



**RECORD OF THE MEETING
OF THE LEGISLATIVE ASSEMBLY**

**HELD IN STANLEY
ON 16 DECEMBER 2011**

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HELD IN STANLEY ON FRIDAY 16 DECEMBER 2011**

The Speaker of the House
(Keith Biles, JP, B.Sc., ACIB)

MEMBERS (Ex-Officio)

The Honourable Chief Executive
(Dr Timothy Rupert Thorogood)

The Acting Financial Secretary
(Mrs Nicola Granger)

Elected

The Honourable Janet Lynda Cheek
(Elected Member for Stanley Constituency)

The Honourable Dr Barry Elsby
(Elected Member for Stanley Constituency)

The Honourable Roger Anthony Edwards
(Elected Member for Camp Constituency)

The Honourable Sharon Halford
(Elected Member for Camp Constituency)

The Honourable Ian Hansen
(Elected Member for Camp Constituency)

The Honourable Richard (Dick) Sawle
(Elected Member for Stanley Constituency)

The Honourable Gavin Phillip Short
(Elected Member for Stanley Constituency)

The Honourable Michael Summers OBE
(Elected Member for Stanley Constituency)

PERSONS ENTITLED TO ATTEND

The Attorney General
(Mark David Lewis)

Commander British Forces South Atlantic Islands
(Brigadier William Aldridge CBE)

CLERK: Claudette Prior MBE

PRAYERS: Reverend Kathy Biles

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**The Record of the meeting of Legislative Assembly
held on Thursday 16 December 2011**

Prayers

Clerk of the Assembly

The Oath of Allegiance by the Honourable Dr Barry Elsby and the Honourable Ian Hansen.

Clerk of the Assembly

The confirmation of the record of the meeting of Legislative Assembly held on 27 October 2011.

Mr Speaker

Honourable Members I have in front of me a record of that last meeting of the Legislative Assembly is it your wish that I sign this as a true record of that meeting?

Aye.

Clerk of the Assembly

Papers to be laid on the Table by the Honourable the Chief Executive:

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

- Electoral (Amendment) Ordinance 2011 (Correction) Order 2011
- Jury (Amendment) Bill 2011
- Domicile (Reform) Bill 2011
- Telecommunications (Amendment) Bill 2011

The Honourable Chief Executive

Mr Speaker, Honourable Members I lay on the table the papers as listed by the Clerk.

Clerk of the Assembly

Orders of the Day – Bills

The Jury (Amendment) Bill 2011. This Bill has been gazetted therefore we go to the second reading.

The Honourable Chief Executive

Mr Speaker, as Honourable members will be aware this is, in fact, the third time that proposals to amend the Jury Ordinance have come before the Assembly in recent months. Now a number of views were expressed on the original Bill by Members and also by others involved in the Justice system and, indeed, by members of the wider public. So, following a process of consultation that Bill was withdrawn at the last meeting of the Assembly.

So there is a new Bill that took those views into account being presented instead. That's the one we've got today. The new Bill, Mr Speaker, is less ambitious than the original Bill in a number of respects. So it may be helpful for me to clarify how it differs from the previous version as well as what it still seeks to do.

Mr Speaker, the original Bill sought to address two issues, firstly the risk that the verdict given by a jury could be challenged because the pool of potential Jurors was not large enough or wide enough and secondly the risk that in some circumstances there could be inconsistent verdicts in separate trials on the same violation.

Now, having considered the comments received during the consultation process, it is no longer proposed to make any changes in relation to the order of trials and cases where defendants charged in a single indictment make different choices about the way in which they are to be tried.

It is, though, still proposed to make changes to the qualifications for Jury Service. Two changes have been made to the original proposal. It is now proposed that the upper age limit for Jury Service should be increased from 65 to 75 and not just 70, which was the original proposal. It is also now proposed there should be a requirement of 12 months ordinary residence in the Islands before those who hold a work permit or residence permit become eligible and liable for Jury Service.

It is, Mr Speaker, still considered that the pool of potential jurors needs to be enlarged for several reasons: firstly, there is still a risk that the verdict of a jury trial from an existing pool of potential Jurors could be challenged because that pool is not large enough or wide enough. Secondly, there are also very practical considerations about having a large enough pool simply in terms of absolute numbers from which a panel for Jury Service could be assembled.

It is also worth bearing in mind that anyone in the Falkland Islands on whatever basis could potentially be accused of a serious crime and that everyone has the right to be tried before a jury that reflects the entire community, which is, of course, made up of a number of strands. From a pragmatic point of view, just increasing the upper age limit and adding Permanent Residence Permit holders to the pool of potential jurors would not expand it enough to deal with practical issues. Between them those categories would only just add over 300 people to the pool. Nor on their own do those changes deal fully with the principle I mentioned just now.

However, it's recognised that anyone who is serving on a jury should have something more than a fleeting connection with the Islands. For that reason, although it is still proposed that holders of work and residence permits and their dependents should be

added to the jury pool it is proposed that there should be a requirement of 12 months ordinary residence before that happens.

The 12 months' requirement is intended as a balancing measure and it is equivalent to the qualifying period that applies for inclusion of Falkland Islands' status holders on the electoral role.

Mr Speaker, to recap, if this Bill is approved, the categories for Jury Service would be as follows:

1. Registered Voters, which covers those with Falkland Islands' status who have been resident here for at least 12 months
2. Permanent Residence Permit holders who, again, have been resident for at least three years in order to qualify for PRP in the first place
3. Work Permit holders but only those who have been ordinarily resident for at least 12 months.
4. Residence Permit holders but only those who have been ordinarily resident for at least 12 months.
5. And finally, adult dependants named on a work or residence permit but only those who had been ordinarily resident here for at least 12 months

The residence requirements I have outlined would replace the existing requirements of 5 years' ordinary residence since the age of 13.

Mr Speaker, totalled together these changes would significantly increase the number of people who would be qualified for Jury Service but, because of the way in which information is held on immigration data, it's difficult to provide precise figures for those who have been here for at least 12 months. And these figures, of course, would vary from time to time in any event. However, as a guide, if we assume only half of work and residence permit holders and their dependents would qualify, the jury pool could be made up roughly as follows:

1. Around 1500 registered voters under 75
2. Around 150 PRP holders
3. Around 600 Work and Residence Permit holders and Adult Dependents with 12 months' residence

Mr Speaker that would be a significant increase on the existing pool in the region of about 72%.

As before, the Bill would also make the necessary changes to the machinery for identifying those who are liable for any Jury Service and summoning Jurors when they are needed.

It would also still limit automatic excusal from Jury Service from those who actually serve on a jury. That would make a modest but useful contribution to the size of the jury pool by limiting the numbers taken out of it.

The bill also contains an amendment to disqualify those being held on remand from Jury Service as well as those on bail. However, this is unlikely to affect the number significantly.

Finally, the Bill would make some minor changes to the Jury Ordinance to reflect changes in the Constitution and errors that have been found during the process of drafting.

There would be risks involved in not making any changes to the Jury Ordinance. If existing provisions are left as they are, there is a serious risk that defendants could successfully argue that their rights to a fair trial had been infringed. However, it was clear that the proposals in the original Bill are seen by many as going too far.

This Bill, Mr Speaker, is intended to strike a balance.

I beg to move that the Bill be read a second time.

The Acting Financial Secretary

Mr Speaker, I second the Motion.

The Honourable Mike Summers

Mr Speaker, Honourable Members, I made it clear from the beginning that I support the intent behind this Bill but I am still unhappy about the way that it's arrived at this House and therefore will continue to make my views known and when we are in the Committee of the Whole I intend to propose an amendment. It will be for Members then to decide whether to support that amendment or not. The process of this Bill was not well done as we know. I am delighted that it finally went to public consultation. I was equally delighted when, during public consultation all those who responded and all those who were present at the Public meeting with absolutely no exception whatsoever objected to the inclusion of work permit holders in this Bill. One wonders therefore, who was listening to the public in this respect.

There are times, of course, when the Government has to lead and times when it has to listen. I think this is a time when it has to listen to the public because it's a public issue, the Administration of Justice. I don't agree one iota with the Chief Executive that the rights to a fair trial may be infringed by the current arrangements for jury service. Why do I say that? Because no one has ever done so; he has no grounds for making such an assertion other than somebody's speculation.

Therefore, Mr Speaker, I believe that this Bill is still fundamentally flawed and I will be proposing an amendment when we come to the Committee of the Whole.

Mr Speaker

Does any other Honourable Member wish to speak?

The Motion is that the Bill be read a second time, is there any objection to that Motion?

The Honourable Chief Executive

Mr Speaker, I apologise I was conferred with the Attorney General about the best point at which to speak to some of the points the MLA Summers has made. He felt that insertion would be at the second reading stage.

Mr Speaker

Is there any objection to a second reading of the Bill? There is no objection, the Bill will be read a second time.

Clerk of the Assembly

The Jury (Amendment) Bill 2011

Mr Speaker

Honourable Members since there are some serious reservations about this Bill, could I suggest that we move to a Select Committee, not necessarily now, but at some point and therefore full consideration can be given to both the concerns that have been raised and also any change to the wording that you may wish. It would be more appropriate, I would suggest, doing it in a Select Committee than on the floor of the House in the Committee stage.

If anyone would like to propose at this stage that the Bill be referred to a Select Committee then please do it now.

The Honourable Chief Executive

Mr Speaker, from the point of view of officials that sounds very sensible and I am happy to move your proposal.

The Honourable Mike Summers

I second the Motion

Mr Speaker

The Motion is that the Bill be referred to a Select Committee for further consideration. Is there any objection to that Motion? There is no objection, the Bill will be referred to a Select Committee, I would suggest that it is chaired by the Attorney General or an Honourable Member?

The Honourable Mike Summers

Mr Speaker the convention is that whoever proposes the Motion should chair the Select Committee. Since the Chief Executive may not be present, it maybe myself as the seconder or the Attorney General, I have no objection either way.

Can I propose that the Attorney General chairs the Select Committee.

Mr Speaker

The proposal is that the Attorney General chairs that Select Committee and it will be made up of all elected Members. Is there any objection to that Motion? There is no objection.

The Clerk of the Assembly

The Domicile (Reform) Bill 2011

The Honourable Chief Executive

Mr Speaker, thank you. I hope this Bill will prove to be uncontroversial because it is intended to make a small but useful reform of the law by abolishing a rule that discriminates against married women.

Domicile is a legal concept used to work out which country's law applies to an individual for various purposes. This is different from nationality and immigration status. It is possible for someone to be domiciled here without having Falkland Islands' Status. On the other hand, it is also possible for someone with status to be domiciled somewhere else.

It emerged only recently that Falkland Islands' law still prevents married women from having their own domiciles and that they automatically have the same domiciles as their husbands, whatever their circumstances.

This is clearly discriminatory and it can no longer be justified. Indeed, the corresponding rule was abolished in the UK nearly 40 years ago. This Bill would abolish the rule preventing married women from having their own domicile.

Women who marry in the future would never be subject to this form of discrimination. Women who are already married would initially keep their domiciles that they already have but they would be able to acquire their own domiciles in future.

Finally, Mr Speaker, I should mention something that this Bill does not do. It does not affect the law for domicile for children, which also needs to be reformed. That is going to be considered separately in the context of a number of other issues about the law relating to children.

Mr Speaker, I beg to move the second reading of the Bill.

The Acting Financial Secretary

I second the Motion.

Mr Speaker

Does any Member wish to speak to the Bill? There is no debate, is there any objection to dealing with this Bill by the short procedure? No objection, does any

Member wish to propose any amendments to the wording of the Bill? No amendments. I declare that the Bill be read a third time and do pass.

The Clerk of the Assembly

The Domicile Reform Bill 2011.

The Telecommunications (Amendment) Bill 2011

The Honourable Chief Executive

Mr Speaker, Please, may I declare an interest in this Bill and I will take no part in the proceedings. I will hand it to my Colleague the Acting Financial Secretary to introduce this.

The Acting Financial Secretary

Mr Speaker, this Bill is intended to make technical but necessary changes to the Telecommunications Ordinance. In November 2010 amendments were made to the Telecommunications Ordinance. Among other things, these amendments allowed for the creation of the Telecommunications Appeals Panel. They also detailed the process for setting up the panel and defined its role in relation to telecommunications matters.

The role of the panel is mainly limited at the moment to dealing with appeals under Section 11(d) of the Telecommunications Ordinance, which deals with penalties that can be imposed on a telecommunications utility. However, the panel also has the right to be consulted before decisions are reached about arrangements to be made in relation to it.

This Bill would do two things:

1. It would make a modest but useful expansion to the role of the Panel
2. It would remove the need to consult the panel before its first members are appointed and define the consultation process at times where there are vacancies.

The role of the Panel will be expanded in two ways:

1. It would enable the panel to be consulted more generally about telecommunications matters
2. Other disputes between Government and the telecommunications utility could be referred to the panel for resolution

However, disputes that are not appealed against, penalties could only be referred to the Panel by agreement on both sides either by an agreement to refer a specific dispute or under a dispute resolution clause in a contract.

Moving on to consultation:

To simplify the process of establishing the Panel, this Bill would allow arrangements for the Panel to be put in place before its first members are appointed. It also clarifies as at times in the future when there are vacancies on the Panel, consultation with the remaining Panel members, even if there is only one, would be sufficient. It would also allow for a situation where no members were left on the Panel.

Mr Speaker, as I said earlier, the changes that this Bill would make are technical but they are necessary for effective and appropriate regulation of telecommunications in the Falkland Islands.

I beg to move the second reading of the Bill.

The Honourable Dick Sawle

Mr Speaker, I second that Motion.

Mr Speaker

The Motion is that the Bill be read a second time, is there any objection to that Motion?

The Honourable Mr Gavin Short

I jumped in at the wrong time, Mr Speaker, I just wish to declare an interest in this Bill and remove myself from any debate or subsequent voting.

Mr Speaker

Thank you, the Motion is that the Bill be read a second time. Does any Member wish to speak to the Bill?

The Honourable Mike Summers

Mr Speaker; may I raise an issue of general principle, not specifically to do with this Bill but in general principle in terms of the way that we present the law? We had a case recently where there has been a potential miscarriage of justice because the law is set down in various different places. Cross-referencing is not always that clear. Here we have a relatively short piece of legislation with some relatively simple amendments to it. Would it not have been possible, can I ask the Attorney General perhaps? Would it not have been possible to have reproduced the whole Bill here so that when anybody wants to refer to this in the future they don't have to go and look for two separate Bills? And this may, in fact, be the case for amending other bits of legislation. If we can ever do that, it seems to be a good thing to do to simplify the law as best we can.

The Attorney General

Mr Speaker, Yes, it is of course possible when bringing amendments to existing legislation to present the entire Bill with those amendments incorporated within that. That then would essentially be asking the House to approve the entire Bill again

including those amendments rather than simply focusing on the amendments themselves. So it potentially broadens out the area of debate and consideration but it is a way of doing things.

I think the other comment I would make on that is that sometimes there is legislation which is updated a number of times so you end up seeing the whole Bill plus additions on a number of occasions. I think in that sense there does come a point where consolidating that altogether and presenting it in a clean way is actually advantageous. I think the way we would like to approach that is on a best fit approach if it is a relatively simple amendment then we do it in the short way. If we are fixing different bits of a Bill then we present the whole thing with all those bits in there.

But I am happy to discuss that further.

The Honourable Dick Sawle

I agree wholeheartedly with the Honourable Mike Summers' suggestion but I think it also goes further than that; it goes also to the presentation of the Laws of the Falkland Islands, which is something which we have discussed many times. That in itself, I gather, is a potentially huge issue but nevertheless, in the meantime it could also be possible, could it not, perhaps I could ask the Attorney General to produce an amendment such as this one and then at a later date to publish the amended Ordinance rather than have the whole Bill come before this House for approval?

The Attorney General

Yes, I shall give some consideration to it.

Mr Speaker

The Motion is that the Bill be read a second time, is there any objection to that Motion, the Bill will be read a second time.

The Clerk of the Assembly

The Telecommunications (Amendment) Bill 2011.

Mr Speaker

Is there any objection to dealing with this Bill by the short procedure? No objection, does any Member wish to propose any amendments to the wording of the Bill? There are no amendments. I declare that the Bill will be read a third time and do pass.

The Clerk of the Assembly

The Telecommunications (Amendment) Bill 2011.

The Motion for Adjournment.

The Honourable Chief Executive

Mr Speaker, I beg to move that the House stands adjourned *Sine Die*.

The Honourable Mike Summers

Mr Speaker, there is clearly no rush to go first today so I am happy to do so. I would like to first welcome our colleague Ian Hansen back to this House. I am delighted to seeing him here representing his constituency. And I would also welcome Dr Barry Elsbey to the House for the first time and congratulate him on his stunning victory last night. It's possibly one of the most overwhelming by-election victories we have ever seen. Congratulations to both of you.

There's been a lot in the news in this last day or so about the Montevideo port and I think it's appropriate just to say a few words here about where we are. It is not entirely clear what the issue is in relation to Falklands' flagged vessels in the Port of Montevideo and I think, therefore, that we should resist taking any action until such time as we are absolutely clear what the Government of Uruguay is saying on this issue as opposed to what one or two of their newspapers and possibly the president's website is saying about the issue.

But it clearly is a reflection of what's going on at the current time in Latin America. And I know that a number of people in the general public are very concerned about the future of the air link. I wanted, therefore, to assure members of the public today that in the event, if the LAN air link were cut the Government could react in very short notice to that and put something else in its place that would not be affected and could not be affected by Argentine pressure. So as much as a discomfort as the cutting of the LAN link would be to us, it's not fatal and it's not terminal. And as we've often said before, we will get on and do something else and we will live our lives perfectly happily without interference from the other side.

That leads me into some extent one or two of my portfolio responsibilities. I just want to say a few words today about the Tourism Development Strategy and the work that we've been doing on that because to some extent these things are linked; and to deal with an issue that was unfortunately raised by a member of the public and thrown around to try and throw a few stones in the wheels of what I think is quite important work.

The Tourism Development Strategy is quite an important document. It's important to the Falklands' economy and it's important for all the people who work in the Tourism industry. And it's important therefore that both from the industry side and on the Government side we have the best possible mechanism for delivering that strategy. And the discussions that have been taking place with interested parties in the last 3 or 4 weeks have been exactly to do that. There is no intention on anybody's part to either hijack the Tourist Board or to do anything that isn't in the very best interest of the people who actually work in and operate the tourist industry.

So as we move forward we will be looking at the best way to deliver our Tourism Development Strategy and we won't change any of the mechanisms unless everybody

is fully in agreement with it. So I hope that clarifies the issue for members of the public.

I wanted to say just one other thing today and that is to address the issue for members of the public about the budget surplus. There was very happily a budget surplus in the last financial year that we didn't know was coming. There is now likely to be one in this financial year that was not budgeted for. It is highly likely that there will be one next year as well because we know what the activities are in the oil drilling field for the next year. I think therefore it's incumbent on the Government to look at how those surpluses should best be used for the benefit of the whole community. One of the options is simply to squirrel them away in reserves but there are very, very many other options and different people will come up with different sets of proposals. I would like to suggest therefore that in the Standing Finance Committee in January we have a discussion about whether we should or should not use some of those surpluses and how we use them because I think it's too long to wait for the conclusion of the budget session.

And in particular, I think that there is an onus on us to return some of the money to the general public, to those people in the lower paid areas of the general public who were severely disadvantaged by the introduction of an employment tax, medical service tax as it is called and by the reduction of the thresholds for taxation. And I, in particular, would propose that those should be, in the second instance, reversed so it goes back to £14,000 for the next financial year and that the level of MST be set to zero. That would cause only minimum bureaucratic disruption and no extra work in the Tax Office, unlike introducing the thing in the first place.

I think there is an imperative on the government to have a look at those things and I would hope that we would do that in January.

In closing I would just like to thank the Chief Executive for all the work he has done for and on behalf of the government over the years he has been here. It's not always been a comfortable time for him but I am sure it's always been an enjoyable time. I have enjoyed working with him as indeed I have enjoyed working with his predecessor and I hope his successors. So I will close by wishing everybody in the Falklands a very Merry Christmas and I will see you at the races.

I support the Motion.

The Honourable Dick Sawle

Mr Speaker, Honourable Members, it seems like a very short time since we were last here together but the noticeable difference is that there are no longer six but there are now eight of us since last night's results. It is good to be up to full strength once again and I would like to congratulate Ian Hansen to the Assembly. Ian has many years' experience in this job and I look forward to working with you, Ian.

I firmly believe in a single constituency, by the way, and I do believe that the fact that Ian was elected unopposed does lend some strength to that argument. But this is not any form of criticism of yourself whatsoever; it is simply an observation.

Mr Speaker, I would also like to congratulate Dr Barry Elsby on his resounding election on Thursday night. His was certainly a resounding victory and does credit to the amount of effort put into his approach. It is good to see the electorate judge that fresh views and perspectives are still high on their agenda. I will enjoy working with them both and at the same time; I would also like to offer commiserations to John, Steve and Norman.

I hope and expect that we will approach all the country's issues with one thing uppermost in mind, support for our country and putting the country first in everything we do. I look forward to working with them both on the many issues that we face. I also sincerely hope that we do not lose any more Members along the way between now and November 2013, when we have the next general election.

Democracy, a cynic might say, is the name we give the people when we need them. Over the last two years that process has been repeated twice so we could perhaps argue that we are more democratic than most here in the Falklands.

Mr Speaker, election time is when we all think about leadership. And I noted that the comments in an editorial recently in Penguin News largely reflected my own thoughts, which I have expressed in this chamber on more than one occasion, namely that we must give serious consideration to expanding the pool of potential candidates for election. Members' pay is only one element of this. The barrier of low wages does not stimulate competition; neither does it reflect the fact that the job of being an MLA certainly should now be considered a full-time job.

It involves much Town Council work, national strategic planning and increasingly more involvement in international matters that affect the Falklands. There should be no impediment to people wishing to stand for election. And once elected there should be ample and adequate resources to carry out their task.

But it's not just about pay, Mr Speaker, we need to look at the scrutiny mechanisms within our government as well. We have a Public Accounts Committee and a Complaints Commissioner. Both are welcome mechanisms. But in the case of the PAC we have two Members of government potentially scrutinising their own decisions made on Standing Finance Committee. Five Members sitting opposite me - often four in recent times - are meant to carry out the scrutiny role of those who are elected to Executive Council. Yet they won't have sight of all papers and have the opportunity to influence EXCO decisions and will be voting on an equal basis on all financial decision making through SFC.

There is therefore no real scrutiny mechanism other than that of public discontent. Members have portfolio responsibilities but no real powers to back up those responsibilities as the Civil Service is led by the Chief Executive and not by Members.

We have no elected leader and there is a lack of continuity in many of our roles that we carry out, especially those within international bodies that we frequently attend. This latter point is something which is unfortunately being promoted by this Assembly which I feel is completely wrong.

In summary, Mr Speaker, we do need to look at how we work more closely. It is far wider than what Members should be paid.

Constitutions, as Henry Bellingham MP, the Overseas Territories Minister said at the last Overseas Territories' Meeting, should be viewed as "work in progress". And we should not shy away from essential repair and maintenance work on our own Constitution as well as adding elements to it which I would hope could be viewed as assets.

But, Mr Speaker, what has become clear to me in my short time here is that any changes require a co-ordinated, carefully planned approach. I would like to repeat that just giving members more pay is not what this is about. And I wish to make that quite clear. I would hope that colleagues and the public generally would welcome further debate on this aspect of our government as I believe our country would benefit from it. I will not let it drop under the radar as I feel very strongly that we should be debating and discussing this quite openly as I frequently do in conversation with people.

Mr Speaker, I would now like to say a few words about succession planning. I briefly attended a course at Darwin Lodge recently, which is part of this process. I think there were about 18 people from the public sector from all types of roles and all ages. It was a huge success from what I have been told and also from what I experienced. People could see advantages in working together. There was a united approach to solving problems and a lively debate about many issues. Above all, there was enthusiasm about the Falklands, their issues and their future. It was a great boost to morale. This Assembly has always had succession planning listed as a high priority objective and quite rightly so.

The course was only one part of a larger process that has been going on for some time now and which still has some time to run. I wish those that had been involved and those that may yet be involved every success. I have raised this as an important issue within other Overseas Territories and there are others that are looking at taking on a similar approach, especially where the OT is relatively small as we are. I hope that we may be able to share our experiences with other OTs and maybe place people on secondments so that they can widen their experience. This is already about to happen with at least one senior civil servant, who will be going to the UK for a time to work in a different environment. I wish them all the best and know that the experience will stand them in good stead and also be of great benefit to us.

Recently I attended the Overseas Territories Conference with my Honourable Colleague, Jan Cheek. The value of this conference cannot be underestimated as it forms a vital and direct link between the Falklands and the UK Government. It is also not simply a matter of attending a conference once a year. There is much work that goes on during the year. There are regular telephone conferences specifically between the South Atlantic OTs – St Helena, Tristan, Pitcairn, and of course, Ascension Island. The Falklands have been sharing and leading a discussion on many of our experiences with these OTs, namely the specific areas of economic development, tourism strategy, renewable energy, succession planning and conservation. A new structure for taking these things forward in a more efficient manner was agreed in London.

In London we get the opportunity also to speak directly with Ministers about Falklands' issues and in the conference itself leaders from the OTs debate matters that are of concern to us with a variety of Ministers and senior civil servants.

The message that was delivered in the early days of the new Coalition Government in the UK was that they viewed OTs as assets and not liabilities. This very strong message has not lost any impact. Whether it is the construction of a new £250Million airport in St Helena or the attention and support given to us in defence, international affairs, the evidence is clear, the Falkland islands have the full support and commitment of the UK Government in our right to self-determination and seeks to help us wherever possible.

We have access to skills and expertise within the UK, something which we have benefited from just recently with the review of the review of government being carried out. The white paper on the UK's relationship with its OTs is not yet finished but will be an important mile-stone for us and will set the political trend in this relationship for the future.

Following the OTCC, I went on to a meeting of Stanley Services and then on to Brussels, again with the Honourable Jan Cheek to brief a number of MEPs and senior officials within the EU on the Falklands' situation. We were very well received and I believe that we got our key points across to all those that we met. I firmly believe that they were genuinely pleased that we had taken the time to make the visit. The very clear message that we got from all of those that we met was that they were in no doubt whatsoever that our relationship with the EU as an associated territory was not under any threat whatsoever. This was clear and unequivocal and it was reassuring to hear this first-hand. This is especially important given the political gains that have been played out over the water with Uruguay at the moment.

Finally, whilst in the UK, I attended the Battle Day ceremony in London and laid a wreath at the Cenotaph on behalf of the Falkland Islands' Government, after which I attended and spoke at the Falkland Islands' Association AGM. David Tatham has now retired as Chair and Alan Huckle was voted in as the new Chairman. David has served the Association well for several years and we all wished him and Val the very best for their second retirement. Alan, I know is a very strong and enthusiastic supporter of the Falklands and will serve the Falklands and the Association well for the future.

I did a brief question and answer session on the current situation on the Falklands, which I believe and hope was useful. The Association is important to us. Amongst its members are many influential people who give our voice direct access to many who otherwise would be difficult to reach. It is important, Mr Speaker, that we take these opportunities to speak directly to such bodies whenever they may arise.

I would also like to thank everyone at FIGO, especially Sukey, for their invaluable help in getting me to the right place at the right time, something which I have found difficult to achieve throughout most of my life. The work they do is tremendous, especially within the turmoil of UK politics. Sukey alone is worth a dozen PR companies.

Our Chief Executive, Tim Thorogood, will be leaving us in the New Year and going on to pastures new. I do wish him and Alison the very best for the future. The detail of what they will be doing is still unclear but then I believe that he will forgive me for saying that this is in line with his approach to many issues. I know that he intends to sail away from these shores in the company of David Waugh, who like Tim, will be sorely missed. Both Tim and David have at times been controversial figures but then, heck, who has not at some stage been controversial? Let he who is without sin cast the first stone.

Our senior civil servants often drive us to despair but then, to be fair, I think the reverse is often true also, another reason, by the way, for looking closely at how we interact with each other in attempting to improve the mechanisms of Government.

So I wish the very best to the Owl and the Pussycat, I am not quite sure which is which – as they sail away for what I hope is not a year and a day and perhaps at the land where the bong tree grows. Please do remember to take some money and plenty of honey wrapped up in a £5 note, oh and a good HF set as well.

I appreciate that most of this speech is related to matters abroad as that is where I've been for the last four weeks and I make no apologies for this as I believe that these events are of paramount importance to us all.

Getting the message of self-determination out and about is a major part of our role at present. Rockhopper's recent announcement and the arrival next year of the Leif Erickson Deep Water Rig, coupled with the arrival of Prince William on SAR duties plus the Duke of Kent in November, the fact that 2012 will be a Diamond Jubilee year and last but by no means least the 30th celebrations of freedom from a hostile invasion force all mean that the pressure will no doubt increase.

However, the good news is that I do believe that we are strong and steadfast in our aims and, most importantly of all; we have developed strategies to cope with whatever may come.

Mr Speaker, I would like to wish everyone, wherever they may be a very Merry and Happy Christmas and make no excuse in looking forward with eager anticipation to the New Year and whatever 2012 may hold in store for us.

The Honourable Roger Edwards:

Mr Speaker, Honourable Colleagues, I will be somewhat shorter than the colleague sitting to my left. I, too, would like to offer my congratulations to both Ian and Barry on their election to the Assembly and I look forward to working with them both. I have worked with Ian before and I know that he is a great friend of the Falklands and a supporter of the Falklands.

This leads me on to the second item of interest – Argentina. Two colleagues have mentioned this morning the on-going problems with Uruguay and Argentina's myths, lies and their altered history is having an affect over a wider and wider area and across the world. We know we have full support and commitment by the British

Government and I have never heard such strong support as the speech by the Foreign Secretary at the Conservative Party Conference that we attended earlier this year.

We, with the help of the Foreign Office, are trying to combat this somewhat by undertaking visits and meetings abroad. My colleague, Mike Summers and I recently attended three Islands in the Caribbean and I personally think those meetings went very well. I think it was a little early to expect an immediate change of policy by those Islands but I do believe that if we continue with those visits and continually pushing the Falklands First attitude, our right to self-determination, people and countries will recognise that we are in the right.

Despite all the problems with Argentina I do believe that the Islands have, at the moment, a particular confidence, as has already been mentioned. We know where are going with oil as there have been some very sound prospects that might or might not become commercial in the future. But we know where we are going. We have seen some surpluses although I would hesitate to commit those too soon because we know the investments that we have – the investment market at the moment with the troubles in Europe and the world down-turn and possibly a second period of recession, our investments can go down as well as up. But I look forward to discussing all those matters in the New Year.

We have confidence in the Agricultural Department. We still have continued high wool prices, high meat prices and last year we had very good lambing percentages and this year the Abattoir is looking for a through-put of some 53,000 animals. So the trend is in the right direction and continuing upwards.

With that confidence, does however, comes cost, and anyone who goes around the shops in Stanley looking at the costs of fruit and vegetables realises they are ridiculously high. I was looking yesterday at various vegetables that are over £6.00 a kilo, which leads me on to the next item – import substitution. We purposely set aside a sum of some £250,000 in the budget last year to help people establish market gardens or what have you so that we could be more self-sufficient in growing our own. Sadly, the take-up was poor to say the least. I think much of that was because of the constraints that we put on that money and how it was going to be dished out, and it did not make it attractive. And again, I look forward in the New Year to looking again at the import substitution to make the whole funding arrangement more amenable and user-friendly and hope that we can look forward to a much greater take-up in the future. The take-up previously was nil.

Time change: We had a poll recently and I must admit the report that came out of that was very good. But the numbers in the poll were very good and there were some hollows as to whether it was businesses or individuals, whether they were contract workers, whether they were Islanders and so on and so on. The debate is still open and if people feel strongly please get in touch. We hope to continue with the poll and get further reports in the future. But certainly, at the moment, with those low numbers polled, it does look like remaining on Falklands' summertime is a very popular idea.

I've got to mention the single constituency because I sat with Mike at a radio interview on the 2nd of November the day before the constituency vote. I was for a single constituency and I must admit I was well and truly knocked down and put in

my box. However, I do believe that I was vindicated when only one person stood for Camp and that's nothing to do with you, Ian. I congratulate you but you did stand unopposed. That cannot be good for the future and come November 2013, one wonders whether or not there will be three members who will actually put themselves forward.

We recently had a visit by the Royal Marine Band and I personally hope to see more of the Royal Marine Band. I have spoken to the Commander British Forces and I know the director of the band has also spoken and we hope that it can become an annual event. I hope so because by golly, they were good; they were enjoyed by everybody. They really lifted morale across the Camp and Stanley.

At this stage I would like to say thank you to the Commander British Forces. A lot of the support and commitment we get from the UK is shown in our loyal servicemen at Mount Pleasant, who are there because of us. They are there to protect us and provide that deterrent that is needed from a neighbour that we have. But at this time of the year, in particular Christmas, I would like to say thank-you and I hope he will pass on my thanks to all those people and their families at this particular time of year when they are absent overseas.

I can't end without mentioning Camp Radio. About 16 months ago the Chief Executive and I stood in the Hall at Fox Bay and said we or I said would have it in place within 12 months. Nothing happened so I asked a question in this August past and was assured that it would probably be up and running very early in the new calendar year 2012. Now I just remind my colleague that it is very nearly 2012 and we've seen no action that I am aware of as yet so please can we chase it up?

And finally I would like to wish everybody in the Falklands a very happy Christmas and a very happy and prosperous 2012.

Mr Speaker, I support the Motion.

The Honourable Sharon Halford:

Mr Speaker, Honourable Members, I think I will be even briefer than the previous speaker.

I would first like to welcome the Honourable Ian Hansen to this Assembly and congratulate the Honourable Dr Barry Elsby on his election to the Assembly also and I will look forward to working with them both in the future. However, may I add with my Health and Medical Services Hat on, that I do not expect to receive complaints from those of you in the community who will not now be able to get appointments with your chosen doctor if that Doctor is Dr Elsby? As you must remember, you elected him, and at the end of the day he is only human and cannot be in two places at the same time.

May I also congratulate those of you who had the courage of your convictions to put yourselves forward for election and took all the knocks and criticisms along the way? I wish you better luck in the future.

We are now half way through the life of this assembly and there have been many comments about how it has worked and the turnover of Members. As I see it, the make up and ultimately the workings of any Assembly is down to you, the electorate and your choice of representative. For those of us fortunate enough to have been elected, we simply have to get on with it and do our best to work with each other. Having said that, this is the first Assembly that I have been elected to where for the first half of our term we have worked more often than not with one Member light. This was down to the fact that one of the constituencies chose to elect someone who said they would only be here for part of the year. It will be interesting to see if the full complement will make a difference to the work load but I doubt it.

I have found this by-election to be very disappointing as I was unable to vote in my constituency. But I guess, from the Honourable Ian Hansen's point of view, he really does have a free hand to do as he pleases as he did not have a mandate and has made no promises to the electorate. What an enviable position to be in!

Recently I was having my usual trawl through the farming statistics and was very disappointed to see some glaring errors. I suspect that if they are that obvious to me they must also be obvious to others. For me these statistics are no different than a factual book or article in a newspaper in that once you find errors, you lose faith in the whole works, which is most unfortunate as many farmers have spent a lot of time and effort on their returns. Sadly it only takes a few inaccurate or inflated figures to distort the whole picture. I appreciate that for the vast majority of farmers they do their best to get their figures right, as to not do so they are fooling nobody but themselves. But no matter how diligent people are, mistakes can and do happen. Even farmers are human.

Statistics are required for a number of reasons and one of these is to be able to look back over the years to see if individual performances are improving, remaining stable or going back. And when all the data is collated it shows how the Islands are doing overall.

I had spoken with the Honourable Mike Summers about this matter and had been given to understand the Department of Agriculture will be looking at how the information received can be better verified in the future.

Having the Health and Medical Services portfolio, from time to time I tend to be contacted by people who feel they have trodden every avenue and have nowhere left to go. People who feel aggrieved can and should contact Jeanette Vincent in the Hospital as it is her job to deal with all complaints received and also to pass on the good tidings when congratulations are received.

What I have found particularly disturbing of late is that many people do not wish to make a complaint in case they then have to go see a doctor or be admitted to hospital or even have kin in hospital. It should be noted that all complaints are treated confidentially and go nowhere near your medical records for others to see. I therefore urge you, if you think something is wrong then please do make an official complaint as if you do not it may go unnoticed. The whole idea of the complaints procedure is that if something is found to be wrong or not working well then it can be addressed and ways looked at to see how best that particular area can be improved upon.

I have also been made aware that with the lack of a podiatrist many people's feet have not been given the attention they need and in some cases, even basic toenail trimming has not been undertaken, with an instance of nails growing far beyond the norm of acceptability. I had been given assurances that basic nail trimming was happening, obviously not, and I find this totally unacceptable and will be pursuing this area further.

Declaring my interest as a diabetic, I would have thought that the post for a podiatrist is very important for the Health of the Nation and one that we must look to fill sooner rather than later. Now that would be a good use of a small portion of the surplus everyone seems eager to spend.

I suppose I would need to plead guilty on that front, too, thinking of the enhancement needed to some of our road network. But there will need to be considerable debate on this issue as we need to look at the longer term especially with the illegal blockade that Argentina is continually promoting and mounting. It may be tempting and easy to spend but once gone, will it give a return? And how do you measure that return should there be one?

We will be losing Phyl Rendell from the civil service later this month and as I have had the pleasure of working with her on this and previous Assemblies, I would like to take this opportunity of thanking her for her hard work in various areas over the years. She always embraced all new challenges with enthusiasm and I wish her well for her retirement, with just one small word of caution. If her house is anything like mine then she may find that for some reason the female never seems to be retired.

This is the last legislative Assembly meeting for our Chief Executive, Tim Thorogood, who will be leaving early in the New Year. I suppose you could say that we have had our moments throughout our working relationship and definitely not agreed on everything. But to be fair, when tasked to do something by the Assembly, he usually got the job done, even when he was being pointed in a direction he did not like.

I wish him well when he sails off from here into the Atlantic with the out-going General Manager from the Development Corporation, David Waugh, who has also worked hard on our behalf when tasked to do so.

In mid-January I will be leaving for Brussels with the Honourable Roger Edwards for meetings and during our time away we have been volunteered to be involved in the recruitment of the next Chief Executive.

And finally, as it is a season for good will, I would like to wish all Islanders and visitors all the best for a Happy Christmas and better prospects in the New Year. I hope, too, that all Members of the British Forces currently serving here in the Islands and away from their loved ones will be able to take some time out from their duties and enjoy some well-earned down time.

I support the Motion.

The Honourable Gavin Short

Mr Speaker, Honourable Members, in rising to support the Motion I would like to make a few brief observations. I do find a lot of stuff I have written has been eloquently gazumped by my colleagues. But as I have been up since 0500 this morning writing this, I am going to deliver it.

First of all, I would like to congratulate both Dr Barry Elsbey and Ian Hansen on their election victory. I look forward very much to working closely with them in what remains of the life of this Assembly. As they will see we have some pretty heavy things bubbling away, which if they come to fruition, will hopefully strengthen our economic base to make us more resilient to the constant onslaught from Argentine pressure.

I was rather disappointed that no one else stood in the Camp constituency, not because I have any problems with Mr Hansen but rather, I hoped, that we might have somebody else out there who would be tempted to enter the political fray for a two-year stint, which would be time enough to find out whether politics was for them and could be balanced with their family activities.

If the two constituency system, which I supported, is to be maintained, we really must have people out there who are willing to put themselves forward or it is going to make a mockery of the plebiscite results.

The above leads me on naturally to some worries that I have about how the Assembly is made up and funded. I was, until Barry was just sworn in a few minutes ago, the only employee left on the Assembly. I will still continue to be the only employee from outside the Government system on the Assembly. I know it is possible for an FIG employee to take time out if they are successful in an election. But the same cannot, I suspect, be said for the private sector. So a lot of very, very able people are debarred from standing, as to put it simply, you would need to have an extremely saintly employer who would put up with you being tied up with Assembly work for at least three days a week, not to mention absences from the Islands. Of course, that's if you are working nine to five.

I believe it is customary to carry out a review of the Assembly's pay structure and things like that towards the end of its life and I feel that we have to address the matter with some urgency a mechanism whereby employees, especially from the private sector can participate in the wonderful world of Falklands' politics.

It looks as if the Argentine bully boy tactics have finally caused Uruguay to cave in, which is rather sad but not entirely unexpected. I do feel sorry for that country and sincerely hope that this doesn't herald a return to the days when Montevideo was forced to do whatever Buenos Aires wanted. However, knowing what I do of the Kirchner regime. I suspect this might well once again be the case. We will continue to review just what the new ruling by Uruguay will mean to us and our fisheries industry and will, where we can, take appropriate action. There are times when out of adversity arises opportunity and this may well be the case here.

As Argentina closes off South America to us then it may well actually start to centralise more of the on-shore fishery activities here in our country, which rather than bringing us to our knees and surrendering our country to that hostile power, will, in fact, boost our economy and make us more resilient to the eco-terrorism.

I was extremely sad when the news broke that Argentina was to open part of the squid fishery some months earlier than had ever been done before ostensibly in the name of scientific research. But what seems to be the real intention was a political one, to stop any squid reaching our waters and thus depriving us of income. It beggars belief that a country on one hand that is painting itself as a stable democracy, a credible world player, can quite happily annihilate a complete species of animal just to get at us. The sad thing is that they really have left it a bit too late anyway. If they had launched this form of action many years ago it would have had an impact but now-a-days the Illex squid fishery is that erratic that in good years it does fetch in some extra cash, which is always welcome, but in the main we don't really depend on it any more. We can sail on quite happily without it.

So, Argentina, before you maybe cause the extinction of a complete species, just sit back for a moment and see what you will achieve: absolutely nothing, except causing an imbalance in the ecosystem of what is already an out of kilter, over-exploited ocean system. Mind you, this policy of annihilation is not a new one as they are still practicing just that with certain finfish types and maybe won't be happy unless they have laid bare the whole south-west Atlantic.

We move inexorably towards the budget process again and I think it's only fair to warn this House that they may well start seeing increases in what is being asked for both in Capital and Recurrent expenditures from some of the Departments that I have had responsibility for. This, I am afraid, is not a sign that I have been encouraging them to start spending excessively but rather the effect that the rather silly procedure that was practiced for many years of a 2.5% cut each year, which, when you added the inflationary effect, meant that the real loss was much higher.

Once the bigger departments may have been able to absorb this policy a little better, the smaller departments have been squeezed to a point where functionality is now starting to be a problem and equipment that should have been part of a scheduled replacement programme; but was due to that sort of thing not being allowed, is starting to fail. It is a situation that can be rectified but being the cynical old chap that I am, I suspect that the cash savings measures adopted will probably be outweighed by what it's going to cost us to start replacing equipment that's needed.

There will be pressures for a salary increase this year and I wish to flag to the House that unless between now and June there is some economic calamity of biblical proportions, I shall be supporting a rise in wages, one which I hope will be inflation matching.

I am starting to see great problems with filling positions here, which seem to come down to money. Our wages are quite low compared to what can be found in other parts of the world or indeed other parts of the private sector here. I have to say this culture of poor pay is not restricted to just FIG as some parts of the private sector

seem not to be giving their employees the wages they should whilst repatriating some quite healthy profits.

Now comes the part where I must publically fall on my sword. I had the great honour to present the berets to the recruits at the FIDF Passing out Parade. I admit I was a last minute substitution as the real act became unavailable. As this was an all-male bunch of recruits, I made an observation that they would probably have preferred to have their berets presented by a Page 3 model rather than yours truly and that this has unfortunately got me into a spot of bother with some feminists. It is certainly not my intention to be sexist. I suspect that even if we did have female recruits receiving their berets at the Passing out Parade, that they, too would have preferred the page 3 model or indeed anyone else rather than me doing the honour.

I guess it was only a matter of time before my sense of humour got me into hot water. I take what I do seriously, when it comes to being a Councillor I take it very, very seriously but I never take myself seriously as to do so would probably lead one to becoming a tad pompous, which is something that I have no intention of becoming.

I tend not to be too much into political correctness. I certainly will never knowingly insult people but I will not join in the present lunacy that seems to be sweeping some other countries where it comes to being politically correct. If that makes me out of whack with the bright young things out there and something of a blind spot, then so be it.

I am happy to report to the House that the water levels at Moody Brook Dam are still maintaining a healthy level. So there will be no impending hose pipe bans in the offing at for now unless the sun does keeps shining.

The Town Hall lift project is also still going ahead. There was two choices – whether to put the thing on the outside of the building, which whilst not making the Town Hall any uglier, would have defeated the object of having something that was readily accessible to all those who wanted to use it; or to put it on the inside and cause upheaval and loss of space at the registry department. I apologise to the Registry Department but it looks like the beast will be heading in your direction.

Also I would like to thank EXCO for the decision that they took yesterday which allows FIG to take responsibility of the roads on Lookout industrial estate and transferring the ownership of the land to FIDC for the subsequent on-sale on a free-hold basis to those occupying the plots. I think this is a great step forward and I thank you very much for that.

I would like to publicly thank all sectors of FIG for their efforts during 2011. I know that some sections have been pushed beyond what they should have been but they rose to the challenge and did what we asked of them and it is very much appreciated. One of the problems that we have is that a lot of the work performed is quite often not in the public gaze so it never gets the recognition that it deserves.

2012 is also going to be a heavy year as is 2013 going to be, I suspect as what is planned comes to fruition. I often dream of being able to live in a normal country whereby you can have more open government but alas a lot of what is being planned

is to try and counter the efforts of our bullying neighbours to subjugate us and so cannot be talked about openly as it would be in any other normal, peaceful country. I guess that's the joys of living somewhere that is almost in a state of cold war – not, I may say, a cold war of our making but one that's been hoisted upon us. The game is on; the prize is a big one, it's our country. But have no fear it's a game that we will win.

This is the last Assembly for our outgoing Chief Executive. I would like to wish both him and Alison the very best for their future and I hope that his journey back north is blessed with calm seas, favourable winds and that the crew doesn't mutiny. I will also be interested to see whether the next Chief Executive is another old School Chum of mine.

I would also like to take this opportunity to say good-bye to David Waugh, who is about to finish his term as General Manager at FIDC.

Over the time that I have worked with David I formed a very deep respect for his style, vision, commitment and delivery of projects. FIDC is now a lean, mean organisation with a structure in place to start delivering on the development front.

I know David has, in the latter stages, been more heavily involved in more secretive projects from which I hope we will all see benefits in the near future, if we, the politicians, have the bottle to hit the "GO" button.

The review of the review of government has been mentioned and all really I would wish to say at this stage is that I note it is happening and I will be very interested to see what the outcome is.

Finally, I would like to wish everyone out there including the lads and lasses up the road at MPA a very Happy Christmas and a well groovy New Year. Have fun but keep it safe so that those in the hospital, Police and fire departments can also have a quiet but happy Christmas period.

Mr Speaker, Thank you.

The Honourable Jan Cheek

Mr Speaker, Honourable Members, I won't go over again the OTCC – the Overseas Territories Consultative Council. I will add to what my Honourable Colleague said about Brussels. It was very successful, however, while there we were watching the economic turmoil in Europe, something to which to a small extent we are shielded from by distance and time. It was therefore quite alarming to arrive back to find that people already had as many plans as an intoxicated lottery winner for spending the proposed and possible surplus without taking the time to sit down and see how it can be best invested, not in reserves but in projects that will be sustainable in future. However, I am totally with the Honourable Gavin Short who mentioned this at the last meeting. That is what we must be aiming to do.

It would be very nice to be able to get the equivalent of hand-outs but I think we should be very, very cautious and make sure that whatever we do will be sustainable and that we invest in the broadest sense in the future of our country.

I would like to associate myself with the Honourable Dick Sawle's remarks about FIGO and what they do. I am very happy to see that the familiarisation visits that we have proposed for their staff are now happening on a regular basis. It's very easy for them to become isolated and out of touch with how things are. And if they are recruiting people to come to the Islands, it's essential that they be up to date with the situation on the ground, which is ever changing and that they are able to give people the most up to date information across the board, be it tourism or other areas.

Moving on to another of my portfolios, I would like to thank all the staff in the Education Department for excellent work during a 12 months' period when there have been serial staff shortages and other difficulties. In spite of that they have kept things going and produced some excellent work. And we had the delight of the concert the other night given by the Junior School children, complete with falling angles, weeping shepherds and lots of enthusiastic singing – wonderful.

I worked with Phyl Rendell for many years in education and more recently as one of the portfolio holders for a while in Minerals. I would like to wish her a long, happy and active retirement. She takes with her knowledge of the oil industry, the oil industry in the Islands, the oil regulation in the Islands, which is second to none. She's been involved in it now for I guess well in excess of 15 years. And I know that she will be on the end of a phone if anyone needs any of that information in the future.

As well as thanking people in my various portfolios, I always make a point at this time of year of noting the importance and value of all the volunteer services and the emergency services. But those emergency services, Fire Brigade, Police would not function without the volunteers, people who don't sit at home and say they are not doing this and they are not doing that. They actually get out and do it themselves. And if I wore a hat, I'd take it off to them. We should be eternally grateful to them and make sure that they know their efforts are appreciated.

I would like to say welcome to the new Members. I have worked with the Honourable Ian Hansen before and look forward to working with him again and congratulations also to Barry Elsby on his election and I have to make my and this applies to both of them, welcome a conditional one. It's conditional on seeing how they manage the workload. It will be very interesting to see if they really knew what they were letting themselves in for. I found a change after a four-year gap, I suspect Ian may find a change after a two-year gap. Because we have to go out telling our story world-wide which is really important, the demands on Members are much greater than they ever, ever were. So, I will give you a report in six months.

Finally, I can't match the Honourable Dick Sawle's poetic farewells to Tim as he and Alison go off. I wish them the very best for the future. I don't envy him his voyage I've got a feeling he is the crew, so good luck, Tim and thank you.

I support the Motion.

The Honourable Ian Hansen

Mr Speaker, Honourable members, in rising to support the Motion for Adjournment I would like to begin by thanking Honourable Colleagues for their welcome to this Assembly and I'd like to add my congratulations to Dr Barry Elsby on his conclusive victory in the By-election. I would also like to take this opportunity to publically thank those who encouraged me to put my name forward for the Camp By-election and pledged their support.

And I can assure you all that many of the Camp electorate have already marked my card and made it crystal clear what they want and what they expect of me over the next two years. And these wishes and expectations are regarded as my mandate. And I will work towards it.

Of course, it would have been nice to have another three or four candidates probably in both By-elections. This wasn't the case, I think, for several reasons. The perceived lack of interest or commitment, call it what you will, is not just a problem for the Camp. One candidate out of an electorate of 271 is actually a higher percentage of interest than four candidates for 1311, or to put it another way, one person out of 271 in this by- election opposed to one candidate for every 328 in Stanley. So statistically, Stanley actually had a bigger problem in calling people to stand for Legislative Assembly than in Camp.

That aside, though, I would agree absolutely that the situation on the whole is not as we would wish and I hope that during the next two years we can somehow encourage more people to take part in the General Election 2013, howbeit to remuneration changes or some other means.

I would also like to mention the retirement of Mrs Phyl Rendell from Government. I was very fortunate in the previous Assembly to work with Phyl in Minerals and Agriculture. Not only did she teach me an awful lot about Government, certainly in the mineral part of it, she was an excellent teacher but she was also very professional and dedicated. I think to find anybody more professional and dedicated you would have to work pretty hard.

So I wish her well in, I won't say retirement, she's going to be doing things on a farm so she won't really be retired. But I wish her well.

And I would also like to add my farewells to our out-going Chief Executive and his lovely wife, Alison. And I wish you both the very best for the future. I do hope that your departure wasn't hesitant for the thought of working with me again.

Mr Speaker, I have been deliberately brief. I think there will be much more to say in the New Year when our portfolio responsibilities are decided later today.

I would just like to wish everybody in the Falklands a very Merry Christmas and a prosperous New Year.

Mr Speaker, I beg to support the Motion.

The Honourable Dr Barry Elsbey

Mr Speaker, Honourable Members, I think I would start by saying please forgive any procedural errors I have, not being familiar with the House here. But I would like to thank everyone for their warm welcome, even if the one from the Honourable Sharon Halford was somewhat barbed.

I didn't write a speech, not knowing what yesterday's results were going to be. But I think my election puts a tremendous emphasis on me to stand up for the things I proposed and, I hope, that the trust that has been placed in me. I hope I will fulfil that trust.

I would also like to thank the most important person, perhaps, which is Bernadette for allowing me to stand in the first place. As all men know, you don't do things like this without the support of your wife.

The words that we used on the radio this morning and in the Penguin News as well were one of a landslide election as an item. Be that as it may, I think the numbers do show that the people who voted for me supported what I stood for. And the four prime things that I stood for were a firmer stance on Argentina and I know I am meeting with His Excellency the Governor this morning to be briefed on Foreign Affairs, and I am sure there's an awful lot going on behind the scenes, but I think my election says that the public would like to see a more visual reflection of what's going on. They would like to hear more about what's going on and they would like to hear more open countering of the Argentine propaganda.

They also wanted to know how we are going to spend the oil money if, as appears likely, oil exploitation is on the horizon. And many people wanted to know what is going to happen. Now, I don't know what's going to happen in the society and if oil money in large amounts starts to arrive, it has a tremendous effect on a small society. And we need to start thinking now about processes whereby we can consult the electorate so that we truly know what people want to happen in their society and not suddenly find themselves in 20 or 30 years in a situation that we wouldn't have wished to happen.

I also stood on open government and I read in the Penguin News this morning from the Honourable Jan Cheek, unsure why seeing grey haired people on television would help the democratic process and I bring another grey-haired head to this House. But I do feel that putting Legislative Assembly and public meetings on TV is important. It's not vital, it's not the one most important thing, but it's a step in a process of opening up governments where people can see it happening. So grey hair or no grey hair I think it's important we are all seen.

I am not going to talk much about the budget. Many people have mentioned things, but I think it is important that we do return some of that money to the people who most need it. And that is the people at the poor end of the pay scales. I would fully support the re-introduction of the original tax allowance and the abolition of or as the Honourable Mike Summers says, the setting to zero, MSL or MST as it's called now.

I think I would just like to finish by saying that I would like to thank the FIC who allowed me to set up shop in their foyer and do some campaigning. I learned an awful lot from people. They came up to me and put ideas that I hadn't considered. I also hope it persuaded some people to vote for me. But I met some very brave people in the hours I spent in the foyer. I mean the people that work in the FIC. I only had to put up with two hours of Christmas Carols on a continual loop. They had to put up with it 10 hours and I think there must be some award we can give for the people who have to put up with this.

I support the Motion.

The Hon Dr Tim Thorogood:

Mr Speaker, I have never made speeches to this Assembly other than when making changes to legislation. I am not going to change that practice now. But I wanted to thank Members for their remarks and thank you all for that and I really have enjoyed working very much with each of you over the past two years and with past Members of the Assembly as well. I am enjoying working with Ian and Barry already. It's been huge fun and very, very stimulating. If there's been one frustration that I have had in particular over the past 18 months or so it has been the great difficulty we have all had in being able to share fully with members of the public. The plans of actions we have in hand deal with issues that have an international relations context.

I empathise with Barry's feelings about that completely, but it really has been very difficult for reasons I think people can understand and do understand. I suspect that will be the case, unfortunately, over the next two years because we know what the agenda is likely to be.

However, I, having had the privilege of working with the inside, have no doubt that Members will continue to deal with those issues very carefully, very effectively and indeed turn them into opportunities which we have already been doing and I know things are in hand which will continue that trend.

I wish you the very best of luck in that and I shall take a great interest from afar no matter what the detail of what I am doing.

Can I just also say, Mr Speaker, I am delighted that several members of Legislative Assembly mentioned Phyl Rendell's retirement. Phyl has been an outstanding Falkland Island Senior Civil Servant and it's a great shame that she's retiring at least from the public service. She's been an inspiration to many Falkland Islanders in the public service. I very much hope Phyl will continue her links with the public service through mentoring and so on in the future.

I wish you all a merry Christmas.

Commander British Forces:

Mr Speaker, Honourable Members, on behalf of the British Forces here, I thank you for your various seasonal good wishes. It continues to be a privilege and a very real pleasure to live and to serve here. And the warmth of the welcome that I or any of the

servicemen and women who serve at Mount Pleasant continues to receive is very tangible.

Despite the good intentions of some of you, you will, perhaps be relieved to know that I cannot guarantee that all of us will be standing down for whole or part of the festive season. I dare say, however, that there will be a good representation from Mount Pleasant at the Boxing Day races.

As has been identified this morning, 2012 appears to represent a series of challenges. Can I reassure Honourable Members that British Forces stand by to continue to support the Government and the People of the Falkland Islands. I am confident that given the mutual respect and support between BFSAI and the Falkland Islanders that we can overcome any challenges that may arise in the future.

On behalf of British Forces, I would like to add my thanks to the Chief Executive, Dr Thorogood, for his advice and support during his time in post. And in particular for his assistance in continuing to drive forward the on-going localisation initiative.

As you sail off, Tim, please bear in mind that our search and rescue cover only extends for a limited distance, no matter who the pilot might be.

Mr Speaker, I support the Motion.

Mr Speaker:

Honourable Members, if I can crave the indulgence of the House, may I, too, welcome Dr Barry Elsby and welcome back Ian Hansen. And it's my pleasure to present you with the ties of the Assembly.

Finally, may I, too, also wish our Chief Executive the very best for the future and a very Happy Christmas to you all.

The House stands adjourned accordingly.