



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

**HELD IN STANLEY  
ON 27 NOVEMBER 2014**

**RECORD OF THE MEETING OF THE LEGISLATIVE ASSEMBLY  
HELD IN STANLEY ON THURSDAY 27 NOVEMBER 2014**

Speaker of the House  
(Mr Keith Biles JP)

**MEMBERS** (Ex-Officio)

The Honourable Chief Executive  
(Mr Keith Padgett)

The Honourable Financial Secretary  
(Mrs Nicola Granger)

Elected

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

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

The Honourable Ian Hansen  
(Elected Member for Camp Constituency)

The Honourable Michael James Poole  
(Elected Member for Stanley Constituency)

The Honourable Phyllis (Phyl) Mary Rendell MBE  
(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)

**APOLOGIES OVERSEAS**

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

Commander British Forces, South Atlantic Islands.  
Air Commodore Russell La Forte CBE)

**PERSONS ENTITLED TO ATTEND**

The Attorney General  
(Peter Judge MBE)

Chief of Staff, British Forces South Atlantic Islands  
(Group Captain Keith Taylor )

**DEPUTY CLERK OF THE ASSEMBLY:** Cherie Clifford

**PRAYERS:** Reverend Canon David Roper.

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**The Record of the meeting of Legislative Assembly  
held on Thursday 27 November 2014**

**Prayers**

**Mr Speaker**

Honourable Members, I bid you good morning, and my usual reminder please, not only to you, but to members of the public, to ensure that mobile phones are turned off.

**Deputy Clerk of the Assembly**

Election of Elected Members to Executive Council.

**Mr Speaker**

I appoint the Attorney General and the Honourable Financial Secretary to be tellers for the purposes of this election and the first round of votes will be for a Stanley representative.

The result of that election is the Honourable Mike Summers is elected to the Executive Council for Stanley.

The next election is for a representative for Camp.

The results of that election is the Executive Council Member for Camp is the Honourable Phyl Rendell.

And now the third Member from either Stanley or the Camp constituency.

And the duly elected Executive Council Member for Stanley or Camp is the Honourable Michael Poole.

So to summarise: the Members of Executive Council for the next 12 months will be the Honourable Mike Summers, the Honourable Phyl Rendell and the Honourable Michael Poole.

**Deputy Clerk of the Assembly**

The confirmation of the Record of Legislative Assembly held on 30 October 2014.

**Mr Speaker**

Honourable Members, I have in front of me a rather large tome which is the record of our last meeting on the 30 October 2014. Is it your wish that sign this as a true record?

**Honourable Members**

Aye.

## **Deputy Clerk of the Assembly**

Papers to be Laid on the Table by the Honourable 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 35 (1) of the Interpretation and General Clauses Ordinance 1977.

- Children (Hosting and Private Boarding) Regulations 2014
- Planning (Delegated Approval of Applications and Related Matters) Regulations 2014
- Road Traffic (Demining Operations) Order 2014

In accordance with Section 80 Clause (2) of the Constitution the report of the Public Accounts Committee in respect of Audit Reports

- Stanley Services Accounts Year End 30<sup>th</sup> June 2013

Copy of Subsidiary Legislation Laid on the Table pursuant to Standing Rules and Orders section 41(4)

- The Stanley Common (Erection of Memorials) Regulations 2014

## **The Chief Executive**

Mr Speaker, Honourable Members, I hereby lay on the table the aforementioned papers.

## **Mr Speaker**

The regulations relating to the Stanley Common do require approval by the House and therefore a Motion to accept those regulations will now be taken and it will be proposed by the Honourable Michael Poole.

## **The Honourable Michael Poole**

Mr Speaker, Honourable Members, this item has come to the House at rather short notice as it is time-sensitive. I would like to thank the Attorney General and Major Peter Biggs for ensuring this reached us today.

Executive Council yesterday received a request from Major Peter Biggs to place a memorial in the Canache area of Stanley Common in memory of those Falkland Islands Defence Force members that died on the 1<sup>st</sup> December 1914.

As with all Stanley Common land, any development on the Common that is not otherwise provided for within the Ordinance requires a motion of the Legislative Assembly, so that is what we are trying to achieve today. The subsidiary legislation before us today does look to future proof this, it gives the Lands Committee the ability to retrospectively approve a number of other memorials that already exist on common land, so hopefully, that will address the issue going forward as well.

Mr Speaker, I am pleased to propose the Motion.

**The Honourable Mike Summers**

Mr Speaker, I am happy to second this Motion. Just in doing so, can I ask the Attorney General please, that when he is assisting others in preparing the forms and whatever else will be required to do this, that reference is made to the requirement to maintain memorials that are so put, and we would wish to know what the source of funding was for that going forward. Thank you.

I second the Motion.

**The Attorney General**

Mr Speaker, I am delighted to confirm that we will put that to the Stanley Common Working Group with that recommendation.

**Mr Speaker**

Does any other Member wish to speak to that Motion?

No.

The Motion is to accept the regulations made under the Stanley Common Erection of Memorials Regulation 2014. Is there any objection to that Motion? There is no objection those regulations are therefore accepted by the House.

**Deputy Clerk of the Assembly**

Motions.

Motion number 16 of 2014 by the Honourable Michael Poole.

This House requests that the Government investigate and introduce measures, including if necessary further legislation consistent with the Constitution, to promote the reduction of smoking and the harmful effects of smoking by aiming to create a tobacco-free generation.

**The Honourable Michael Poole**

Thank you Mr Speaker, Honourable Members, this motion has generated much public discussion over recent weeks and many will be familiar with its background. I would like to thank everyone that's engaged in that process recently, and in particularly the Public Relations Office in Gilbert House who have been most supportive of the Honourable Dr Barry Elsby and me as we have put this to the public recently.

Discussions of this nature are really quite challenging. We all have our faults, mine are too numerous to list here in the Assembly, but it is tough: at best you sound like a hypocrite in these kind of things, and at worst you sound like you are preaching at people, but this Motion is really not intended in that way, and hopefully, people won't take that away from it.

That is why I am not going to stand here and start talking about the dangers of smoking, I think people understand them, they are well known, smoking does have a terrible cost in terms of the public health and premature death, but as I say, people are aware of this and they don't need to be told of it again.

However, Mr Speaker, I will begin by outlining what the motion looks to achieve in itself.

It looks to convince my Honourable Colleagues that the issue of smoking is an important one that is potentially worthy of further legislation that would look to reduce a numbers of people that smoke and that take this habit up. It has as its fundamental goal the creation of a smoke free generation of Falkland Islanders in the future. This motion does not specify exactly how this could and should be achieved, but the background document that was distributed with the motion does suggest one possible path, though it, quite deliberately, does not limit itself to solely that single idea.

The path that we have highlighted, in particular, proposes that we look to introduce legislation that would make it an offence for retailers to sell tobacco products to anyone born this century. Therefore, in 2018, when the first of those people turns 18, their access to tobacco products would be restricted. To be clear, this would not impact anyone that is currently old enough to smoke, and it would not look to criminalise those that choose to in the future. It would solely look to significantly reduce access to tobacco products.

The full details behind such legislation have not been described in any real depth and I do not claim to have all of the answers. Further work would be needed in a number of areas, in particular, I think we would need to look at agreeing on a consistent definition of what products would be covered by the legislation, for example, is it all nicotine products, and is it just tobacco products or just cigarettes? Those questions are yet to be answered and I think we would need to discuss that further.

We would also need to discuss how this legislation would be policed and enforced. Would people need to show ID, that kind of thing, again we haven't given all the answers to that, but I don't think it's an insurmountable problem.

Thirdly, I think there is a very valid question that has come up throughout this debate over recent weeks, as to whether the proposal goes far enough. Is only looking to stop those selling tobacco to those born this century for profit? Is that going to work? Will it generally result in a reduction of the number of smokers?

And finally, we would need to get advice on and discuss the constitutional implications in terms of discrimination. Is this constitutionally acceptable, what is being proposed here? Personally I believe it is justifiable, but again we would need to take expert advice on that matter.

These questions, along with a number of others, are all perfectly valid and they have arisen over recent weeks. On the face of it, I don't believe them to be insurmountable, but I would hope that we would get expert advice to confirm that.

The Honourable Dr Barry Elsby is seconding this motion, and throughout the hours of discussion we have had on this over recent weeks, it is clear that we have slightly differing views on how a legislative solution to the issue could be structured. Some may see that as inconsistency – it is not, it is a genuine discussion on how legislation should work as there is much to think about. These things necessarily take time, and they really should take time as we are dealing with the nature of personal freedoms and community obligations. Limiting those in any way should not be done without due consideration and debate.

However, I would argue that two MLAs researching without the formalised support of the civil service is not the level of informed discussion we require. We should ensure that this is done properly and is evidence based. To achieve that we would require engagement and input from the Chief Medical Officer, the Directors of Education and Health, and the Attorney General and a number of private sector groups and charities as well. Therefore, we need our colleagues today to support this motion today so that we can make creating a smoke free generation a Government priority and receive that expert advice on how we can best achieve that goal.

The public feedback we have received thus far has been mixed. Whilst I have heard no one disagree with the goal of a smoke-free generation, many appear to feel this proposal is a step too far and limits personal freedoms too much. I can respect that and it was my personal reaction to it initially as well. However, the problem appears to be of a scale that my personal political preferences are outweighed by the need for change. Therefore I think we owe it to future generations of Islanders to at least take this to the next stage. To get expert input from the Chief Medical Officer, from the Attorney General and from the Education Department, to do some formal consultation and everything else that is associated with sound policy development.

We can always say no at that point, but to do that before then, I think, would do us all a disservice.

Ultimately, a vote in favour of this motion is a vote that says that we recognise the dangers of smoking and that progress in reducing the number of smokers is far too slow.

It is a vote to ensure that we make this public health issue a high priority and ask our professional staff to look at what more we can do, including possible legislation such as that outlined.

And I do emphasise that this is only one possible path to that goal of a smoke-free generation; I think it is a path that is worthy of further investigation, but there are other options too, such as continued education and non-legislative measures, which would naturally be discussed if we were to form a small, expert group, to try and grapple with this issue on our behalf.

Some people over recent days have suggested that this debate and idea is a waste of Government time. They clearly have a very different view of the role of Government than I do. I see Government as a mechanism that can bring people together, that can be ambitious and that can aim to achieve lasting and meaningful change.

That is why, Mr Speaker, we should look to create a smoke-free generation; not because it is easy, but because it is hard. Because whilst civil society and the private sector are incredibly

powerful, they are unlikely to be able to solve this public health crisis without strong Government leadership. It will be tough and uncomfortable, but I believe we can ill afford to wait any longer before taking action.

On that note Mr Speaker, let me leave you with this. In the short time it will take us to debate this motion today, 300 people will have died around the globe directly due to having smoked. By the end of the day, 16,500 people will have died just today due to smoking. Let's look to see what small part the Falkland Islands can play in reducing that number.

Thank you Mr Speaker, I support the motion.

### **The Honourable Dr Barry Elsbby**

Mr Speaker, Honourable Members, I am pleased to be seconding this motion. I believe this is the next logical step in what has been a long process of trying to control the harm smoking does to people. I believe everyone is well aware of the dangers of smoking, as my Honourable Colleague has said. Even tobacco companies now accept that it is harmful and they have given up saying it's not harmful, but they are now moving on to say it is your right to do what you wish, so please carry on smoking.

It's a bit like the National Rifle Association in the States saying after the latest mass murder in a school that gun control is not needed and that everyone has that right to carry a gun. By the way, there were 32,000 killed in the States with firearms last year but 450,000 people died of smoking related illnesses.

The history of tobacco is a long one, but it really wasn't until the 1950s that scientists proved conclusively that there is a very clear link between smoking, lung cancer and chronic ill health, particularly of lung illnesses.

It was after that that the Government in the UK took the first faltering steps on what has become a very long and ongoing battle with powerful Tobacco Companies.

Mr Speaker, it is estimated that 5 million people die in the world each year from smoking related illnesses.

It's thought that about 100 million people died in the last century and that is far in excess of those killed in the mass slaughter of World War 1, of World War 2, of Korea, of Vietnam, of the dropping of the Atomic bombs, all more than those wars combined.

The World Health Organisation predicts that if countries do not control tobacco successfully they estimate 1 billion people will die in the world this century.

However, it wasn't until the late 60s and early 70s that the United Kingdom really tried to control the tobacco companies. They first tried voluntary restriction on advertising, but the companies, as so often, found ways around that and so the Government embarked on legislation.

And it is an ongoing war, Mr Speaker, the war between governments who are trying to protect their citizens from the harms of this substance, against the companies who are desperately trying to get the next generation hooked so that it will increase their profits.

In October this year, the Director General of the World Health Organisation, when speaking about smoking, said:

*“As countries try to introduce measures to control smoking, the tobacco industry fights back, harder and through every possible channel, no matter how devious those channels and practices are”*

And the tobacco companies know the statistics better than anyone. A 2012 report from the United Kingdom Office of National Statistics showed that 65% of adult smokers started smoking when they were under 18. They also found that 40% admitted to starting when they were under 16, and I think that’s the crucial point. Tobacco companies know that if they can get young people hooked on tobacco below the age of 18 they are likely to be lifelong smokers.

Over the years the United Kingdom and obviously the Falkland Islands have implemented a number of control measures:

- Increasing tax on tobacco products
- Banning tobacco advertising
- Reducing smoking on films and TV
- Bans on cigarette machines
- Bans on smoking on trains and planes
- Putting graphic warnings on tobacco products
- Increasing the legal age of smoking to 18
- Stopping supermarkets and soon to be all shops in the United Kingdom from having cigarettes on display
- Banning of smoking in Public Places
- Proposals to ban smoking in cars when children are in them
- And some countries such as Scotland and Australia are planning to force tobacco companies to put their products in plain packets

And the continual fight is from the tobacco companies.

In 2010 they took the Scottish Government to court to try and stop the ban on displaying cigarettes in shops. Fortunately, the Scottish Government won.

In 2013 the tobacco companies took the Australian Government to court to stop plans to sell cigarettes in plain packages. The Government won.

This year the tobacco companies are threatening the same court case if Scotland goes ahead with plans for plain packaging.

As I said, this smoke free generation proposal, I see it as the next logical step to save the next generation from becoming hooked. We are not on our own in suggesting this. As we have heard from my Honourable Colleague this morning, other countries are working on similar or the same proposal. Is this the official policy of the British Medical Association and of the Scottish Government? The UK government is also looking into a similar idea.

Scotland has an aggressive anti-smoking policy with the aim of introducing this same ban that we are talking about today in Scotland for those born after 2013.

My Honourable Colleague Michael Poole has suggested we set up a group to develop this proposal, in the same way we did when we were considering the ban on smoking in public in the Falkland Islands, and I think that is the way forward. And such a group should not simply be made up of experts and the older generation.

As the Children's Champion I think it's great to see students from FICS here today listening in the chamber to this debate, because it is their future we are talking about.

The Scottish Government recognises the importance of listening to young people, so they set up a group of 12 – 21 year olds, with the support of researchers, experts and secretaries etc., and asked them to look into ways of how they think their generation could be protected.

This group was called the "Young Scots" and they came up with the following list of recommendations, which the Scottish Government have accepted:

- A ban on smoking within a 50 meter radius of public buildings
- Banning smoking in cars carrying children
- Increasing the legal age of smoking to 21
- And introducing a ban on selling tobacco to anyone born after 2013

Mr Speaker, as my Honourable Colleague referred to at the public meeting earlier this week, a previous Councillor said that MLAs should not be wasting our time on debating this issue.

Presumably he believes the time spent over the years bringing in the restriction we already have were similarly a waste of time.

I think he is very wrong and I believe the majority of Islanders feel the same.

Mr Speaker, I support the motion.

**Mr Speaker**

Does any other Member wish to speak?

**The Honourable Jan cheek**

Mr Speaker, Honourable Members, unfortunately I find myself unable to support the Motion in its present form. I believe that sentient adults should be able to make their own choices, although why any should put themselves at risk of ill health and premature death by smoking I cannot comprehend, and I am alarmed by the new advertising of electronic smoking devices which aim to capture new smokers as well as existing ones.

In the matter of choice I draw the line where the choice affects the health and wellbeing of others, so I was a firm advocate of the ban on smoking in enclosed public spaces because those employed in them, and those who chose to use them, were forced to inhale the poisonous smoke produced by a handful of inconsiderate smokers. I believe that move has been successful and none of the doom laden predictions of those who opposed the ban at the time have proved true.

This proposal, as has come out I think in the public debate before it, is impractical for a number of reasons. Proof of age, incomers, the fact that it proposes as presented to us earlier to allow others to buy cigarettes for people born after the year 2000, it would be difficult to enforce, it would discriminate against a group of people because of their date of birth. However, I wholeheartedly support anything that assists smokers who wish to stop to do so, I also support campaigns and education to ensure that people can make informed choices.

If we are looking at future legislation I would want to make it first to protect those who cannot protect themselves. I would support a move to protect unborn babies from the effect of smoking by a small number of pregnant women who ignore strong medical advice on the potential harm they may cause. I would also like to see work done to protect children in vehicles where an adult is smoking. We would not condone any parent exposing their children to any other poisonous substances, so I ask a question: how can we allow this? These are the areas we should focus on as a matter of urgency. And, as I say, with regret I cannot support the Motion as it stands, but I do support a general move to encourage people not to smoke.

**The Honourable Phyl Rendell**

Mr Speaker, Honourable Members, I think I am part of the Honourable Dr Barry Elsby's statistics because I am a child of the 60's and 70's and, well not a child, I was a young person in the 60's and 70's and I was in school in England at the time, and went on to college, and I experienced that aggressive programme in the United Kingdom after the research of the 50's, to persuade people to give up smoking, so when I was around 16 and 17 and 18 with my school mates I thought it was pretty cool to hold a cigarette in my hand, you go to parties and what did you do, so having a cigarette there I thought looked pretty cool. How dumb that was when I look back now.

When I went on to college the first thing that happened in Fresher's Week was that we were shown a series of very graphic films, very graphic documentaries, and in those documentaries we saw people who were dying from lung cancer and other cancers related to smoking and they were talking about how they only had weeks and months to live, and how they regretted not seeing their children grow up or even seeing their grandchildren. They were in the 30's and 40's and their graphic films were showed to us and I remember them to this day, and that is half a century ago. These graphic films were shown to us in Fresher's Week. I have to say that my cohort, my group at college, I never touched another Consulate again. I realised the error of my ways, and I believe that the power in education cannot be underestimated, and if you want to persuade people to do something you need to do it by information and give them information, give them the facts. I don't believe we have addressed that strongly enough yet in the Falkland Islands. I think we have done some excellent things that the Honourable Jan Cheek's mentioned, but I think we perhaps need to review the education programme and become more aggressive about the information we provide, which is the truth and that is the direction that I would take in this campaign. It's all about education, education, education, not to just young people at Falkland Islands Community School, but to people that have moved onto in their 20's and 30's and still think it's cool to smoke, and that's the group that I would target. We have got Falkland Islands Television here today, I think they could be part of that, they could put the word out there.

I really do not support this Motion. I do not believe in legislation to control peoples activities, I think if you start there where does the buck stop. What about fatty foods, what about fizzy drinks, these are all bad for our health, what about drugs, we do regulate against drugs, true, but what about the things that people consider are a freedom of choice, what about alcohol? Should we go forward and have similar legislation as my Honourable Michael Poole suggests, anybody born in the year 2000 should never have a drink, never eat a hamburger and perhaps never drink CocaCola again. I am sorry, I think the buck stops here, that we have to do this through education and persuasion, and not through legislation.

So Mr Speaker, I do not support the Motion.

### **The Honourable Ian Hansen**

Mr Speaker, Honourable Members, I will be fairly brief. My two colleagues who have spoken before me have pretty much summed up what I was going to say.

I think first of all though, considering we are a community that is totally divided about a one way road system, whether or not the introduction of school uniforms is a worthy cause, this is indeed a courageous motion by my Honourable Colleagues and I congratulate them for bringing it forward.

However, I know that sounds facetious, but there is no doubt that there are so many questions, to me anyway, and I suspect a large number of the public, that remain unanswered. I have spoken to many people over the last couple of weeks and not a single person has actually said they support this Motion at it stands. The view that I have picked up from the general public is that this is a step too far, which I believe the Honourable Jan Cheek and the Honourable Phyl Rendell have already mentioned. It would be very difficult to enforce, I certainly would not be in support of any legislation that forces us into becoming a country that means that people have to carry ID around with them all the time.

So Mr Speaker, Honourable Members, I am afraid I cannot support this Motion as it stands.

**The Honourable Mike Summers**

Mr Speaker, Honourable Members, though I hardly look old enough, I too am a child of the 60's and when I was at boarding school in England I was the only one of my cohort who didn't smoke.

*Interjection from a sedentary position by an Honourable Member*

*Oh, you creep.*

**The Honourable Mike Summers**

And it wasn't because I didn't think it was cool, it was because (a) I couldn't afford it and (b) when I did smoke I thought it was the most revolting thing I had ever done, and it made me feel sick, and so I didn't smoke and I am very happy that I didn't.

I would hope that that is a similar sort of reaction that new generations of youngsters will take when they come across this evil weed. I am not a smoker, I have never been a smoker nor am I, oddly enough, by nature a legislator. I like to do things by education and by persuasion if it's at all possible to do that. I had great reservations, as colleagues will know, about the introduction of the ban on smoking in public places. I had reservations even about seat belt legislation at the time because actually people should be able to make up their minds for themselves on whether they wish to put them themselves at risk or not.

This discussion really is not about the statistics, it's not about the evil of tobacco companies, and it's about how you see your responsibility and your role as a member of the Government in your country. There is a serious issue in the proposal put forward about discrimination, there is a serious point being made that actually education is inadequate in terms of dealing with this issue, and frankly I don't think either of those are supportable after long and sensible discussion.

I am very much in favour of freedom of choice for individuals. The information should be put in front of people. They should be able to understand clearly what the implications are of smoking or not smoking, and be able to make their own choices. There is by nature in the proposal an intent to discriminate against a certain group of people that to me is simply not acceptable in terms of our Constitution and the way forward.

I think this is an important debate, I am happy that the debate is taking place. I had a discussion, as the Member responsible for Health & Medical Services in the Assembly, with the Honourable Michael Poole before he put the Motion, and he asked my advice about how to go about it and that I provided, and it's important to have this discussion because it's important as a part of the education process. I think that people understand that there are choices to be made, you don't have to do what your colleagues do, you don't have to do what your cohort does, you don't have to do what your peers do just because they think it's cool. Make your own choice, and I think that's the way to deal with this issue, and I thoroughly

support the views of others who have said that education and more education is the way to go on this issue.

I accept that the Motion as put is reasonably broad and quite anodyne, but actually the intent behind it is legislation, and for that reason I don't support the Motion.

### **The Honourable Dr Barry Elsby**

Mr Speaker, Honourable Members, I wonder if I can just come back on a couple of points, because I think rather than just everyone read out a speech, I would like to create a bit more of a debate, if that's at all possible.

And it is a difficult subject of where we draw the line between Government trying to control people and people having the right to freedom, but we already have that, as a Government that is our role, to try to help a society be in a safe situation, otherwise we could let everyone drive a car when they are 13 as in some countries, we can make smoking legal when you are 12, but we choose not to. We make these decisions because we think they are the good things. Just to pick up on a point I think my Honourable Colleague Jan Cheek said where she supported, and I am not sure if she meant legislation to ban pregnant women from smoking. Now, if you think we can't enforce a legal ban on people born after the year 2000, how are we going to introduce a ban on pregnant ladies smoking. Somebody mentioned fatty foods as well. Yes, fatty foods is an issue, but it's not something that is harmful for every little bit you take, in other words smoking small amounts harm you, fatty foods small amounts don't. And it's all in moderation. Education is vital, but I think we need to go beyond education because the statistics tell us that all the education that is put in place since it started in the late 50's and early 60's has not sorted out the problem on its own, we need to take that next step.

I would just like to say that remember what we are proposing is not to make it illegal for that generation born after the year 2000 to ban them from smoking, that's not what we are suggesting. What we are saying is it would be difficult, well it will be illegal for them to buy tobacco products, but they could get them from somewhere else, we are not trying to introduce a ban on smoking as such.

Thank you Mr Speaker.

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members, as the only Member of this Assembly who practices the dreadful art of smoking it probably comes as no surprise that I will not support this Motion. To me it's all down to, as my Colleagues have said before, choice. I went through school, I went through human development classes, and I well remember Mr Gilding demonstrating what smoking can do, showing the movies, and I didn't smoke at school. I actually started smoking after I was 16 knowing full well what it would do to me.

We seem to be going after smokers for some obscure reason. When I pulled something off the internet, and of course, the internet is full of old rubbish I know, but this does seem to come from the Lancet, which I think is fairly good. It's a 2010 article I agree, but it showed drugs ranked by the harm to users and harm to others, and at number one lays alcohol, down at number six lays tobacco. Why aren't you going after alcohol? This to me does greater

harm to society than tobacco. I have never heard of a bloke going out and having a few fags, going home and beating up the wife and family, in fact, we are normally more chilled after we have had a few cigarettes.

I don't hear smokers going out causing problems at all, perhaps if they can't get their tobacco they might, but I would also say that don't come to this House with a proposal to ban alcohol because I wouldn't support that either, it's down to choice.

It's the choice of the individual once they are over 18 to do as they wish. Smoking, to be honest with you, I would say to any young person: if you have never had a fag, don't. Don't touch it. It is a silly game, but if you wish to, it is your choice.

Perhaps I would end by looking at this more in the Falklands definition. I mean, as I grew up I have never had any tobacco companies trying to push their products on me that I know of, it was my choice, I do it, I still do it, but I think you were saying that you seem to be intimating that children here were still somehow smoking under age. Well, we have got the laws to stop this, and if we aren't doing anything about it, why aren't we? If you can't stop them smoking how are you going to stop the older folk? It's slightly bonkers to my way of thinking, if I can use that word in the Assembly.

To finish up, I would just like to put this in the Falklands context, there are two groups of people out there which are: volunteers, they are mainly young people or youngish people and one will probably risk their neck getting you out of a burning house or a crashed car, that's their choice, they will make the choice, they will do it; and the other group of young people may take a bullet for me if ever things get out of hand down here in the Falklands. If they can make a choice to lay their life on the line for me, they can make a choice whether to have a cigarette or not. Thank you.

### **Mr Speaker**

Does any other Member wish to Speak?

### **The Honourable Dr Barry Elsby**

Just to come in, the Honourable Gavin Short was staring me in the eye throughout his speech, but there are two of us who are proposing this and I am seconding the Motion.

You are right that it is down to choice, but I think tobacco companies, the way they influence people, it's very subtle. As the World Health Organisation said, they use any form of devious ways, they are not in your face, and it's that subtle bit of advertising.

Yes, alcohol does have its harms, I haven't read the article that my Honourable Colleague talks about in the Lancet, but alcohol in moderation hasn't been shown to be greatly harmful, but I would point to you that this community has recognised the dangers that alcohol can have for some people, and we have a thing called "the Black List", that's legislation prohibiting people from drinking if it is harming them, and the society made that choice then, and I think we need to think about the same for smoking in relation to young people.

### **The Honourable Phyl Rendell**

Mr Speaker, in response to the statement that the Honourable Dr Barry Elsby just mentioned “the Black List”. Anybody going on “the Black List” has to voluntarily agree to it. It is not something that can be imposed by the court without the agreement of the person concerned.

Mr Speaker, thank you.

**Mr Speaker**

Any other Members?

**The Honourable Ian Hansen**

Thank you, Mr Speaker. Just briefly, the Honourable Dr Barry Elsby mentioned that the fact that education over the last several decades doesn’t appear to be working. Well to me that points out that we should actually be trying it again. It gets back to the point that other colleagues have made, we should be concentrating more on education and not just saying “it’s not working, let’s go to legislation”.

Thank you.

**Mr Speaker**

The Honourable Michael Poole, it’s your option to sum up.

**The Honourable Michael Poole**

Thank you Mr Speaker, Honourable Members, it’s interesting listening to comments from my Honourable Colleagues. You would think this Assembly was made up entirely of libertarians and they have never legislated for anything in the past, which we all know is not the case. As I have said, there is plenty of hypocrisy to go around in these debates.

In terms of some of the specific comments that have been made, I think as the Honourable Mike Summers has said, this Motion was deliberately high level. It doesn’t commit us to any particular path, and some of the issues that have been raised in terms of the impracticality of the legislation that is being suggested, and in terms of the potential future issues that the Honourable Jan Cheek has mentioned about electronic cigarettes and that kind of thing, I think we can use this Motion, if supported, as a mechanism for the Government to try and address those concerns. You can talk it through further, you can debate it more, get some expert input, and really look to try and future proof our approach and our strategy to try reducing the number of people that smoke, and that is why it was worded in that way, though clearly the Honourable Dr Barry Elsby and I do think that we will end up with a legislative solution, but in the end, if a group of 10 experts came and told us there are better ways to achieve this, then I am personally unlikely to turn that suggestion down.

In terms of the broader issue that has been discussed, where do we stop? It’s a perfectly reasonable question. It is a concern that fatty foods, alcohol, that kind of thing, but in the end as the Honourable Dr Barry Elsby has said, there is no safe level of consumption of tobacco whereas there is of these other items, and I think, certainly, alcohol here is an issue and it has

wider social impacts as well, and I would encourage and actively engage in any discussion on what we can do to try and reduce that. I don't think you would look at legislation, again it's about education and discussion, I think.

The Honourable Gavin Short has mentioned an article from 2010 in the Lancet journal which I am familiar with, and it was a really interesting piece of work that that they had done, and very useful to policy makers, and it was what they call a multi-variable analysis, so it assessed, I think it was, 20 different types of drugs including alcohol, cigarettes, against, I think, about 14 to 18 difference variables, and alcohol resulted at the top of that because they weighted the wider social impacts very highly, whereas the direct health impacts of a drug was only given a 4% weighting in that study. So, if you change that weighting then cigarettes would probably, and it actually says it in the discussion within that journal, would be at the top because they have the most harm to people's health directly from smoking.

And I think that's about all I wanted to add Mr Speaker, so I hope my Colleagues will support this Motion, thank you.

### **Mr Speaker**

Honourable Members the Motion before the House is that this House requests that the Government investigate and introduce measures including if necessary further legislation consistent with the Constitution to promote the reduction of smoking and the harmful effects of smoking by aiming to create a tobacco free generation.

In view of the public interest in this debate I would suggest we have a formal division, in which case the Clerk will call your name if you can please indicate whether you are for or against this Motion.

### **The Honourable Dr Barry Elsby**

For the Motion.

### **The Honourable Phyl Rendell**

Against the Motion.

### **The Honourable Michael Summers**

Against the Motion.

### **The Honourable Jan Cheek**

Against the Motion.

### **The Honourable Ian Hansen**

Against the Motion.

### **The Honourable Michael Poole**

For the Motion.

**The Honourable Gavin Short**

Against the Motion.

**Mr Speaker**

Honourable Members, that's five votes against and two for. The Motion therefore falls.

**Deputy Clerks of the Assembly**

Portfolio Reports.

**The Honourable Jan Cheek**

Mr Speaker, Honourable Members, it's been sometime since I did a portfolio report, it's been sometime since anyone did a portfolio report, so I apologise in advance if it's a bit lengthy.

The trade and industry portfolio is a broad one. We have regular meetings with business representatives including the Chamber of Commerce Board. In recent years these have been useful and constructive exchanges which have, I believe, lead to a good understanding of our respective positions, as well as alerting Members to new issues, and those meetings take several forms. We meet with individual company representatives when they request it, the Honourable Michael Poole and I, as the two portfolio holders, meet the Chamber Board on a very regular basis and then all Members meet the Chamber Board and other business organisations also on a regular basis.

Turning to specifics, last time I reported on Falkland Islands Development Corporation we were in the process of quite major changes, but with the corporation's Financial Controller now in post starting on the 07<sup>th</sup> October 2014, the corporation only has three vacant posts left. The Development Manager, where a local recruitment is in progress; a Development Officer, there is one remaining position and that will be recruited when we have the Development Manager in post; the Rural Energy Advisor position has been advertised twice locally and is now being advertised overseas.

We have recently had the auditors in, and the external auditors have completed their review of the corporation, and discussed the findings with the Board. The audit this time went well and feedback from the auditors suggest they are comfortable with the management structure, the organisational direction and the control environment of the corporation.

The Rural Development Advisor is based within Falkland Islands Development Corporation and has done a significant amount of work since she started on the 04<sup>th</sup> August 2014. A detailed updated will go to the Development Board in December, that will be a public paper, and we will also undoubtedly be kept up to date by the Honourable Phyl Rendell as part of her portfolio.

The Business Climate Survey that was recently undertaken, with results published on the Falkland Islands Development Corporation website, highlighted particular issues in relation to shipping and freight and in view of these responses, as we heard at Monday's public meeting, the Chamber of Commerce have produced and distributed a follow up survey focused on shipping services. This survey closed on the 22<sup>nd</sup> September and a full report on the findings will be published within the next few weeks. Now I have confused the two surveys there, the other survey underway at the moment is the one on the shipping.

Falkland Islands Development Corporation as the major part of its role aims to assist local businesses, and an area we are looking at the moment is improving and increasing their capabilities to successfully supply the oil and gas industry. Having investigated the possibility of establishing a dedicated procurement database and website for oil and gas, Falkland Islands Development Corporation have now commissioned a local firm to procure and manage a database. SAROS that is the South Atlantic Registry of Oil Suppliers will be a procurement database that can be accessed through a dedicated website for the Falkland Oil and Gas Industry to connect Oil and Gas Companies with local suppliers. Work has now started on the database and it's hoped that we will have a working model available for testing by Christmas and a live system up and running early in the New Year.

In June, Falkland Islands Development Corporation was again asked by Falkland Islands Government to revisit the subject of roads to non-agricultural destinations and to propose a policy for the construction of roads to those. A discussion paper was submitted to the Transport Advisory Committee in July. Suggestions were provided by the committee and a paper on this subject went to the board on the 21<sup>st</sup> August. Both papers formed the basis of a paper that was submitted to Executive Council by Falkland Islands Government Head of Policy on the 15 October. At that meeting the paper on roads to non-agricultural destinations was debated at length. A revised recommendation agreed that proposals may be submitted to Falkland Islands Development Corporation for analysis in accordance with agreed criteria, to be considered as part of the National Infrastructure Plan. The criteria included the requirement that there was an overall economic benefit that exceeds the cost of construction. In view of Executive Council's recommendations, Falkland Islands Development Corporation has drafted an application process for discussion at the Transport Advisory Committee in November, this is an open paper, and the outcome of discussions from that meeting will be discussed by the Development Board in December.

Other works underway are: Falkland Islands Development Corporation have appointed consultants to provide specialist advice and guidance on the creation of a business case, route identification, and negotiation of a commercially viable additional north/south flight to support planned growth in tourism and other industries, and Members also know on the 24<sup>th</sup> Falkland Islands Development Corporation delivered a presentation on the topic of Falkland Islands Development Corporation and business development, which I believe was well received.

The other part of the portfolio where there have been some recent interesting developments is that of Mineral Resources.

The department continues to work on both matters relating to the exploration campaign due to commence in March 2015, and on field development planning for the Sea Lion field. Exploration will recommence in March with a firm six well drilling campaign consisting of

four wells in the North Falkland basin and two in the South Falkland basin. The *Eirik Raude*, sister vessel to the rig *Leif Eriksen* which drilled in the Falklands two years ago, will mobilise to the Falklands early in the New Year. It is anticipated that the drilling campaign will run from March through to November or December, but options exist which could see the period extend if they are taken up.

The department has already received environmental impact statements from Noble Energy and Premier Oil in respect of this campaign, and other mandatory legal approvals are due to be submitted over coming weeks.

Many of the supply and service contracts have now been awarded by operators and the first signs of increased activity are already evident, with local businesses playing a key role in delivering a safe and successful operation.

Additional success in the 2015 campaign could redefine the current expectations on future oil industry activity.

Development planning for the Sea Lion field saw a recent change, with an announcement earlier this month by the operator of a revised development concept. This will revisit some options considered earlier in the planning process in the light of changes in the world oil market through this year.

The revised development concept now draws extensively on experience that the operator has accumulated in other developments in the North Sea, and the operator's target remains to deliver first oil from the project in 2019. The department will continue to work with the operator towards submission of a field development plan during 2015.

Progress also continues on oil readiness issues, with considerable work being carried out to ensure high standards of environmental regulation continue to be delivered.

Thank you.

**Mr Speaker**

Do any Members wish to raise a question on that report or make comment?

No.

**The Honourable Ian Hansen**

Thank you Mr Speaker, Honourable Members, I shall begin with Human Resources matters. First of all, recruitment. In September Executive Council approved a new recruitment policy, and I am pleased to report that there has already been a positive impact. Previous processes, which resulted in lengthy delays, have been replaced with those that are more appropriate and timely. Most candidates can be told the results as soon as all the candidates have been considered, and often on the same day. As with any competitive process though, there will always be people that are disappointed at not getting a job, but it is always better to let people know as soon as possible.

However there are still challenges within recruitment. We are fortunate in the Falklands that we have full employment, but one of the consequences of this strong economic position is that we sometimes need to recruit people from overseas. Our hospital and schools would not function without this support. We have had successes in bringing talented people to support the Islands, but at the same time there are a number of challenges, both now and on the horizon.

International recruitment is a global market, and many countries are expected to come out of recession over the next few years. Many of these countries have cut their training capacity, and the demand for contract workers is likely to increase. This means that supply is reducing whilst demand is increasing, and we will need to ensure that our recruitment marketing and our packages remain competitive if we are to continue to attract suitable applicants.

While benchmarking indicates that our basic salaries are broadly similar to the United Kingdom market, this alone is unlikely to attract people to relocate to the Islands. I am pleased to report that a review with recommendations has been prepared and will shortly be available for consideration.

In the longer term, we must ensure that our approach to having local people in local jobs is supported by appropriate training and development, and I look forward to seeing the results of the Islands-wide training needs analysis in the New Year.

Moving on to the pay audit, this time last year there were headlines in the local media about the poor state of Government payroll, a matter that has drawn comment from Honourable Colleagues, I am therefore pleased to report that this year's internal audit of payroll was completed without incident or delay. Of the 23 observations made, only five remain outstanding and these are pending changes to systems and processes that are planned over the 18 months. Two Government Departments are now inputting pay directly into the pay system, and this has resulted in improved accuracy and reduced errors.

I would like to express my thanks to the Customs and Immigration Department as a first small department to make the change, and also to the Public Works Department as the first larger department to successfully migrate.

I would like to take this opportunity to express my thanks to the Human Resources Team, and please would everybody note that they will be working over the holiday weekend to ensure that Christmas payroll is completed accurately and on time to meet the shorter than usual cut off dates.

And finally on Human Resources, I hope the House will join me in complimenting the efforts of the Human Resources Team during the last year. The department is making improvements that have been a long time in coming, and it is pleasing as portfolio holder to hear increasing numbers of compliments and much reduced complaints. There is still much to be done, but these are encouraging first steps.

I will now move on to other Central Services issues that I am responsible for. I would like to take this opportunity to welcome the new Fox Bay Agent, Andy Findlay and, of course, Sherilee too to Fox Bay, and I wish them well in the job.

Our new Director of Central Services, Matt Bassford, who I believe is the Chamber here today, is here on a familiarisation visit that began on the 8<sup>th</sup> of this month and finishes on the 29<sup>th</sup>.

He has had a very busy schedule. He has met with MLAs, the Chief Executive, Treasury, Directors and Departmental Heads, and the Chamber of Commerce. He has visited Fox Bay, Goose Green, the Leisure Centre and Workboat Services. Matt will be back to take up post in early January along with his family, and I look forward to working with him over the next two years.

Briefly on Falkland Islands Government Air Service. Falkland Islands Government Air Service had a period some weeks ago when they were down to one aircraft. This was down to an unfortunate combination of a computer system crashing, and a shortage of engineering staff. However, this has now thankfully been sorted and rectified, and passengers are now being moved in a much more satisfactory manner.

I would also like to mention, I believe a press release is going out, but there is a new BFBS TV channel starting on the 1<sup>st</sup> December called Forces TV which is a 24/7 rolling news programme devoted particularly, I believe, to aspects of the Armed Forces, and we welcome that.

Now to move onto probably the more controversial issue of the FM Radio. Despite the perception that nothing is being done, there is a lot of hard work going on to improve the service. In particular Lynn Brownlee at Central Services spends a huge amount of time collating information and dealing with this situation. Yesterday, Executive Council approved the installation of a test repeater at Port Howard to be installed before Mount Maria goes off air. Work is in progress to retain Mount Maria until this happens, and it looks from the information I received this morning, very positive that Mount Maria will not be taken off until this repeater is installed.

The test repeater is here in the Islands, it is being bench tested, and appears to be working well. It could be on site within the next two weeks if all goes well, perhaps sooner.

If this repeater is a success the other locations that are not receiving a decent signal, these will be addressed by possibly putting in more repeaters. The end result we hope, we want, will be that FM coverage and MW coverage will be Island wide or at least in populated areas.

Thank you Mr Speaker, that ends my report.

**Mr Speaker**

Thank you. Do any Members wish to comment or ask a question on that report?

**The Honourable Michael Poole**

Thank you Mr Speaker, Honourable Members, just one quick question in relation to Falkland Islands Government Air Service. Executive Council received an information paper some months back now referring to potential fleet replacement in the future. I wonder if my Honourable Colleague could give an indication to the House of how that fleet replacement is

progressing, if at all, and I guess the sense of at what point does it become absolutely essential that we make a decision in terms of fleet replacement, if he has been any indication of that. Thank you Mr Speaker.

**The Honourable Ian Hansen**

I thank my Honourable Colleague for that question. The simple answer is that no, I don't know where that is at the moment. I know there is still ongoing work, but to be frank, I don't know how far through it is. I will endeavour to find out and report back to you.

**The Honourable Gavin Short**

Mr Speaker, Honourable Members, I thank my colleague for the report to the House. I just really have a comment and perhaps a question actually.

As far as Human Resources goes, I would just like to endorse what he said from my perspective. I see Human Resources matters improving greatly on what they used to be, so I too would like to thank the staff up in the Human Resources Department for actually modernising some of the systems. I think that's what made the difference, we are pushing stuff down, at long last, into the workplace where it should be. I know the department I represent had one little problem right at the beginning, but we have sorted that, we have put procedures in place, and I am confident certainly we will not be making the same little mistake again, but I really do want to thank Human Resources for at long last getting stuff down back into the departments, and I think it will continue to improve as time goes on.

You mentioned pay dates. Perhaps if I could also thank Human Resources for working through the holiday period on that, but I actually meant to write you an email yesterday and actually forgot all about it, so if I could ask you now. I believe the Financial Secretary has the power to vary pay dates, and I wonder whether from a Human Resources perspective you would like to approach the Financial Secretary on behalf of Government workers to see whether perhaps the January pay date could be slightly earlier than normal, so we don't get a very short December pay date and then the what seems like 17 years of January until....

**The Honourable Ian Hansen**

I thank the Honourable Member first of all for his kind words about Human Resources, and I will enquire, I may be wrong, but I believe that the bank has some say in dates of pay, but I may be wrong on that, but I will certainly check up on that. I will also have a word with the Financial Secretary and get her advice.

**The Honourable Financial Secretary**

Mr Speaker, Honourable Members, we can certainly look at the pay dates in the future.

**The Honourable Jan Cheek**

Mr Speaker, Honourable Members, I just had a quick question for the Honourable Ian Hansen. Can he confirm, please, that there has been no change in the rule that jobs must be advertised locally before being given to people coming in from overseas? I have had

concerns expressed recently about one or two jobs in the field of education which don't appear to have been advertised.

**The Honourable Ian Hansen**

I thank the Honourable Member for her question, and I am not aware of any change in that rule, but I will certainly ask the question.

**The Honourable Jan Cheek**

Thank you.

**The Honourable Mike Summers**

Mr Speaker thank you. Honourable Members, radio in Camp has been a fundamentally important part of life I guess forever, and I know that people in Camp rely very, very heavily on the radio both for information and for entertainment, and so it's essential that what we produce at the end of the day is fit for purpose. It's rare in a new project that everything works perfectly right from the beginning, and inevitably there will be issues that have to be dealt with.

Can I just ask the Honourable Member to confirm that in the information pack that's to go out to Camp residents relatively shortly about the new FM radio system, that there is a clear mechanism for them reporting perceived deficiencies in their service in their local areas so that they can be dealt with on a prompt and a logical basis?

**The Honourable Ian Hansen**

I thank the Honourable Mike Summers for his question and yes, I totally agree there should absolutely be a clear mechanism for that procedure within that document. I will ensure that that is the case.

**Mr Speaker**

Are there any other comments or questions?

No.

**Deputy Clerk of the Assembly**

Motion for Adjournment.

**The Honourable Chief Executive**

Mr Speaker, Honourable Members, I beg to move that House stands adjourned sine die.

**The Honourable Michael Poole**

Thank you Mr Speaker, Honourable Members, just two very brief points from me this month.

Firstly I would like to add my public congratulations to the two youth football teams that recently visited Chile. A very successful visit, very well organised, so thanks to everyone that organised it and sponsored it as well.

And also with the Chief of Staff here today, just a thanks to him and his team for the Open Day that was held at Mount Pleasant recently, it sound to be very successful, a really good number of people went out. It used to be a tradition from my memory, and hopefully we will see that continue in future years as well.

Thank you Mr Speaker, I support the Motion.

### **The Honourable Phyl Rendell**

Mr Speaker, Honourable Members, I would just like to take the opportunity to make a few comments regarding my portfolio which is the Fisheries Department, which includes Maritime matters and FIPASS, because as the Honourable Jan Cheek mentioned, we haven't reported on our portfolios for a number of months due to the pressure of legislation being passed in this House.

People will see some change on FIPASS at the weekend. Byron McKay Port Services will end their contract and cease operating and managing FIPASS for the Falkland Islands Government after nine years. I would like to publically thank them for the work they have done throughout those years to ensure that there has been good access to FIPASS for vessels. It's surprising how busy FIPASS can be, and it certainly was during the last oil exploration round, so I would like to personally thank all of those involved in Byron McKay Port Services for their work over the last nine years.

FIPASS has perhaps not been high on the radar screen for a few years when there was much discussion and debate about a new port in Port William, and I think we would all readily admit that funding was not the focus for FIPASS because there might have been some other initiative that might have been taken forward, but we are where we are now, and we are very much focused on ensuring that FIPASS is assessed and maintained for future years until such time as we can come back to looking at another facility.

Atlink Limited take over from the 1<sup>st</sup> December and will be managing the facility, and through the Maritime section and through Malcolm Jamieson we have a number of tenders going out. There is one out currently for the UTM Survey, it was advertised I think in Penguin News last week, which is to gauge the latest state of FIPASS, and very shortly we will have tenders out for other works including the ro-ro, and I am hopeful that we will have interest in those pieces of work. So things are progressing with FIPASS, focus is back on it, it will be under new management, and I do look forward to seeing progress and improvements to that facility which we will need for a number of years yet.

The Honourable Jan Cheek mentioned the Rural Development Strategy and the work that Falkland Islands Development Corporation has been doing to support that strategy. I really welcome the fact that now Falklands Islands Development Corporation have been given that remit and have really entered into the spirit of driving change and development and support for the Camp, and the new appointment of the Rural Strategy Advisor is great because she is

organising me and we are off to the West later today to talk to groups at Hill Cove and Fox Bay and Port Howard through tomorrow about the coastal shipping service. There is a survey out currently as everyone knows, the contract ends in 2016 but we need to get on and get people's views and opinions as to how that might develop and feed those into the Government, so I look forward to meeting people with my Honourable Colleague Ian Hansen at Hill Cove tomorrow for smoko, and down at Fox Bay, and then in the evening at Port Howard. If you are not able to go to any of those meetings we would still be grateful if you would like to fill out the survey and let's hear your views about the ferry service and also the service to the outer Islands. I think it would be really useful to get that information from people.

I would just like to take this opportunity to talk about a piece of work that I have been very much involved with. I started it before I was elected, started back in very early January actually of 2013, and that was preparation for Battle Day for the 100<sup>th</sup> Anniversary of the Battle of the Falkland Islands, and how we might commemorate it. Right back in January 2013 when I took on the challenge of helping to coordinate and chair the events for that that are very nearly upon us now.

There was a very firm message from a group of over 40 or 50 people who came to the initial meetings that this was about commemoration, about the dreadful loss of life of both British sailors and German sailors back in 1914, and we have taken that message right on through our planning. We are remembering the loss of British lives at Coronel and well as the loss of the German lives in the Battle of the Falklands on the 8<sup>th</sup> December. We have a number of visitors coming down representing all three Admirals: Admiral Craddock, who drowned at Coronel, Admiral von Spee, who drowned with his two sons in the Battle of the Falklands, and Admiral Sturdee, who was the successful Admiral who overturned the German Fleet. So all three families are coming down and will be represented for a whole week of events. So it's going to be a busy time. There is going to be a number of community events, and I hope there will be something for everybody from football matches to a bit of a sail past and regatta on the day of the 8<sup>th</sup>, so anybody with a small boat, please get it in the water and be prepared to sail up the harbour with it. We won't be having a fly past because we think that it's more appropriate to have boats on the seas as it's very much a naval occasion. There will be, the Honourable Michael Poole is coordinating, a dance in the Town Hall wearing his football club hat, so that will be good fun, I think, for younger people, and there is some music hall events being put on, Old Time Music Hall that FIODA are doing during the week.

There are posters going out as I speak, and I have got a fantastic team of people that are doing much of the work, I am just pulling the strings at the moment, so I do hope everybody will enter into the spirit of the 8<sup>th</sup> December, remembering it's commemoration of the loss of all those lives, and then reflection.

Mr Speaker, I support the Motion.

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members, in rising to support the Motion for Adjournment I would like to touch on a couple of items. I guess starting off by saying the amount of paper I have in my hand may look ferocious, but the font is bigger as the years go by, and that's down to me being too stingy to go and get a pair of reading glasses.

First off I would like to speak about Christmas lights. To give some background, there has been a long and rather unhappy saga surrounding the Christmas lights. We bought ourselves a new set some years ago now, but due to the lamp posts on the front road being corroded, and after one failed and came crashing down when it had bunting attached to it, we deemed it unsafe to dangle anything off them in their present state, and I am chuckling because as I start my speech the whole audience walks out.

Due to the workload that has been placed on the Public Works Department over the last few years, everyone was flat out on other “must do” projects and, of course, the poor old lamp posts got pushed further and further down the list of things that needed doing.

We have finally identified poles which are deemed to be in keeping with the front road whilst being robust enough to take the weight of bunting or Christmas lights. However, we decided that rather than make this a standalone project, we would tie it into the Waterfront Development and put them in place at the same time as we do the works around Arch Green and Victory Green – which makes sense, but of course pushed the project back once again.

I believe we will shortly be seeking planning approval for those works and, if successful, we should see the lamp poles in place ready for next Christmas. I have asked the Director of Public Works Department to ensure that even if there is a delay in getting the Waterfront project underway, we do those lamp poles as a standalone project.

For this year though, the Public Works Department will attempt to put the lights in position on Arch Green. I believe the plan is to use a pole at the south end of the Green and run support wires from it so that an outline for a Christmas tree is formed.

We will endeavour to form this outline in a way that keeps the bulbs at a level where they are not easy for revellers to access, as what I didn’t realise until quite recently, that in past years when we had the lights down the front road, and I think they went down the public jetty where they came down to a level where folk could get at them, bulbs were being removed. Of course, this is a pretty dangerous practice as unlike some of the lights you get that go around your Christmas tree when one bulb dies the whole lot goes out, it doesn’t in this case, so we had live sockets at heights where folk could have perhaps staggered into them or put their fingers in them wondering what they were.

There was a suggestion that we could dangle them over the Whalebone Arch, but we have taken a very conscious decision to keep away from this iconic symbol for a number of reasons.

The Arch itself is quite aged, and there is a real risk that we could do some damage in putting lights on it, and the last thing, as I say, that we want to do is Public Works Department to cause damage and, of course, also due to us being in the South, daylight here is in abundance, and so is the tourist season, so rather than lots of photos of a cheerfully lit Whalebone Arch, which you might have got in the darker times, our visitors would probably be going away with photos of an Arch wrapped in industrial size cables and unlit lamps.

There is one warning that I must give though. My staff are flat out and putting the lights up and taking them down is going to push some other bit of work backwards by a few days, so I do ask people to take that into consideration.

So basically, unless there is some terrible technical reason that we encounter as to why lights can't be put up, there will be lights this Christmas.

Many years ago though, before the saga of the poles, I had the crazy idea that it would be fun to put some sort of industrial size Christmas tree on Victory Green but backed away from that as the saga of the lamp poles unfolded. However, I have been contacted by people from the private sector who have the same idea, so I will be getting back in touch with them to see if there is still an appetite to do something like this – they also seemed to be offering to fund or part fund such a project and I hope their enthusiasm will not wane as time goes on.

Maybe their generosity will be such that we could end up with more than one tree as there are many locations that they could be installed not just Victory and Arch greens – there are great tracts of land fronting the sea down at the East end of Stanley that could also be used. But as I say, we shall have to see where this goes.

At the last public meeting the question of what, I think, was referred to as the obscene amount of empty drums at Megabid, was mentioned. These will be fed to the drum crusher, but that is going to be a wintertime job. I have very few people left, and if rumours that I am hearing are true, there may be even fewer as time goes on, so I need every person that I have out there doing stuff that can only be done during our summer season.

The damaged 55 meter section of the Mount Pleasant road has now been lifted. Once again though, the welfare and safety of my road crew was put in jeopardy by the impatience of a thoughtless driver who basically had a near miss situation when a driver decided that they were going through and almost struck the road saw.

At present our laws surrounding the closing of roads is wanting, and I sat in on a meeting yesterday between Public Works Department and the Legal drafters where we explored writing a new piece or pieces of legislation actually that can allow us, in amongst other things, to legally temporarily close roads, make diversions etc. Also discussed was the zoning of areas surrounding Stanley that will allow defined speed limits to be applied to them. I am hopeful that with a bit of luck and a following wind we will start seeing some action on this front within the first few months of next year.

The power station crew, like most of my departments are flat out. They are trying to fit in a number of supply requests, the new Falkland Islands Company shed by Garden Centre, which requires a substation and heavy cabling, and they are indeed getting on with that, also the supply to the new Byron shed in Lookout, where they have found that the cable they expected to use only has two working phases and the company in fact needs three, so this has turned out to be a bigger work than we actually expected, plus of course they are still getting the normal requests for temporary and permanent supplies at Sapper Hill. Also we have a planned replacement of the main control panel on the asphalt plant lined up to be done before the laying season starts, so that will hopefully be done in early February.

On top of all this we assisted at Goose Green where a fault appeared on their distribution system. We assisted with locating and isolating that fault. Apparently everything has to wait now until the shearers to do their stuff as the system is a pretty basic, so you can't isolate individual parts of it, and again the Power and Electrical boys intend to help them a bit when the time comes.

I would like to make special mention of our Superintendent of Power, Mr Glenn Ross, who is currently out of the Falklands having been invited to make presentations at the RELACCX event, and before anyone thinks Glen is off looking at holiday resorts or something like that, it actually stands for Renewable Energy Latin America and Caribbean Conference and Exhibition, which was held in Puerto Rico, and Glen is also attending a conference in Chile about wind power as he comes back through, so my grateful thanks to him for attending on behalf of the Falkland Islands and representing us so well at all levels. It's great to see Falkland Islanders out there talking about subjects that they know, love and are world leaders in.

The alternative water supply is chuntering along nicely, about 5k of the Murrell pipeline is now jointed and 3k of trenching done, and work is due to start on the dam side works imminently, so progressing reasonably to plan and we hope for a February or March completion on that.

St Mary's Hall is ready to go, with just a few very minor outside works to do, but the building is ready to move into with all the necessary permits, certificates etc. being issued.

The road crews are out there doing their thing as well, and talking to the Roads Engineers yesterday, good progress is being made with the sticky patch out by Hope Cottage way. I think it was completely rooted out and replaced. Grader crews on the Lafonia side are now out past the Sound House. Work has started on removing the old access onto the Bypass from the caravan park. We are also looking for tenderers for the Wall Stream works and I have everything firmly crossed that we will get someone to step up and take on this contract. The work, of course, towards North Arm on that road is proceeding well. The West is something of a slower start, but I believe that we will be seeing action in the New Year once the contractor has geared up.

Culverting is carrying on at quite a pace, and that is thanks to our engineers and also a certain shipping company for getting good prices for shipping the culverts to the Falklands. We made savings that were able to re-inject into the culverting programme meaning that we can do more than was originally anticipated. I would also like to express my thanks to the contractors who are undertaking the culverting works for us.

Although he is not here to hear this in person, I would like to assure the Honourable Edwards that he shouldn't be bothered by too many carry-overs into the next financial year. In fact, if anything, we could probably do with extra money for this season. We really are pushing hard on the rural roads programme.

Finally, I would like to touch briefly on a piece that appeared in the press from a "high placed source in the Argentine government" saying that Kirchner will cut the LAN link in December 2015 unless the British Government agrees to negotiations over the Falklands so in other words, how soon will you let us colonize the Falklands. All I will say is this: "you threatened

to cut the link before and we didn't flinch. I will not be bullied or blackmailed into either compromising the future of my country, or indeed give one inch of what I see as my country to any wannabe foreign colonial power”.

Mr Speaker, I support the Motion.

### **The Honourable Jan Cheek**

Mr Speaker, Honourable Members, over a year into this Assembly there is no doubt that full time Members were needed. While I am not convinced we need all the meetings we have or, with a few exceptions, that any need run to more than three hours, as we had one yesterday. It's sometimes difficult to find time to do all the reading and research necessary to make good decisions, but it is in this context that I want to publically congratulate the Honourable Michael Poole who, while doing all that, has also managed to complete and pass his MBA. We have just heard that from him this week, and it's very good news.

Turning back to the radio question, information is vital, and at our public meeting the other day we had people saying “I didn't know about...”, in this case it was something to do with Waterfront development, but radio is the most vital source of information, so don't forget medium wave which is sometimes accessible when FM isn't, because unless we had many, many more transmitters, FM is never going to give one hundred per cent coverage because of the inconvenience of hills getting in the way.

So a plea for information, if you are putting out information, if you want to reach everyone, remember that according to our last census which wasn't that long ago, and I have said this before, but it needs repeating, around 27% of the population do not have access to the internet, so if you want them to comment on a consultation you must make hard copies available as well, and also remember that if 27% don't have access to the internet and a number of people choose not to use Facebook, it's no good saying “it went out on Facebook so everyone will know”. Just a point people should remember.

I already had a note to recognise the huge amount of work done on the 1914 Centenary celebrations by the Honourable Phyl Rendell who has been very modest about the amount of work she has put in, and the many others who have been involved in the committee and in organising all the events, which I think we look forward to next week.

And with that, I support the Motion.

### **The Honourable Ian Hansen**

Mr Speaker, Honourable Members, given the fact that I think I have addressed just about everything that I can think of in my portfolio report, I shall be extremely brief.

I would just like to add the situation with the radio, and I guess I was slightly remiss and not mentioning it in my portfolio report, but I would just like to urge everybody out there that do have problems, please continue to phone Lynn. I am sure Lynn won't thank me for that, but either phone Lynn or myself, and let us know because unless we know there is a problem out there, and unless we know how it changes on a daily basis, then it will be very difficult to make the decision to how to fix it.

Mr Speaker, I support the Motion.

**The Honourable Mike Summers**

Mr Speaker, Honourable Members, I would just like to take this opportunity to make a brief report to the House on my recent visit to Canada with a delegation of people from the Falkland Islands or representing the Falkland Islands.

I took with me Lewis Clifton representing the private sector here, David Blockley from SAERI, Phil. Richards from the British Geological Survey, who not only is the advisor for the Falkland Islands Government on Petroleum Geology, but also on a number of other issues to do with the regulation of hydrocarbons in the Falklands, and Ton Clarence-Smith representing the Petroleum Licensees Group, FIPLA.

I think it was a very successful visit, you never quite know about these things sometimes until a bit later on, but we visited Ottawa, Halifax, Prince Edward Island and Newfoundland in a busy two weeks, and met with such a large number of people, I haven't actually counted them up, but we have must met in excess of 200 or 300 people, I think.

The purpose of the whole trip was not only public diplomacy, to promote the Falkland Islands in Canada more broadly than we have until now, but also to promote to Canadian business the business opportunities that exist here for them to support our hydrocarbons industry, but also the fishing industry and the agricultural industry and indeed tourism to some extent, because we have very great similarities between the Falklands and a number of the areas in Canada, particularly the Maritime Provinces and the islands of Prince Edward Island and Newfoundland. A lot of opportunities did exist there.

We had some excellent meetings with major universities in Halifax, Prince Edward Island and Newfoundland, and made a number of excellent contacts there about research opportunities for Canadian students, either undergraduate or postgraduate students to work with SAERI or with our other organisations, and we also researched a number of opportunities for Falklands students to go to universities in Canada, and I know the default for most students is actually to go to university in the United Kingdom, but actually there is some really interesting and useful courses run by these universities in Canada, at prices incidentally that are cheaper for foreign students than they are in the United Kingdom, so I think that's a real opportunity that we should be looking at.

There have already been some positive outcomes from the trip and that is sometimes unusual for a public diplomacy trip, but I am happy to say that on our first day we met with Foreign Minister John Baird of the Federal Government of Canada, and he stated absolutely categorically that his Government is very happy to support the right of Falkland Islanders to self-determination going forward, and indeed he is very happy to support the idea of Canadian companies working in the Falklands, and supporting Canadian business in the Falklands. So we are very grateful for that, and will continue to be grateful to the Canadian Government for their support, and indeed to the UK Government for the work that they have been doing in supporting our activities overseas.

That in itself was probably a good outcome for the visit, but we have also had another couple of positive outcomes already. The university of Dalhousie in Halifax has agreed that one of their senior professors will come to the Falklands with the science visit next year. That presents some real opportunities to engage, particularly on the social effects monitoring programme, because she is especially well qualified in that area. I would like to thank Byron Marine for agreeing to sponsor an addition to that programme.

It also looks as though we will be able to recruit doctors from the Remote Medicine Training Programme in Queen's University in Kingston in Canada, and further work is required on that, but we hope that by early next year we will have been able to begin to fill a gap that we have in the recruitment of doctors, so already some good outcomes from that visit and I thank those who came with me and supported me during that visit to make it, I think, such a successful visit for the Falkland Islands.

Just in closing, I would like to mention that this evening I will chair the first meeting of the group which is charged by Executive Council to look at the creation of an all-weather sports facility, possibly in front of the school, maybe elsewhere around the Falklands. This is to be a community project, there will be a lot of community input both sought and required to deliver it, and so we will start that work this evening, and I look forward to being able to report to the House in due course on what progress we are making.

I support the Motion.

### **The Honourable Dr Barry Elsby**

Mr Speaker, Honourable Members, I will keep my comments brief, but I would just like to expand on what my Honourable Colleague Gavin Short mentioned about a visit that Glen Ross has just made to Puerto Rico to talk about the tremendous success we have had with wind power here. That invitation to Puerto Rico for this international conference came on the back of a trip I made to Columbia. Glen has emailed me recently, and says that he has been inundated with requests from people for advice from small communities such as ours, in the Caribbean, in South and Central America, because we seem to have a unique approach to wind power, and I think the skills we have and the experience and the expertise we have in things such as wind power, renewables, and also in science with SAERI, is a perfect way of raising the profile of the Falkland Islands in the whole of the region. People begin to see that we are an individual country with a lot to say and a lot of things that we can use and advise to neighbouring countries in the region, so I would praise Mr Ross's visit.

Mr Speaker, I support the Motion.

### **Mr Speaker**

Honourable Members, the House stands adjourned accordingly.