inserted after subsection (2) —

“(2A) If this subsection applies, the marked copies of the register of electors and of the list of proxies must be placed in the same packet.

(2B) The counterfoils of the used ballot papers are placed in a separate packet from the one in which the marked copies of the register of electors and of the list of proxies (or the marked copy of the single document) are placed.”

33. Section 121A amended – Postal votes in United Kingdom to be incorporated in count

Section 121A(1)(b) is amended by omitting “and number”.

34. Section 122 amended – The count

Section 122(4) is repealed.

35. Section 124 amended – Rejected ballot papers

Section 124(1)(c) is amended by omitting “except the printed number on the back”.

36. Section 131 amended – Orders for production

(1) This section amends section 131.

(2) The proviso to subsection (2) is repealed.

(3) Subsection (6) is repealed.

PART 3

AMENDMENT OF ELECTORAL FORMS REGULATIONS

37. Amendment of Electoral Forms Regulations

This Part amends the Electoral Forms Regulations.

38. Electoral Forms revoked and replaced

The following forms are revoked and replaced with the forms set out in the Schedule —

- VII – Form of application for a postal vote
- XI – Form of application for a proxy vote
- XII – Form of consent to act as proxy
- XVII – Form of application for a postal proxy vote
- XXVIII – Form of ballot paper

PART 4

AMENDMENT OF VOTING IN INSTITUTIONS REGULATIONS

39. Regulation 9 of Voting in Institutions Regulations replaced – Voting by Members of staff

Regulation 9 of the Voting in Institutions Regulations is revoked and replaced with the following regulation —

“9. Voting by members of staff

A member of staff is entitled to vote under these regulations if that member of staff has not previously voted in the election.”

PART 5

AMENDMENT OF ELECTORAL (POSTAL VOTING) (UNITED KINGDOM) ORDER

40. Article 6 of Electoral (Postal Voting) (United Kingdom) Order amended – Issue of ballot papers for postal voters at a United Kingdom address

Article 6 of the Electoral (Postal Voting) (United Kingdom) Order is amended by omitting “bearing the number of the ballot paper”.

PART 6

CONSEQUENTIAL, TRANSITIONAL AND SAVING PROVISION

41. Power for Governor to make consequential provision by order

(1) The Governor may by order make provision consequential on this Ordinance (or one or more of its provisions).

(2) An order made under subsection (1) may do one or more of the following things —

- (a) amend or repeal written laws of the Falkland Islands;
- (b) provide for United Kingdom legislation to apply in the Falkland Islands (with or without modifications);
- (c) modify the application in the Falkland Islands of United Kingdom legislation that already applies in the Falkland Islands;
- (d) provide that specific provisions of United Kingdom legislation no longer apply in the Falkland Islands.

42. Power for Governor to make transitional and saving provision by order

The Governor may by order make transitional or saving provision (or both) in connection with this Ordinance (or one or more of its provisions).

SCHEDULE

NEW ELECTORAL FORMS

(S23)

ELECTORAL FORM VII
FORM OF APPLICATION FOR A POSTAL VOTE

(Please read the Notes attached to this Form before completing)

TO: The Registration Officer *Camp/*Stanley Constituency.

I, of
(full name) (address)

hereby apply to be allowed to vote at an election or at a referendum by post^{(1)&(2)}.

1. I wish to be allowed to vote by post in respect of⁽³⁾:

(a) the election/referendum to be held on

(b) all elections and referenda held within the period fromto.....

OR

(c) elections generally

(d) referenda generally

2. Postal ballot papers may be sent to me at (the address must be in the Falkland Islands, or in the United Kingdom)⁽⁴⁾:

.....
.....

Dated

Signed⁽⁵⁾

Witness⁽⁵⁾

***Delete whichever is inapplicable.**

NOTES TO FORM VII

1. The Registration Officer shall not grant an application for a postal vote between 12 noon on the day proceeding the last day for nominations for an election and the return of the writ in respect of that election. This period is known as “the closed period” and further information of its duration may be obtained by contacting the Registration Officer for your constituency.
2. The closed period for a referendum normally begins at 12 noon 14 days before the election date.
3. An elector should choose (and indicate by striking out on the Form those options which he does not wish to select) in respect of which election or elections he wishes to hold a postal vote. If the elector’s Application Form does not specify his choice, it shall be deemed to have been made in respect of elections generally.
4. The Application Form must contain the full address to which postal ballot papers are to be sent. Failure to specify a full address will render the application invalid.
5. The Application Form must be signed by the elector personally, whose signature must be witnessed by one of the following:
 - a Falkland Islands registered elector;
 - a justice of the peace;
 - a bank manager;
 - a commissioner for oaths;
 - a teacher of, or tutor to, the applicant; or
 - any other person approved by the Registration Officer
6. The completed Application Form may be submitted by handing it personally to the Registration Officer or left at the office of the Registration Officer; sent by post to the Registration Officer; sent by fax to the Registration Officer; or sent by e-mail to the Registration Officer. If submitted by fax or e-mail an application form must be received in legible form. If submitted by e-mail, an application must consist of a scanned image of a signed application form.

ELECTORAL FORM XI
FORM OF APPLICATION FOR A PROXY VOTE
(Please read the Notes attached to this Form before completing)

TO: The Registration Officer *Camp/*Stanley Constituency

I, of
(full name) **(address)**

hereby apply to be permitted to vote by proxy^{(1)&(2)}.

1. My application is made in respect of⁽³⁾:

(a) the election/referendum to be held on

(b) elections and referenda held within the period from to

OR

(c) elections generally

(d) referenda generally

2. The name and address of the person whom I wish to appoint as proxy are⁽⁴⁾:

..... of
(full name of proxy) **(address)**

3. I enclose the written consent of the person named in 2 above to act as my proxy⁽⁵⁾.

Dated

Signed⁽⁶⁾

Witness⁽⁶⁾

*** Delete whichever is inapplicable.**

NOTES TO FORM XI

1. The Registration Officer shall not grant an application for permission to vote by proxy between 12 noon on the day proceeding the last day for nominations for an election and the return of the writ in respect of that election. This period is known as “the closed period” and further information of its duration may be obtained by contacting the Registration Officer for your constituency.
2. The closed period for a referendum normally begins at 12 noon 14 days before the election date.
3. An elector should choose (and indicate by striking out on the form those options which he/she does not wish to select) in respect of which election or elections, and/or referendum or referenda, he/she wishes his/her proxy to hold a proxy vote.
4. Your proxy must be someone who is an elector in respect of the same constituency as you and he/she may not be appointed the proxy of more than two electors.
5. Please obtain **ELECTORAL FORM XII** indicating his/her consent to act for you.
6. The Application Form must be signed by the elector personally, whose signature must be witnessed by one of the following:
 - a Falkland Islands registered elector;
 - a justice of the peace;
 - a bank manager;
 - a commissioner for oaths;
 - a teacher of, or tutor to, the applicant; or
 - any other person approved by the Registration Officer
7. The completed Application Form may be submitted by handing it personally to the Registration Officer or left at the office of the Registration Officer; sent by post to the Registration Officer; sent by fax to the Registration Officer; or sent by e-mail to the Registration Officer. If submitted by fax or e-mail, the application form must be received in legible form. If submitted by e-mail, an application must consist of a scanned image of a signed application form.

ELECTORAL FORM XII

FORM OF CONSENT TO ACT AS PROXY

TO: The Registration Officer *Camp/*Stanley Constituency

I, of
(full name) **(address)**

refer to the application of
(full name of applicant)

of
(address of applicant)

dated for permission to vote by proxy and hereby consent to act as proxy for that person.

Dated

Signed

*** Delete whichever is inapplicable.**

NOTE: YOU MAY ONLY BE APPOINTED AS SOMEONE'S PROXY IF YOU ARE AN ELECTOR IN RESPECT OF THE SAME CONSTITUENCY AND YOU MAY NOT BE APPOINTED THE PROXY OF MORE THAN TWO ELECTORS

ELECTORAL FORM XVII
FORM OF APPLICATION FOR A POSTAL PROXY VOTE
(Please read the Notes attached to this Form before completing)

TO: The Registration Officer *Camp/*Stanley Constituency.

I, of
(full name) **(address)**

hereby confirm that *I am the proxy of/*I am the proxy named in an application submitted to
appoint me the proxy of

.....of.....
(full name of elector) **(address)**

and I apply to be allowed to vote as proxy by post^{(1),(2)&(3)}.

1. My application is made in respect of⁽⁴⁾:

- (a) the election/referendum to be held on
- (b) all elections and referenda held within the period from to
- OR
- (c) elections generally
- (d) referenda generally

2. Postal ballot papers for completion by me as proxy for the above elector may be sent to me in
the Falkland Islands, or in the United Kingdom at⁽⁵⁾:

.....
.....

Dated

Signed⁽⁶⁾

Witness⁽⁶⁾

***Delete whichever is inapplicable.**

NOTES TO FORM XVII

1. An application for a postal proxy shall not be granted unless:
 - (a) Electoral Form XVII is completed in full, and
 - (b) the applicant is already a postal voter in respect of his right to vote (otherwise than as proxy for another) or an application by him for a postal vote in respect of his right to vote is allowed at the same time.
2. The Registration Officer shall not grant an application for a postal vote between 12 noon on the day proceeding the last day for nominations for an election and the return of the writ in respect of that election. This period is known as “the closed period” and further information of its duration may be obtained by contacting the Registration Officer for your constituency.
3. The closed period for a referendum normally begins at 12 noon 14 days before the election date.
4. An elector should choose (and indicate by striking out on the Form those options which he does not wish to select) in respect of which election or elections he wishes to hold a postal vote. If the elector’s Application Form does not specify his choice, it shall be deemed to have been made in respect of elections generally.
5. The Application Form must contain the full address to which postal ballot papers are to be sent. Failure to specify a full address will render the application invalid.
6. The Application Form must be signed by the elector personally, whose signature must be witnessed by one of the following:
 - a Falkland Islands registered elector;
 - a justice of the peace;
 - a bank manager;
 - a commissioner for oaths;
 - a teacher of, or tutor to, the applicant; or
 - any other person approved by the Registration Officer
7. The completed Application Form may be submitted by handing it personally to the Registration Officer or left at the office of the Registration Officer; sent by post to the Registration Officer; sent by fax to the Registration Officer; or sent by e-mail to the Registration Officer. If submitted by fax or e-mail an application form must be received in legible form. If submitted by e-mail, an application must consist of a scanned image of a signed application form.

**ELECTORAL FORM XXVIII
FORM OF BALLOT PAPER**

Counterfoil No. 0000	FALKLAND ISLANDS CAMP/ STANLEY ⁽¹⁾ CONSTITUENCY [GENERAL ELECTION/ BY-ELECTION – DATE] ⁽²⁾	
1.	SURNAME (Full name, address, occupation/title)	
2.		
3.		
4.		
YOU MAY CAST UP TO [⁽³⁾] VOTES PLEASE USE A CROSS (X) TO MARK YOUR VOTES ⁽⁴⁾		

Notes:

(1): The name of the constituency is to be deleted as necessary.

(2): The description of the election is to be deleted as necessary and the date of the election inserted.

(3): The number of votes that can be cast at the election is to be inserted.

(4): “Votes” is to be changed to “vote”, if only one vote may be cast at an election.

Passed by the Legislature of the Falkland Islands on 22 August 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

SUBSIDIARY LEGISLATION

ELECTIONS

Electoral (Emergency and Replacement Proxies) Regulations 2013

S. R. & O. No: 17 of 2013

Made: 28 August 2013

Published: 10 September 2013

Coming into force: on publication

I make these regulations under section 60A of the Electoral Ordinance (Title 30.1) on the advice of Executive Council.

1. Title

These regulations are the Electoral (Emergency and Replacement Proxies) Regulations 2013.

2. Commencement

These regulations come into force on publication in the *Gazette*.

3. Interpretation

In these regulations —

“emergency proxy” means a person appointed during the closed period for an election or referendum to act as proxy for another person at that election or referendum;

“published criteria” means the criteria published by the returning officer under regulation 4;

“replacement proxy” means a person appointed during the closed period for an election or referendum to act as proxy for another person who had already appointed a proxy for that election or referendum.

4. Criteria for appointment of emergency or replacement proxy (“published criteria”)

The returning officer must —

(a) publish criteria about —

(i) the circumstances in which a person who is eligible to vote at an election or referendum may appoint an emergency or replacement proxy for that election or referendum; and

(ii) the evidence necessary to satisfy the registration officer that these circumstances exist; and

(b) keep those criteria under review.

5. Emergency proxy

(1) This regulation applies to a person if that person —

- (a) is eligible to vote at an election or referendum;
- (b) has not already appointed a proxy to vote on that person's behalf for that election or referendum.

(2) A person to whom this regulation applies may appoint an emergency proxy for that election or referendum if the registration officer is satisfied that —

- (a) the person would otherwise be prevented from voting at that election or referendum by circumstances that come within the published criteria; and
- (b) those circumstances —
 - (i) have arisen since the start of the closed period for that election or referendum; or
 - (ii) arose so close to the start of the closed period that the person was unable to apply for a postal vote, proxy vote or postal proxy vote before the start of the closed period.

6. Replacement proxy

(1) This regulation applies to a person if that person —

- (a) is eligible to vote at an election or referendum;
- (b) had already appointed a proxy to vote on that person's behalf (in person or by postal proxy) at that election or referendum.

(2) A person to whom this regulation applies may appoint a replacement proxy for that election or referendum if the registration officer is satisfied that —

- (a) the person's proxy would be prevented from voting at that election or referendum by circumstances within the published criteria;
- (b) those circumstances —
 - (i) have arisen since the start of the closed period for that election or referendum; or
 - (ii) arose so close to the start of the closed period that the person was unable to apply for a postal vote, proxy vote or postal proxy vote before the start of the closed period.

7. Restrictions on appointment of emergency and replacement proxies

Appointment as a replacement proxy —

- (a) only applies for the election or referendum for which the replacement proxy was appointed; and

(b) does not allow a person to vote as proxy (including as an emergency proxy or as a replacement proxy) for more than two persons at the same election or referendum.

8. Application to appoint emergency or replacement proxy

(1) To be valid, an application to appoint an emergency or replacement proxy must be received by (or on behalf of) the registration officer no later than 4pm on the third working day before the date of the election or referendum.

(2) An application need not be made in a specific form, but it must contain at least the following information —

(a) the applicant's name and address;

(b) an explanation of the circumstances that will prevent the applicant (or the applicant's proxy) from voting at the election or referendum;

(c) an explanation of when those circumstances arose;

(d) if the circumstances arose before the start of the closed period, an explanation of why the applicant was unable to apply for a postal vote, proxy vote or postal proxy vote before the start of the closed period;

(e) the name and address of the person to be appointed as emergency or replacement proxy; and

(f) contact details for —

(i) the applicant; and

(ii) the emergency or replacement proxy.

(3) Applications must be supported by sufficient evidence (and that evidence must be submitted with the application).

9. Application to appoint emergency or replacement proxy: supplementary provisions

(1) An application to appoint an emergency or replacement proxy may be made by one of the following methods —

(a) handing it personally to the registration officer (or leaving it at the office of the registration officer);

(b) sending it by post to the registration officer;

(c) sending it by fax to the registration officer; or

(d) sending it by e-mail to the registration officer.

(2) To be valid, an application must be —

- (a) signed by the applicant; and
 - (b) received by (or on behalf of the registration officer) in legible form, either —
 - (i) as an original; or
 - (ii) as a scanned image of the original.
- (3) The applicant's signature must be witnessed by —
- (a) a bank manager;
 - (b) a commissioner for oaths;
 - (c) an elector;
 - (d) a justice of the peace;
 - (e) a police officer;
 - (f) a teacher of (or tutor to) the applicant; or
 - (g) another person approved by the registration officer.

10. Decision by registration officer

- (1) If an application is validly made, the registration officer must, as soon as reasonably possible —
- (a) review the application and the evidence submitted with it; and
 - (b) decide whether or not the applicant should be allowed to appoint an emergency or replacement proxy.
- (2) When deciding whether or not to grant an application, the registration officer must have regard to the published criteria.
- (3) As soon as reasonably possible after reaching a decision in relation to an application to appoint an emergency or replacement proxy, the registration officer must —
- (a) if the application is granted —
 - (i) take reasonable steps to notify the applicant and the emergency or replacement proxy that the application has been granted; and
 - (ii) make arrangements for the emergency or replacement proxy to be allowed to vote on behalf of the applicant; or
 - (b) if the application is refused, take reasonable steps to notify the applicant —

- (i) that the application has been refused (and about the reasons for the refusal); but
- (ii) that the applicant has the right to appeal to the returning officer no later than 4pm on the second working day before the date of the election or referendum.

11. Appeal to returning officer against decision of registration officer

- (1) If the registration officer refuses an application to appoint an emergency or replacement proxy, the applicant may appeal to the returning officer.
- (2) An applicant may also appeal to the returning officer if the applicant has not been notified by 12 noon on the second working day before the date of the election or referendum that the application has been granted.
- (3) To be valid, an appeal must be received by (or on behalf of) the returning officer no later than 4pm on the second working day before the date of the election or referendum.

12. Decision by returning officer

- (1) If an appeal is validly made, the returning officer must, as soon as reasonably possible —
 - (a) review the original application and the evidence submitted with it; and
 - (b) decide whether or not the applicant should have been allowed to appoint an emergency or replacement proxy.
- (2) When deciding whether or not to allow an appeal, the returning officer must have regard to the published criteria.
- (3) As soon as reasonably possible after reaching a decision in relation to an appeal, the returning officer must —
 - (a) if the appeal is granted —
 - (i) take reasonable steps to notify the applicant and the emergency or replacement proxy that the appeal has been granted; and
 - (ii) instruct the registration officer to make arrangements for the emergency or replacement proxy to be allowed to vote on behalf of the applicant; or
 - (b) if the appeal is refused, take reasonable steps to notify the applicant that the appeal has been refused (and about the reasons for the refusal)
- (4) No further appeal lies from a decision of the returning officer under this regulation.

Made 28 August 2013

J. S. Tyler-Haywood,
Acting Governor.

EXPLANATORY NOTE
(not part of the regulations)

Section 60A of the Electoral Ordinance (Title 30.1), which was introduced by the Electoral (Amendment) Ordinance 2013 (No 14 of 2013), gives the Governor (normally, acting on the advice of Executive Council) to make regulations allowing for emergency voting by those who would otherwise be unable to vote at an election or referendum in one of the usual ways.

These regulations allow for emergency and replacement proxies to be appointed in certain circumstances during the closed period before an election or referendum.

Under *regulation 4*, the returning officer will have to publish criteria about the circumstances in which emergency and replacement proxies can be appointed and the evidence needed to support. The registration officer will have to follow these criteria when dealing with applications to appoint emergency and replacement proxies (see *regulation 10(2)*). Likewise, the returning officer will have to follow these criteria when dealing with appeals against decisions made by the registration officer (see *regulation 12(2)*).

Regulation 5 deals with the situation in which a person would otherwise be prevented from voting by circumstances that are covered by the criteria and that have arisen during the closed period (or very shortly before it started): in this situation, the person can apply under *regulations 8 and 9* to appoint an emergency proxy to vote on that person's behalf.

Regulation 6 deals with the situation in which a person has already appointed a proxy to vote on that person's behalf but that proxy would be prevented from voting on the person's behalf by circumstances that are covered by the criteria and that have arisen during the closed period (or very shortly before it started): in this situation, the person can apply under *regulations 8 and 9* to appoint a replacement proxy to vote on that person's behalf instead.

Regulation 7 deals with restrictions on the appointment of emergency and replacement proxies:

- The appointment of an emergency or replacement only applies for the election or referendum for which it is made.
- No-one can cast proxy votes for more than two other people, however the person was appointed as proxy.

Regulations 8 and 9 deal with the requirements for applications to appoint emergency and replacement proxies:

- Under *regulation 8(1)*, applications to appoint emergency and replacement proxies will close at 4pm on the third working day before the election or referendum – for example, if an election or referendum is being held on a Thursday, applications will close at 4pm on the Monday (assuming there are no public holidays that week).
- *Regulation 8(2)* deals with the information that must be provided when applying to appoint an emergency or replacement proxy. There is no requirement for applications to be made on

a specific form. (There would be nothing to prevent the registration officer from producing a form being produced for convenience but there would be no requirement for one to be produced or, if one is produced, for it to be used.)

- Under *regulations 9(2)(a) and 9(3)*, applications must be signed and witnessed (and *regulation 9(3)* deals with who can witness an application).
- Under *regulation 8(3)*, the evidence needed to support an application must be submitted with it.
- *Regulation 9(1)* lists the various ways in which an application can be made and *regulation 9(2)(b)* provides that applications made electronically must be a scanned version of the original.

Regulation 10 deals with decisions by the registration officer about applications for emergency and proxy votes:

- Under *regulation 10(1)*, the registration officer will have to reach a decision as soon as reasonably possible and, under *regulation 10(2)*, the registration officer will have to follow the criteria published by the returning officer.
- Under *regulation 10(3)*:
 - The registration officer will have to take reasonable steps to notify applicants as soon as possible about the outcome of their applications.
 - If an application is granted, the registration officer will also have to take reasonable steps to notify the emergency or replacement proxy and make the necessary arrangements.
 - If an application is refused, the registration officer will also have to notify the applicant that there is a right to appeal to the returning officer.

Regulation 11 deals with the right to appeal to the returning officer:

- Under *regulation 11(1)*, an appeal can be made to the returning officer by someone whose application is refused.
- Under *regulation 11(2)*, an appeal can also be made by someone who has not been notified about the outcome of an application by 12 noon on the second working day before the election or referendum – for example, if an election or referendum is being held on a Thursday, a someone who has not been notified by 12 noon on the Tuesday (assuming there are no public holidays that week) could appeal.
- In either case, *regulation 11(3)* provides that the deadline for appeals is 4pm on the second working day before the election or referendum – for example, if an election or referendum is being held on a Thursday, the deadline is 4pm on the Tuesday (assuming there are no public holidays that week).

Regulation 12 deals with decisions by the returning officer about appeals against decisions of the registration officer:

- Under *regulation 12(1)*, the returning officer will have to reach a decision as soon as reasonably possible and, under *regulation 12(2)*, the returning officer will have to follow the criteria that have been published.
- Under *regulation 12(3)*:
 - The returning officer will have to take reasonable steps to notify those making appeals as soon as possible about the outcome of their appeals.
 - If an application is granted, the returning officer will also have to take reasonable steps to notify the emergency or replacement proxy and instruct the registration officer to make the necessary arrangements.
- Under *regulation 12(4)*, the returning officer's decisions about emergency and replacement proxies will be final and there will be no right to appeal further.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Seven pound.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

30 September 2013

No. 10

The following are published in this Supplement –

Finance Ordinance 2013 (Correction) Order 2013 (SR&O No 18 of 2013);

Electoral (Amendment) Ordinance 2013 (Correction) Order 2013 (SR&O No 19 of 2013);
and

Taxes (Amendment) Bill 2013.

SUBSIDIARY LEGISLATION

NATIONALITY AND IMMIGRATION

Finance Ordinance 2013 (Correction) Order 2013

S. R. & O. No: 18 of 2013

Made: 20 September 2013

Published: 30 September 2013

Coming into force: see article 2

IN EXERCISE of my powers under section 93 of the Interpretation and General Clauses Ordinance (Title 67.2) I make the following order —

1. Title

This order is the Finance Ordinance 2013 (Correction) Order 2013.

2. Commencement

This order is deemed to have come into force on 1 July 2013.

3. Correction of Finance Ordinance 2013

(1) This article amends the Finance Ordinance 2013 (No 7 of 2013).

(2) Section 18(a) is amended by replacing “£20” where it appears with “£21”.

Made 20 September 2013

M. D. Lewis,
Attorney General.

EXPLANATORY NOTE

(not forming part of the above order)

This order corrects a typographical error.

SUBSIDIARY LEGISLATION

ELECTIONS

Electoral (Amendment) Ordinance 2013 (Correction) Order 2013

S. R. & O. No: 19 of 2013

Made: 25 September 2013

Published: 30 September 2013

Coming into force: see article 2

IN EXERCISE of my powers under section 93 of the Interpretation and General Clauses Ordinance (Title 67.2) I make the following order —

1. Title

This order is the Electoral (Amendment) Ordinance 2013 (Correction) Order 2013.

2. Commencement

This order is deemed to have come into force on 10 September 2013.

3. Correction of Electoral (Amendment) Ordinance 2013

(1) This article amends the Electoral (Amendment) Ordinance 2013 (No 14 of 2013).

(2) Section 13 is amended in the new section 53(7) by inserting “Assembly” between “Legislative” and “but”.

Made 25 September 2013

M. D. Lewis,
Attorney General.

EXPLANATORY NOTE
(not forming part of the above order)

This order corrects a typographical error.

Taxes (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

Part 1 - Introduction

1. Title
2. Commencement

Part 2 - Amendment of Taxes Ordinance

3. Amendment of Taxes Ordinance
4. Amendment of section 2 - Interpretation
5. Amendment of section 28 - Corporation tax rates
6. Amendment of section 40 - Set-off of losses against surplus of franked investment income
7. Amendment of section 44 - Changes in rate of ACT and payment of ACT
8. Amendment of section 49 - Tax credits for certain recipients of qualifying distributions
9. Amendment of section 51 - Provisions supplementary to section 50(3)
10. Amendment of section 57 - Exemptions
11. Amendment of section 69 - Employer's contributions
12. Amendment of section 70 - Carry-forward of relief
13. Amendment of section 71 - Non-approved schemes: payments by employers
14. Amendment of section 74 - Commutation of pension
15. Amendment of section 91 - The POAT Regulations
16. Amendment of section 97A - Allowable deductions: specific examples
17. Amendment of section 97D - Power to make rules about allowable deductions
18. Amendment of section 98 - Restriction on deduction of emoluments before payment
19. Amendment of section 104A - Bunkering activities in Falkland Islands waters
20. Amendment of section 108 - Assets ceasing to belong to businesses, etc.
21. Amendment of section 139 - Interpretation of Chapter IV
22. Amendment of section 183 - Postponement of tax on objection and appeal
23. Amendment of section 195 - Special provisions relating to non-residents
24. Amendment of Schedule A1 - Low Tax Territories
25. Amendment of Schedule 1A - Exemption and Relief from Charge under section 100a
26. Amendment of Schedule 2A - Provision not at Arm's Length

Part 3 - Amendment of Payment on Account of Tax (Employees' Deductions) Regulations

27. Amendment of Payment On Account of Tax (Employees' Deductions) Regulations
28. Amendment of regulation 13 - Information and preservation of records

Part 4 - Amendment of Taxes (Benefits in Kind) Rules

29. Amendment of Taxes (Benefits in Kind) Rules

30. Amendment of rule 4 - Annual values of prescribed benefits
31. Amendment of rule 5 - Exceptions from rules 3 and 4

Part 5 - Miscellaneous Amendments

32. Amendment of Taxes and Duties (Special Exemptions) Ordinance
33. Amendment of Embarkation Tax Regulations

6. Amendment of section 40 - Set-off of losses against surplus of franked investment income

Section 40(1) is repealed and replaced with the following —

“(1) Subject to section 153, where a company has a surplus of franked investment income for any accounting period —

(a) the company may, on making a claim for the purpose, require that the amount of the surplus must, for the purpose of setting off trading losses against income under section 128(1) be treated as if it were a like amount of income chargeable to corporation tax; and

(b) the company is entitled to have paid to it the amount of the tax credit comprised in the amount of franked investment income by which the surplus is so reduced.”.

7. Amendment of section 44 - Changes in rate of ACT and payment of ACT

Section 44(5) is amended by omitting “Subject to section 47(2),”.

8. Amendment of section 49 - Tax credits for certain recipients of qualifying distributions

Section 49(1) is amended by substituting “basic” with “lower”.

9. Amendment of section 51 - Provisions supplementary to section 50(3)

Section 51 is repealed.

10. Amendment of section 57 - Exemptions

Section 57(1) is amended as follows —

(a) in paragraph (p) by omitting “and”;

(b) by inserting the following new paragraphs after paragraph (s) —

“(t) winter fuel allowance (*an allowance provided by the Falkland Islands Government for the payment of fuel costs during the winter months*) and

(u) any benefits provided to an employee as entertainment (hospitality) by the employer subject to the maximum annual expenditure not exceeding £100 for each employee.”

11. Amendment of section 69 – Employer’s contributions

Section 69 is repealed and replaced with the following —

“69. Employer’s contributions

(1) Contributions paid by an employer must not be regarded as remuneration of the employee for the purposes of this Ordinance where those contributions are paid by an employer —

(a) under approved personal pension arrangements made by the employee; or

(b) under approved retirement benefits schemes.

(2) Subject to the provisions of this section, tax must be charged on any repayment to an employee during the employee’s lifetime of any contributions referred to under subsection

(1) (including interest on contributions, if any) if the repayment is made under a scheme which is or has at any time been an approved scheme within section 67 or under an arrangement which is or has at any time been an approved arrangement under section 68.

(3) Where any repayment is chargeable to tax under this section —

(a) it must be added to the chargeable income of the employee for the year of assessment following the year in which the payment is made; or

(b) if the employee elects, amounts equal to the contributions (if any) made in the year of assessment in which the repayment is made and in each of the preceding six years must be added to the income of the employee in each of those years and charged to tax accordingly, and if the repayment exceeds the aggregate of those amounts an amount equal to the excess must be added to the employee's chargeable income for the year following the year in which the repayment is made.

(4) An election under subsection (3) may not be made more than two years after the end of the year in which the payment is made, and all adjustments must be made, whether by way of repayment of tax or otherwise, as may be necessary to give effect to any such election.

(5) Subsection (2) does not apply in relation to a contribution made after the scheme or the arrangement ceases to be an exempt approved scheme or an exempt approved arrangement (unless it again becomes an approved scheme within section 67 or an approved arrangement under section 68).

(6) This section does not apply where the employee's employment was carried on outside the Falkland Islands."

12. Amendment of section 70 - Carry-forward of relief

Section 70(5) is repealed and replaced with the following —

"(5) In this section, "a relevant assessment to tax" means an assessment on the individual's relevant earnings or on the profits or gains of a partnership from which the individual derives relevant earnings."

13. Amendment of section 71 - Non-approved schemes: payments by employers

Section 71(1) is repealed and replaced with the following —

"(1) Subject to the provisions of this Chapter, where, pursuant to a retirement benefits scheme within subsection (2) below, the employer in any year of assessment pays a sum with a view to the provision of any relevant benefits for any employee of that employer, then (whether or not the accrual of the benefits is dependent on any contingency) the sum paid, if not otherwise chargeable to income tax as income of the employee, is to be deemed for the purposes of income tax to be income of that employee for that year of assessment and assessable to tax accordingly."

14. Amendment of section 74 - Commutation of pension

Section 74(2) is amended by substituting "basic" with "lower".

15. Amendment of section 91 – The POAT regulations

Section 91(7)(a) is amended by substituting subparagraph (i) as follows —

“(i) in the case of weekly-paid employees at least 15 hours during that pay period and who has not worked at least 60 hours in aggregate during that pay period and the three pay periods preceding that pay period;”

16. Amendment of section 97A – Allowable deductions: specific examples

Section 97A is amended by inserting the following new paragraph after paragraph (e) —

“(ea) expenditure incurred in providing entertainment to an individual employee subject to the maximum annual expenditure not exceeding £100 for each employee;”

17. Amendment of section 97D - Power to make rules about allowable deductions

Section 97D(a) is amended by substituting “97A(1)(g)” with “97A(g)”.

18. Amendment of section 98 - Restriction on deduction of emoluments before payment

Section 98(7) is repealed.

19. Amendment of section 104A – Bunkering activities in Falkland Islands waters

Section 104A (2) is amended in the definition of “bunkering services” by substituting “Petroleum Ordinance” with “Petroleum Products Ordinance”.

20. Amendment of section 108 – Assets ceasing to belong to businesses, etc.

Section 108(7) is amended in paragraph (b) by substituting “less than” with “more than”.

21. Amendment of section 139 - Interpretation of Chapter IV

Section 139(6) is repealed and replaced with the following —

“(6) Notwithstanding that at any time a company (“the subsidiary company”) is a 51 per cent or 75 per cent subsidiary or a 90 per cent subsidiary of another company (“the parent company”) it must not be treated at that time as such a subsidiary for the purposes of this Chapter unless, additionally at that time —

(a) the parent company is beneficially entitled to more than 50 per cent or not less than 75 per cent or, as the case may be, not less than 90 per cent of any profits available for distribution to equity holders of the subsidiary company; and

(b) the parent company would be beneficially entitled to more than 50 per cent or not less than 75 per cent or, as the case may be, not less than 90 per cent of any assets of the subsidiary company available for distribution to equity holders on a winding-up,

and Schedule 1 applies for the purposes of this subsection as it applies for the purposes of section 38(10)(b).”

22. Amendment of section 183 – Postponement of tax on objection and appeal

Section 183(14) is amended by inserting “with” immediately after “in accordance”.

23. Amendment of section 195 – Special provisions relating to non-residents

Section 195 is amended as follows —

(a) in subsection (2B) by inserting the following new paragraph after paragraph (d) —

“(e) carry-forward relief for pensions under section 70.”; and

(b) in subsection (10) by substituting “produced out of” with “produced outside of”.

24. Amendment of Schedule A1 - Low Tax Territories

Schedule A1 is amended by substituting paragraph 2 as follows —

“2. The table referred to in section 34A(4) is the following —”.

25. Amendment of Schedule 1A - Exemption and Relief from Charge under section 100a

Schedule 1A is amended as follows —

(a) in paragraph 6(4)(a) by substituting “donor” with “seller”; and

(b) in paragraph 10(6) by substituting “sub-paragraph (2)” with “sub-paragraph (4)”.

26. Amendment of Schedule 2A - Provision not at Arm’s Length

Paragraph 5(2) of Schedule 2A is amended by substituting “paragraph 11(2)” with “paragraph 10(2)”.

PART 3

AMENDMENT OF PAYMENT ON ACCOUNT OF TAX (EMPLOYEES’ DEDUCTIONS) REGULATIONS

27. Amendment of Payment On Account of Tax (Employees’ Deductions) Regulations

This Part amends the Payment On Account of Tax (Employees’ Deductions) Regulations (Title 69.1.3).

28. Amendment of regulation 13 - Information and preservation of records

Regulation 13(5) is repealed and replaced with the following —

“(5) A person to whom this paragraph applies must —

(a) make a written record of —

(i) the deduction or payment on account; and

(ii) particulars of the employee in respect of whom it was made; and

(b) keep that record until the expiry of a period ending 6 years after the end of the calendar year in which the deduction or payment on account was made.

(6) A person who fails to comply with paragraph (1) or (5) above commits an offence and is liable on conviction to a fine not exceeding the maximum of level 7 on the standard scale or

to imprisonment for a term not exceeding three months or to both such fine and imprisonment.”.

PART 4 AMENDMENT OF TAXES (BENEFITS IN KIND) RULES

29. Amendment of Taxes (Benefits in Kind) Rules

This Part amends the Taxes (Benefits in Kind) Rules (Title 69.1.5).

30. Amendment of rule 4 - Annual values of prescribed benefits

Rule 4(8) is amended by substituting “third column” with “second column”.

31. Amendment of rule 5 - Exceptions from rules 3 and 4

Rule 5(7)(a) is amended by substituting “but otherwise they apply in relation to all employees)” with “but otherwise it applies in relation to all employees)”.

PART 5 MISCELLANEOUS AMENDMENTS

32. Amendment of Taxes and Duties (Special Exemptions) Ordinance

Section 9A(4) of the Taxes and Duties (Special Exemptions) Ordinance (Title 69.2) is amended by omitting paragraph (b) and replacing it with the following —

“(b) may be granted so as to have retrospective effect;”.

33. Amendment of Embarkation Tax Regulations

The Schedule to the Embarkation Tax Regulations (SR&O No 34 of 1999) is amended in paragraph 3(e) by substituting “Meteorological Officer” with “Meteorological Office”.

OBJECTS AND REASONS

This Bill amends the Taxes Ordinance, the Payment On Account of Tax (Employee Deductions) Regulations, the Taxes (Benefits In Kind) Rules, the Taxes and Duties (Special Exemptions) Ordinance and the Embarkation Tax Regulations by making minor amendments to correct ambiguities and inconsistencies in the Ordinance.

Part 2 deals with amendments made to the Taxes Ordinance through clauses 3 to 26, Part 3 deals with amendments to the Payment On Account of Tax (Employee Deductions) Regulations through clauses 27 and 28, while Part 4 deals with minor amendments to the Taxes (Benefits In Kind) Rules through clauses 29 to 31 and Part 5 addresses the minor amendments in the Taxes and Duties (Special Exemptions) Ordinance and the Embarkation Tax Regulations through clauses 32 and 33. Some of the amendments emanate from the AUPEC Report while some give effect to various outstanding amendments.

Clause 4 amends the definition of expenses to clarify that any expenditure/expenses incurred by a person in acquiring Individual Transferable Quota (ITQ) must be included in the computation of the person’s chargeable income.

Clause 10 amends the Ordinance to provide for expenses exempt from tax. The purpose is to incorporate Extra Statutory Concession 8 into the Ordinance and allow a level of minor expenditure used in the entertainment of employees for doing a good job to be exempt from tax. The clause also exempts this amount from being considered a taxable benefit for employees.

Clause 11 amends the Ordinance by making two changes to pension's legislation, equalising treatment between personal pensions and retirement benefit schemes. The amendment provides that an employer's contribution to a retirement benefit scheme is not part of the employee's taxable remuneration. It further provides that for approved personal pensions, where employer contributions are repaid, they are taxable in the same way as repayments of employers' contributions under retirement benefit schemes are also taxable.

Clause 15 amends section 91 to correctly reflect that the total number of hours that can be worked in a month by weekly-paid employees is 60 hours and not 84 hours so this makes the hours to be consistent with those of monthly-paid employees as in effect the total number of hours that can be worked in a month remains the same irrespective of whether one is weekly or monthly paid.

Clause 16 amends the Ordinance to allow a specific amount spent on the entertainment of employees for doing a good job to be an allowable deduction for tax purposes.

Clause 21 brings consistency in the Ordinance in the use of the term "51% subsidiaries" to be reflected as an entity where "more than 50%" is held as opposed to "not less than 51%".

Other remaining clauses, namely *clauses 5 to 9, clauses 12 to 14, clauses 17 to 20 and clauses 22 to 33* deal with the minor amendments to bring consistency and remove ambiguity from the Ordinance.



FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

31 October 2013

No. 11

The following is published in this Supplement –

Licensing (Amendment) Ordinance 2002 (Correction) Order 2013 (SR&O No 20 of 2013).

SUBSIDIARY LEGISLATION

LICENSING

Licensing (Amendment) Ordinance 2002 (Correction) Order 2013

S. R. & O. No: 20 of 2013

Made: 28 October 2013

Published: 31 October 2013

Coming into force: see article 2

IN EXERCISE of my powers under section 93 of the Interpretation and General Clauses Ordinance (Title 67.2) I make the following order —

1. Title

This order is the Licensing (Amendment) Ordinance 2002 (Correction) Order 2013.

2. Commencement

This order is deemed to have come into force on 3 June 2002.

3. Correction of Licensing (Amendment) Ordinance 2002

(1) This article amends the Licensing (Amendment) Ordinance 2002 (No 8 of 2002).

(2) Schedule 1 paragraph 3(b) is amended in subsection 7(3) by replacing “Schedule 3” with “Schedule 2”.

Made 28 October 2013

M. D. Lewis,
Attorney General.

EXPLANATORY NOTE
(not forming part of the above order)

This order corrects a typographical error.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: One pound.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

28 November 2013

No. 12

The following are published in this Supplement –

Livestock and Meat Products (Amendment) Bill 2013; and

Minimum Wage (Calculation of Amount Paid)(Amendment) Regulations 2013 (SR&O No 21 of 2013).

Livestock and Meat Products (Amendment) Bill 2013

(No: of 2013)

ARRANGEMENT OF PROVISIONS

Clause

PART 1 - INTRODUCTION

1. Title
2. Commencement

PART 2 – AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS ORDINANCE

3. Amendment of Livestock and Meat Products Ordinance
4. Section 3 amended — Interpretation
5. Section 4 amended — Power to make regulations
6. Section 5 amended — Application of EU law

PART 3 – AMENDMENT OF LIVESTOCK ORDINANCE

7. Amendment of Livestock Ordinance
8. Part III amended — Marking of Sheep and Cattle

PART 4 – AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS (IDENTIFICATION AND MOVEMENT OF PIGS) REGULATIONS

9. Amendment of Livestock and Meat Products (Identification and Movement of Pigs) Regulations
10. Regulation 5 amended — Ear marking
11. Regulation 9 amended — Offences

LIVESTOCK AND MEAT PRODUCTS (AMENDMENT) BILL 2013

(No: of 2013

(assented to: 2013)

(commencement: on publication)

(published: 2013)

A BILL

for

AN ORDINANCE

To amend the Livestock and Meat Products Ordinance (No 14 of 2010), the Livestock Ordinance (Title 5.3) and the Livestock and Meat Products (Identification and Movement of Pigs) Regulations (SR&O No 27 of 2010); and for connected purposes.

BE IT ENACTED by the Legislature of the Falkland Islands —

PART 1 INTRODUCTION

1. Title

This Ordinance is the Livestock and Meat Products (Amendment) Bill 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

PART 2 AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS ORDINANCE

3. Amendment of Livestock and Meat Products Ordinance

This Part amends the Livestock and Meat Products Ordinance.

4. Section 3 amended – Interpretation

Section 3 is amended —

(a) by inserting the following new definition after the definition “abattoir”;

“animal by-product” means the entire body or parts of an animal, a product of animal origin or other products obtained from an animal, which are not intended for human consumption, including oocytes, embryos and semen;

(b) by omitting the definition of “export season”;

(c) by omitting the definition of “meat” and replacing it with the following —

““meat” means the edible parts of an animal;” ; and

(d) by repealing subsection (5).

5. Section 4 amended – Power to make regulations

Section 4 is amended —

(a) in subsection (1) by inserting the following new paragraph after paragraph (j) —

“(k) the treatment and control of animal by-products.”; and

(b) by repealing subsection (3).

6. Section 5 amended – Application of EU law

Section 5(6) is amended by omitting “during the export season”.

**PART 3
AMENDMENT OF LIVESTOCK ORDINANCE**

7. Amendment of Livestock Ordinance

This Part amends the Livestock Ordinance.

8. Part III amended – Marking of Sheep and Cattle

Part III is amended by omitting “and cattle” in each place it appears.

**PART 4
AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS (IDENTIFICATION AND
MOVEMENT OF PIGS) REGULATIONS**

9. Amendment of Livestock and Meat Products (Identification and Movement of Pigs) Regulations

This Part amends the Livestock and Meat Products (Identification and Movement of Pigs) Regulations.

10. Regulation 5 amended – Ear marking

Regulation 5 is repealed.

11. Regulation 9 amended – Offences

Regulation 9(1) is amended by omitting “5 or”.

OBJECTS AND REASONS

This Bill amends the Livestock and Meat Products Ordinance, the Livestock Ordinance and the Livestock and Meat Products (Identification and Movement of Pigs) Regulations.

Part 2 amends the Livestock and Meat Products Ordinance to remove the current two tier categories of standards for production of meat (production of meat for EU export season and production of meat for non-export season) since currently the Sand Bay Abattoir (a designated abattoir under the Abattoirs Ordinance (Title 5.8)) already uses the same standards for production of meat for both the EU and domestic market. This will ensure that the same standards of production are upheld at any designated abattoir regardless of whether the meat produced is intended for export or not (all year round).

Clause 4 amends section 3 by removing the definition of 'export season' and providing a new definition for 'meat' which follows EU legislation (Regulation 853) and a new definition for 'animal by-product' which follows EU legislation (Regulation 1069/2009).

Clause 5 amends section 4 by removing provisions that provide for the export season and inserts a new paragraph for making regulations that cover the control and treatment of animal by-products.

Clause 6 amends section 5 to remove the reference to the use of marks and certificates during the export season.

Part 3 amends the Livestock Ordinance to remove the legal requirement (under section 8) for the marking of cattle. The EU requirement is for cattle to be ear tagged and this is provided for in regulation 5 of the Livestock Ordinance and the Livestock and Meat Products (Identification and Movement of Cattle) Regulations.

Clause 8 amends Part III of the Livestock Ordinance to remove any reference to cattle.

Part 4 amends the Livestock and Meat Products (Identification and Movement of Pigs) Regulations to remove the requirement for ear marking pigs, because the Department of Agriculture believe it may lead to injuries from other pigs, and also because it is not necessary as ear tags (required under regulation 6) are sufficient.

Clause 10 repeals regulation 5.

SUBSIDIARY LEGISLATION

EMPLOYMENT

Minimum Wage (Calculation of Amount Paid)(Amendment) Regulations 2013

S. R. & O. No: 21 of 2013

Made: 26 November 2013

Published: 28 November 2013

Coming into force: 1 December 2013

I make these regulations under section 15 of the Minimum Wage Ordinance (No 10 of 2013) on the advice of Executive Council.

1. Title

These regulations are the Minimum Wage (Calculation of Amount Paid)(Amendment) Regulations 2013.

2. Commencement

These regulations come into force on 1 December 2013.

3. Amendment of the Minimum Wage (Calculation of Amount Paid) Regulations

These regulations amend the Minimum Wage (Calculation of Amount Paid) Regulations (SR&O No 16 of 2013).

4. Regulation 4 amended – Calculation of amount paid in respect of minimum wage for pay reference period

(1) This regulation amends regulation 4.

(2) In paragraph (2), the definition of “A” is amended —

(a) in paragraph (a), by inserting “(or both)” after “board or accommodation”; and

(b) in paragraph (b), by replacing “board or accommodation” with “board or accommodation (or both)”.

(3) The following paragraph is added —

“(3) A deduction that forms part of “D” as a result of applying regulation 6(1)(f)(iv) is to be ignored when calculating “A”.”

5. Regulation 6 amended – Allowable deductions (“D”)

Regulation 6(1) is amended —

(a) by replacing sub-paragraph (a) with the following sub-paragraph —

“(a) amounts deducted under —

(i) the Payments on Account of Tax (Employees' Deductions) Regulations (S.R.&O. No. 23 of 1997) (but only in relation to the amount produced by the formula: $G - X$);

(ii) section 193 of the Taxes Ordinance (Title 69.1);” and

(b) by replacing sub-paragraph (f) with the following sub-paragraph —

“(f) amounts deducted at the worker’s voluntary direction in relation to one or more of the following (which may be for the benefit of the worker or another person) —

(i) pension contributions;

(ii) contributions to a provident fund (or savings scheme);

(iii) voluntary payments on account of tax;

(iv) rent and other costs for housing provided by the Falkland Islands Government (but not for housing that is provided in connection with the worker’s work).”

Made 26 November 2013

J. S. Tyler-Haywood,
Acting Governor.

EXPLANATORY NOTE
(not part of the regulations)

These regulations amend the Minimum Wage (Calculation of Amount Paid) Regulations (SR&O No 16 of 2013), which come into force on 1 December 2013. The amendment will apply from the same date.

Regulation 4(2) corrects an inconsistency between two provisions to make it clear that “A” in the formula for calculating amounts paid for the purposes of the minimum wage relates to deductions made for board and/or accommodation.

Regulation 4(3) adds a paragraph to avoid double counting as a result of an amendment to regulation 6.

Regulation 5(1) makes changes to the list in regulation 6 of the deductions that can be taken into account when calculating amounts paid to workers for the purposes of the minimum wage.

The effects of the changes are as follows:

- Amounts that an employer is legally required to deduct in order to make payments towards unpaid tax owed by the worker will be taken into account in the calculation, as will amounts that the worker asks the employer to deduct for voluntary payments on account of tax.
- Payments of rent made at source by FIG tenants who are also FIG employees (except for housing provided as part in connection with work) and the new paragraph added to regulation 4 to make it clear that payments covered by this are not counted separately as amounts deducted for board and/or accommodation.
- Finally, it is also clarified that deductions made at a worker's voluntary direction may be used for the benefit of the worker or for someone else.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Three pound and twenty-five pence.

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FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 24

17 December 2013

No. 13

The following are published in this Supplement –

Payments On Account of Tax (Employees' Deductions)(Amendment) Regulations 2013 (SR&O No 22 of 2013);

Supplementary Appropriation (2013-2014) Ordinance 2013 (No 15 of 2013);

Taxes (Amendment) Ordinance 2013 (No 16 of 2013); and

Livestock and Meat Products (Amendment) Ordinance 2013 (No 17 of 2013).

SUBSIDIARY LEGISLATION

**PAYMENTS ON ACCOUNT OF TAX (EMPLOYEES' DEDUCTIONS) (AMENDMENT)
REGULATIONS 2013**

S. R. & O. No. 22 of 2013

Made: 13 December 2013

Published: 17 December 2013

Coming into force: 1 January 2014

I make these regulations under sections 83 and 91 of the Taxes Ordinance, (Title 69.1) on the advice of the Executive Council.

PART 1 – INTRODUCTION

1. Title

These regulations are the Payments on Account of Tax (Employees' Deductions) (Amendment) Regulations 2013.

2. Commencement

These regulations come into force on 1 January 2014.

3. Amendment of Payments on Account of Tax (Employees' Deductions) Regulations

These regulations amend the Payments on Account of Tax (Employees' Deductions) Regulations (Title 69.1.3).

4. Regulation 3 amended - Application of Regulations

Regulation 3 is amended as follows —

(a) by omitting paragraph (1A) and replacing it with the following —

“(1A) The following regulations apply for the purpose of determining deductions to be made for the purposes of payments on account of Medical Services Tax —

(a) regulation 3(4);

(b) regulation 8A;

(c) regulation 9;

(d) regulation 10; and

(e) regulations 11A, 11B, 12, 12B and 13.”; and

(b) in paragraph (2)(a) by omitting “84” and replacing it with “60”.

5. Regulation 4 replaced – Tax tables

Regulation 4 is revoked and replaced with the following —

“4. Tax tables

(1) The Commissioner must prepare tax tables for the purposes of these Regulations setting out the amount of POAT deductions to be made from remuneration payable to employees under these Regulations.

(2) Tax tables prepared in accordance with this Regulation must be made available free of charge to any employer who is required to make any POAT deduction and the employer must ensure the correct usage of the tables in the calculation of deductions.”.

6. Regulation 5 amended - Alternative formula

Regulation 5 is amended as follows —

(a) by revoking paragraph (1) and replacing it with the following —

“(1) Subject to paragraph (4), the formula set out in paragraph (2) may be used by an employer to determine the amount of any POAT deduction to be made from any payment of remuneration payable to an employee for any period, instead of the tables prepared under regulation 4, and in that paragraph —

(a) the remuneration in question is referred to as “the relevant remuneration”, and

(b) the year in which the remuneration is payable is referred to as “the income year”.”; and

(b) by omitting paragraph (2E)(c).

7. Regulation 8A replaced – Additional deductions in respect of employee’s Medical Services Tax

Regulation 8A is revoked and replaced with the following —

“8A. Additional deductions in respect of employee’s Medical Services Tax

(1) In addition to the POAT deduction calculated under regulation 4,5,6,7 or 8, the POAT deduction must also include a sum in respect of MST for any person over the age of 17 and the deduction is produced by using the formula —

$$(E - (A \times T)) \times M_{ee}$$

(2) There must be no deduction where $E < A \times T$.

(3) In this regulation —

“A” means the number of days in the pay period divided by the number of days in a year;

“E” means the gross amount of the employee’s earnings during the period;

“M_{ec}” means the rate at which Medical Services Tax is payable by employees under section 5(a) of the Medical Services Tax Ordinance; and

“T” means the amount to be deducted set out under section 37A(1) of the Medical Services Tax Ordinance.”

8. Regulation 10 amended – “Free of tax” remuneration

Regulation 10 is revoked and replaced with the following —

“10. “Free of tax” remuneration

(1) An employer is responsible for correctly calculating the deductions to be made from an employee’s remuneration for one or more of the following —

(a) income tax; or

(b) Medical Services Tax.

(2) An employer must ensure that the deductions under paragraph (1) are correctly calculated and that the balance of the payment to be made to the employee represents the net payment due to the employee.

(3) For purposes of this regulation, an employee’s remuneration (*gross payment*) is the sum total of the net payment made to the employee plus the sums deducted for the payments made under paragraph (1).”

9. Regulation 11 amended - Employees with more than one employment

Regulation 11(a) is amended by omitting “or after 1st January 1998 if they began before that date”.

10. New regulation 11B inserted – Registering for deductions and payments

The following new regulation is inserted after regulation 11B —

“11B. Returns for registering a new business for deductions and payments

(1) A person who commences to carry on a business in the Falkland Islands (“the employer”) must deliver a return (the “new business return”) to the Commissioner stating —

(a) whether or not any person is employed in the business; and

(b) any other particulars required in the return.

(2) A return under paragraph (1) must be made on or before the 14th day of the calendar month following the month in which the business commences to be carried on.”

11. Regulation 12 replaced – Accounting for deductions and payments on account

Regulation 12 is revoked and replaced with the following —

“12. Accounting for deductions and payments on account

(1) This regulation applies to each person required to do one or more of the following things—

- (a) deduct a sum under —
 - (i) these Regulations;
 - (ii) Part 4 of the Taxes Ordinance; or
 - (iii) Part 7 of the Medical Services Tax Ordinance; or
 - (b) make a payment on account of Medical Services Tax payable as an employer under—
 - (i) regulation 11A; or
 - (ii) Part 7 of the Medical Services Tax Ordinance.
- (2) A person to whom this regulation applies must, on or before the 14th of each month —
- (a) deliver to the Commissioner a return (“the monthly return”) in the prescribed form containing all particulars required to be completed in the return; and
 - (b) remit to the Commissioner the total amount of the deductions and payments on account required to be made for the previous month.
- (3) Notice in writing must be given on or before the 14th day of the calendar month following the month in which any of the following events occurs —
- (a) the employer ceases to have any employees working in the business;
 - (b) the employer begins to employ one or more employees in the business;
 - (c) deductions cease to be required to be made under these regulations or Part IV of the Taxes Ordinance in respect of any such employees;
 - (d) deductions begin to be required to be made under these regulations or Part IV of the Taxes Ordinance in respect of any such employees.
- (4) The reference in paragraph (2)(b) to deductions under these Regulations include any deductions required to be made by virtue of section 84 of the Taxes Ordinance.
- (5) If the amount of the deduction referred to in paragraph (4) exceeds the amount of the assessable income, the person required to make the deduction must include an amount equal to the amount of the excess in the remittance delivered to the Commissioner in accordance with paragraph (2)(b).
- (6) A person who fails to comply with paragraph (2) or (3) above commits an offence and is liable on conviction to a fine not exceeding the maximum of level 7 on the standard scale or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.”

12. Regulation 12A replaced – Failure to comply with regulations 11B and 12

Regulation 12A is revoked and replaced with the following —

“12A. Failure to comply with regulations 11B and 12

(1) A person who fails to deliver to the Commissioner any return required by regulations 11B and 12 is liable to a penalty of £50 in respect of each failure.

(2) The obligation to comply with regulation 12 continues notwithstanding the imposition of a penalty under paragraph (1).”

13. Regulation 12B amended – Determination of remuneration and earnings

Regulation 12B is amended in paragraph (1)(a) by omitting “12(1A)(a)” and replacing it with “12(2)(a)”.

14. Regulation 13 amended – Information and preservation of records

Regulation 13 is amended as follows —

(a) by revoking paragraph (1) and replacing it with the following —

“(1) A person who employs any person in the Falkland Islands or in a designated area must, within the time specified in paragraph (2), give notice to the Commissioner in a form designated by the Commissioner specifying all particulars required to be completed in the notice.”

(b) by omitting paragraph (2)(b); and

(c) by omitting paragraph (3).

Made 13 December 2013

N. R. Haywood C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

Sections 83 and 91 of the Taxes Ordinance (Title 69.1) allow the Governor, on the advice of the Executive Council, to make POAT regulations which provide for the making of deductions from employee payments.

The Finance Ordinance 2013 amended the Medical Services Tax Ordinance by introducing a threshold for employees and self employed persons, of £15,000.

The Regulations provide, under *Clause 7*, for a new formula for the calculation of MST deductions based on the introduction of this new threshold.

The draft Regulations further amend the POAT Regulations by —

providing, under *Clause 5*, for the Commissioner of Taxes to make tax tables to assist in the calculation of deductions;

providing, under *Clause 8*, for employers to calculate income tax and MST correctly;

providing, under *Clauses 10 and 11* for separate return forms for new businesses and existing businesses;

providing, under *Clause 14*, flexibility by requiring the use of a designated form.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Supplementary Appropriation (2013-2014) Ordinance 2013

(No: 15 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Withdrawal of additional sum
4. Replenishment of Contingencies Fund

Schedule

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

SUPPLEMENTARY APPROPRIATION (2013-2014) ORDINANCE 2013

(No: 15 of 2013)

(assented to: 13 December 2013)

(commencement: on publication)

(published: 17 December 2013)

AN ORDINANCE

To authorise the withdrawal from the Consolidated Fund of the additional sum of £6,535,600.00 for the financial year ending 30 June 2014.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Supplementary Appropriation (2013-2014) Ordinance 2013.

2. Commencement

This Ordinance comes into force on publication in the Gazette.

3. Withdrawal of additional sum

(1) The Financial Secretary may withdraw an additional sum of £6,535,600.00 from the Consolidated Fund.

(2) Any additional sum withdrawn under subsection (1) may be applied in the financial year ending 30 June 2014 in accordance with section 4 and the Schedule.

4. Replenishment of Contingencies Fund

If any sum has been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant Nos 1 – 4 of 2013/2014, the Financial Secretary will replenish the fund from the additional sum withdrawn under section 3.

SCHEDULE

Number	Head of Service	Amount £
	Operating Budget	
0110	Central Services	472,640.00
0200	Health and Social Services	1,283,880.00
0250	Education and Training	117,230.00
0350	Public Works Department	160,090.00
0410	Natural Resources	269,120.00
0451	Attorney General's Chambers	124,340.00
0550	Emergency Services	187,020.00
0600	Executive Management	329,220.00
0700	The Treasury	2,243,490.00
0620	Mineral Resources	120,000.00
0990	Fund Transfers & Transfer Payments	1,228,570.00
	Total Operating Budget	6,535,600.00
	Total Schedule	6,535,600.00

Passed by the Legislature of the Falkland Islands on 12 December 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Taxes (Amendment) Ordinance 2013

(No: 16 of 2013)

ARRANGEMENT OF PROVISIONS

Section

Part 1 - Introduction

1. Title
2. Commencement

Part 2 - Amendment of Taxes Ordinance

3. Amendment of Taxes Ordinance
4. Amendment of section 2 - Interpretation
5. Amendment of section 28 - Corporation tax rates
6. Amendment of section 40 - Set-off of losses against surplus of franked investment income
7. Amendment of section 44 - Changes in rate of ACT and payment of ACT
8. Amendment of section 49 - Tax credits for certain recipients of qualifying distributions
9. Amendment of section 51 - Provisions supplementary to section 50(3)
10. Amendment of section 57 - Exemptions
11. Amendment of section 69 - Employer's contributions
12. Amendment of section 70 - Carry-forward of relief
13. Amendment of section 71 - Non-approved schemes: payments by employers
14. Amendment of section 74 - Commutation of pension
15. Amendment of section 91 - The POAT Regulations
16. Amendment of section 97A - Allowable deductions: specific examples
17. Amendment of section 97D - Power to make rules about allowable deductions
18. Amendment of section 98 - Restriction on deduction of emoluments before payment
19. Amendment of section 104A - Bunkering activities in Falkland Islands waters
20. Amendment of section 108 - Assets ceasing to belong to businesses, etc.

21. Amendment of section 139 - Interpretation of Chapter IV
22. Amendment of section 183 - Postponement of tax on objection and appeal
23. Amendment of section 195 - Special provisions relating to non-residents
24. Amendment of Schedule A1 - Low Tax Territories
25. Amendment of Schedule 1A - Exemption and Relief from Charge under section 100a
26. Amendment of Schedule 2A - Provision not at Arm's Length

Part 3 - Amendment of Payment on Account of Tax (Employees' Deductions) Regulations

27. Amendment of Payment On Account of Tax (Employees' Deductions) Regulations
28. Amendment of regulation 13 - Information and preservation of records

Part 4 - Amendment of Taxes (Benefits in Kind) Rules

29. Amendment of Taxes (Benefits in Kind) Rules
30. Amendment of rule 4 - Annual values of prescribed benefits
31. Amendment of rule 5 - Exceptions from rules 3 and 4

Part 5 - Miscellaneous Amendments

32. Amendment of Taxes and Duties (Special Exemptions) Ordinance
33. Amendment of Embarkation Tax Regulations

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

TAXES (AMENDMENT) ORDINANCE 2013

(No: 16 of 2013)

(assented to: 13 December 2013)

(commencement: in accordance with section 2)

(published: 17 December 2013)

AN ORDINANCE

To make minor amendments to the Taxes Ordinance and related legislation; the Payment on Account of Tax (Employees' Deductions) Regulations, Taxes (Benefits in Kind) Rules, the Taxes and Duties (Special Exemptions) Ordinance and the Embarkation Tax Regulations.

ENACTED by the Legislature of the Falkland Islands —

**PART 1
INTRODUCTION**

1. Title

This Ordinance is the Taxes (Amendment) Ordinance 2013.

2. Commencement

This Ordinance comes into force on 1 January 2014 unless otherwise specified in a provision.

**PART 2
AMENDMENT OF TAXES ORDINANCE**

3. Amendment of Taxes Ordinance

This Part amends the Taxes Ordinance (Title 69.1).

4. Amendment of section 2 – Interpretation

(1) Section 2(1) is amended by omitting the definition of “expenses” and replacing it with the following —

“expenses” includes any expenditure paid by any person in acquiring the whole or any part of an individual transferable quota, or of a charge on such a quota, (and, accordingly, the quota or charge represented by any such expenditure must not be depreciated in the computation of that person’s chargeable income for any chargeable period);

(2) The amendment made by this section is to be treated as always having had effect.

5. Amendment of section 28 – Corporation tax rates

Section 28(7) is amended by substituting “lower maximum amount” with “threshold amount”.

6. Amendment of section 40 - Set-off of losses against surplus of franked investment income

Section 40(1) is repealed and replaced with the following —

“(1) Subject to section 153, where a company has a surplus of franked investment income for any accounting period —

(a) the company may, on making a claim for the purpose, require that the amount of the surplus must, for the purpose of setting off trading losses against income under section 128(1) be treated as if it were a like amount of income chargeable to corporation tax; and

(b) the company is entitled to have paid to it the amount of the tax credit comprised in the amount of franked investment income by which the surplus is so reduced.”.

7. Amendment of section 44 - Changes in rate of ACT and payment of ACT

Section 44(5) is amended by omitting “Subject to section 47(2),”.

8. Amendment of section 49 - Tax credits for certain recipients of qualifying distributions

Section 49(1) is amended by substituting “basic” with “lower”.

9. Amendment of section 51 - Provisions supplementary to section 50(3)

Section 51 is repealed.

10. Amendment of section 57 - Exemptions

Section 57(1) is amended as follows —

(a) in paragraph (p) by omitting “and”;

(b) by inserting the following new paragraphs after paragraph (s) —

“(t) winter fuel allowance (*an allowance provided by the Falkland Islands Government for the payment of fuel costs during the winter months*) and

(u) any benefits provided to an employee as entertainment (hospitality) by the employer subject to the maximum annual expenditure not exceeding £100 for each employee.”

11. Amendment of section 69 – Employer’s contributions

Section 69 is repealed and replaced with the following —

“69. Employer’s contributions

(1) Contributions paid by an employer must not be regarded as remuneration of the employee for the purposes of this Ordinance where those contributions are paid by an employer —

- (a) under approved personal pension arrangements made by the employee; or
- (b) under approved retirement benefits schemes.

(2) Subject to the provisions of this section, tax must be charged on any repayment to an employee during the employee’s lifetime of any contributions referred to under subsection (1) (including interest on contributions, if any) if the repayment is made under a scheme which is or has at any time been an approved scheme within section 67 or under an arrangement which is or has at any time been an approved arrangement under section 68.

(3) Where any repayment is chargeable to tax under this section —

- (a) it must be added to the chargeable income of the employee for the year of assessment following the year in which the payment is made; or
- (b) if the employee elects, amounts equal to the contributions (if any) made in the year of assessment in which the repayment is made and in each of the preceding six years must be added to the income of the employee in each of those years and charged to tax accordingly, and if the repayment exceeds the aggregate of those amounts an amount equal to the excess must be added to the employee’s chargeable income for the year following the year in which the repayment is made.

(4) An election under subsection (3) may not be made more than two years after the end of the year in which the payment is made, and all adjustments must be made, whether by way of repayment of tax or otherwise, as may be necessary to give effect to any such election.

(5) Subsection (2) does not apply in relation to a contribution made after the scheme or the arrangement ceases to be an exempt approved scheme or an exempt approved arrangement (unless it again becomes an approved scheme within section 67 or an approved arrangement under section 68).

(6) This section does not apply where the employee’s employment was carried on outside the Falkland Islands.”

12. Amendment of section 70 - Carry-forward of relief

Section 70(5) is repealed and replaced with the following —

“(5) In this section, “a relevant assessment to tax” means an assessment on the individual’s relevant earnings or on the profits or gains of a partnership from which the individual derives relevant earnings.”

13. Amendment of section 71 - Non-approved schemes: payments by employers

Section 71(1) is repealed and replaced with the following —

“(1) Subject to the provisions of this Chapter, where, pursuant to a retirement benefits scheme within subsection (2) below, the employer in any year of assessment pays a sum with a view to the provision of any relevant benefits for any employee of that employer, then (whether or not the accrual of the benefits is dependent on any contingency) the sum paid, if not otherwise chargeable to income tax as income of the employee, is to be deemed for the purposes of income tax to be income of that employee for that year of assessment and assessable to tax accordingly.”.

14. Amendment of section 74 - Commutation of pension

Section 74(2) is amended by substituting “basic” with “lower”.

15. Amendment of section 91 – The POAT regulations

Section 91(7)(a) is amended by substituting subparagraph (i) as follows —

“(i) in the case of weekly-paid employees at least 15 hours during that pay period and who has not worked at least 60 hours in aggregate during that pay period and the three pay periods preceding that pay period;”

16. Amendment of section 97A – Allowable deductions: specific examples

Section 97A is amended by inserting the following new paragraph after paragraph (e) —

“(ea) expenditure incurred in providing entertainment to an individual employee subject to the maximum annual expenditure not exceeding £100 for each employee;”

17. Amendment of section 97D - Power to make rules about allowable deductions

Section 97D(a) is amended by substituting “97A(1)(g)” with “97A(g)”.

18. Amendment of section 98 - Restriction on deduction of emoluments before payment

Section 98(7) is repealed.

19. Amendment of section 104A – Bunkering activities in Falkland Islands waters

Section 104A (2) is amended in the definition of “bunkering services” by substituting “Petroleum Ordinance” with “Petroleum Products Ordinance”.

20. Amendment of section 108 – Assets ceasing to belong to businesses, etc.

Section 108(7) is amended in paragraph (b) by substituting “less than” with “more than”.

21. Amendment of section 139 - Interpretation of Chapter IV

Section 139(6) is repealed and replaced with the following —

“(6) Notwithstanding that at any time a company (“the subsidiary company”) is a 51 per cent or 75 per cent subsidiary or a 90 per cent subsidiary of another company (“the parent company”) it must not be treated at that time as such a subsidiary for the purposes of this Chapter unless, additionally at that time —

(a) the parent company is beneficially entitled to more than 50 per cent or not less than 75 per cent or, as the case may be, not less than 90 per cent of any profits available for distribution to equity holders of the subsidiary company; and

(b) the parent company would be beneficially entitled to more than 50 per cent or not less than 75 per cent or, as the case may be, not less than 90 per cent of any assets of the subsidiary company available for distribution to equity holders on a winding-up,

and Schedule 1 applies for the purposes of this subsection as it applies for the purposes of section 38(10)(b).”

22. Amendment of section 183 – Postponement of tax on objection and appeal

Section 183(14) is amended by inserting “with” immediately after “in accordance”.

23. Amendment of section 195 – Special provisions relating to non-residents

Section 195 is amended as follows —

(a) in subsection (2B) by inserting the following new paragraph after paragraph (d) —

“(e) carry-forward relief for pensions under section 70.”; and

(b) in subsection (10) by substituting “produced out of” with “produced outside of”.

24. Amendment of Schedule A1 - Low Tax Territories

Schedule A1 is amended by substituting paragraph 2 as follows —

“2. The table referred to in section 34A(4) is the following —”.

25. Amendment of Schedule 1A - Exemption and Relief from Charge under section 100a

Schedule 1A is amended as follows —

(a) in paragraph 6(4)(a) by substituting “donor” with “seller”; and

(b) in paragraph 10(6) by substituting “sub-paragraph (2)” with “sub-paragraph (4)”.

26. Amendment of Schedule 2A - Provision not at Arm’s Length

Paragraph 5(2) of Schedule 2A is amended by substituting “paragraph 11(2)” with “paragraph 10(2)”.

PART 3

AMENDMENT OF PAYMENT ON ACCOUNT OF TAX (EMPLOYEES’ DEDUCTIONS) REGULATIONS

27. Amendment of Payment On Account of Tax (Employees’ Deductions) Regulations

This Part amends the Payment On Account of Tax (Employees’ Deductions) Regulations (Title 69.1.3).

28. Amendment of regulation 13 - Information and preservation of records

Regulation 13(5) is repealed and replaced with the following —

“(5) A person to whom this paragraph applies must —

(a) make a written record of —

(i) the deduction or payment on account; and

(ii) particulars of the employee in respect of whom it was made; and

(b) keep that record until the expiry of a period ending 6 years after the end of the calendar year in which the deduction or payment on account was made.

(6) A person who fails to comply with paragraph (1) or (5) above commits an offence and is liable on conviction to a fine not exceeding the maximum of level 7 on the standard scale or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.”.

PART 4

AMENDMENT OF TAXES (BENEFITS IN KIND) RULES

29. Amendment of Taxes (Benefits in Kind) Rules

This Part amends the Taxes (Benefits in Kind) Rules (Title 69.1.5).

30. Amendment of rule 4 - Annual values of prescribed benefits

Rule 4(8) is amended by substituting “third column” with “second column”.

31. Amendment of rule 5 - Exceptions from rules 3 and 4

Rule 5(7)(a) is amended by substituting “but otherwise they apply in relation to all employees)” with “but otherwise it applies in relation to all employees)”.

PART 5

MISCELLANEOUS AMENDMENTS

32. Amendment of Taxes and Duties (Special Exemptions) Ordinance

Section 9A(4) of the Taxes and Duties (Special Exemptions) Ordinance (Title 69.2) is amended by omitting paragraph (b) and replacing it with the following —

“(b) may be granted so as to have retrospective effect;”.

33. Amendment of Embarkation Tax Regulations

The Schedule to the Embarkation Tax Regulations (SR&O No 34 of 1999) is amended in paragraph 3(e) by substituting “Meteorological Officer” with “Meteorological Office”.

Passed by the Legislature of the Falkland Islands on 12 December 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

Livestock and Meat Products (Amendment) Ordinance 2013

(No: 17 of 2013)

ARRANGEMENT OF PROVISIONS

Section

PART 1 - INTRODUCTION

1. Title
2. Commencement

PART 2 – AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS ORDINANCE

3. Amendment of Livestock and Meat Products Ordinance
4. Section 3 amended — Interpretation
5. Section 4 amended — Power to make regulations
6. Section 5 amended — Application of EU law

PART 3 – AMENDMENT OF LIVESTOCK ORDINANCE

7. Amendment of Livestock Ordinance
8. Part III amended — Marking of Sheep and Cattle

**PART 4 – AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS
(IDENTIFICATION AND MOVEMENT OF PIGS) REGULATIONS**

9. Amendment of Livestock and Meat Products (Identification and Movement of Pigs) Regulations
10. Regulation 5 amended — Ear marking
11. Regulation 9 amended — Offences

ELIZABETH II



FALKLAND ISLANDS

NIGEL ROBERT HAYWOOD C.V.O.,
Governor.

LIVESTOCK AND MEAT PRODUCTS (AMENDMENT) ORDINANCE 2013

(No: 17 of 2013)

(assented to: 13 December 2013)
(commencement: on publication)
(published: 17 December 2013)

AN ORDINANCE

To amend the Livestock and Meat Products Ordinance (No 14 of 2010), the Livestock Ordinance (Title 5.3) and the Livestock and Meat Products (Identification and Movement of Pigs) Regulations (SR&O No 27 of 2010); and for connected purposes.

ENACTED by the Legislature of the Falkland Islands —

PART 1
INTRODUCTION

1. Title

This Ordinance is the Livestock and Meat Products (Amendment) Bill 2013.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

PART 2
AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS ORDINANCE

3. Amendment of Livestock and Meat Products Ordinance

This Part amends the Livestock and Meat Products Ordinance.

4. Section 3 amended – Interpretation

Section 3 is amended —

(a) by inserting the following new definition after the definition “abattoir”;

“animal by-product” means the entire body or parts of an animal, a product of animal origin or other products obtained from an animal, which are not intended for human consumption, including oocytes, embryos and semen;

(b) by omitting the definition of “export season”;

(c) by omitting the definition of “meat” and replacing it with the following —

““meat” means the edible parts of an animal;” ; and

(d) by repealing subsection (5).

5. Section 4 amended – Power to make regulations

Section 4 is amended —

(a) in subsection (1) by inserting the following new paragraph after paragraph (j) —

“(k) the treatment and control of animal by-products.”; and

(b) by repealing subsection (3).

6. Section 5 amended – Application of EU law

Section 5(6) is amended by omitting “during the export season”.

**PART 3
AMENDMENT OF LIVESTOCK ORDINANCE**

7. Amendment of Livestock Ordinance

This Part amends the Livestock Ordinance.

8. Part III amended – Marking of Sheep and Cattle

Part III is amended by omitting “and cattle” in each place it appears.

**PART 4
AMENDMENT OF LIVESTOCK AND MEAT PRODUCTS (IDENTIFICATION AND
MOVEMENT OF PIGS) REGULATIONS**

9. Amendment of Livestock and Meat Products (Identification and Movement of Pigs) Regulations

This Part amends the Livestock and Meat Products (Identification and Movement of Pigs) Regulations.

10. Regulation 5 amended – Ear marking

Regulation 5 is repealed.

11. Regulation 9 amended – Offences

Regulation 9(1) is amended by omitting “5 or”.

Passed by the Legislature of the Falkland Islands on 12 December 2013.

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

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

C. PRIOR M.B.E.,
Clerk of the Legislative Assembly.

Published by the Attorney General's Chambers, Stanley, Falkland Islands
Price: Five pound and forty pence.

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