



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

**HELD AT NORTH ARM  
30 MARCH 2017**

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HELD AT NORTH ARM 30<sup>TH</sup> MARCH 2017**

Speaker of the House  
(Mr Keith Biles JP)

**MEMBERS**

(Ex-Officio)

The Honourable Chief Executive  
(Mr Barry Rowland)

The Honourable Financial Secretary  
(Mrs Lydia Morrison)

Elected

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

The Honourable Roger Edwards  
(Elected Member for Camp 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)

## **PERSONS ENTITLED TO ATTEND**

The Attorney General  
(Mr David Brown)

Commander British Forces, South Atlantic Islands.  
(Commodore Darren Bone, Royal Navy)

**Deputy Clerk of the Assembly:** Cherie Clifford

**Prayers:** Reverend Kathy Biles

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**The Record of the meeting of Legislative Assembly  
Held on Thursday 30 March 2017**

**Prayers**

**Mr Speaker**

Honourable Members, ladies and gentleman, I bid you a very good morning, and I think my usual warning about mobile phones to be turned off is somewhat superfluous, since I don't think there is actually a signal down here.

**Deputy Clerk of the Assembly**

Confirmation of the record of Legislative Assembly held on the 23<sup>rd</sup> of February 2017

**Mr Speaker**

Honourable Members, I have in front of me a record of our last meeting of the Assembly, is it your wish that I 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.

- Smoking (Designation of Vehicles) Order 2017
- Mental Health (Approved Practitioners) Order 2017
- Mount Pleasant and Mare Harbour (Designation and Speed Limits) Order 2017
- Road Traffic (Mount Pleasant Terminal Parking Control) Order 2017

In accordance with Section 23, Part 7 of the Falkland Islands Development Corporation Ordinance 2013:

- The Annual Report for the period 2015/2016
- The Financial Statements for the year ending 30 June 2016

In accordance with Section 38 of the Complaints Commissioners Ordinance 2010:

- The annual report of the Principal Complaints Commissioner to the Legislative Assembly.

In accordance with Section 5 of the Law Revision (Paving) Ordinance 2015:

- Revised Laws Project – Fifth Report to the Legislative Assembly from the Statute Law Commissioner

**The Honourable Chief Executive**

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

**The Honourable Mike Summers OBE**

Mr Speaker, under section 41 (3) I move that this Smoking (Designation of Vehicles) Order 2017, and the Mental Health Approved Practitioners Order 2017 be noted.

The Smoking (Designation of Vehicles) Order requires that nobody smokes in a vehicle that carries a child. This has been well discussed, and Members have strongly supported it. It clearly makes a great deal of sense. I don't by nature like coercive legislation, but in this instance it clearly is for the protection of children and therefore receives the government's full support.

The Mental Health (Approved Practitioners) Order is a piece of administrative work required to list all those doctors and professionals who are allowed to undertake work under the Mental Health Act.

**Mr Speaker**

Can I have a seconder please for that Motion? The Honourable Roger Edwards to second, does anyone wish to speak to the Motion?

**The Honourable Michael Poole**

Thank you Mr Speaker, Honourable Members, I would just like to say that I am pleased to see the Smoking (Designation of Vehicles) Order laid on the table today, and would like to thank everybody involved in having produced that work. Clearly, it is a relatively minor and a somewhat superficial step in the fight against smoking, but it is still a step. As the Government further restricts the places in which people can smoke and their access to smoking, I hope that and I am confident that we will continue to match that with medical and social support to those people that are trying to quit smoking. I will also be urging Members in the upcoming budget cycle to not to further hit smokers financially by materially adding to the cost of smoking with added duties. I know in recent years we have added a number of percentages to those duties, and I think that hit those that have an addiction, so I think instead of that we should continue to look at measures such as this, which restrict access to and the ability of people to smoke. Thank you Mr Speaker

## **Mr Speaker**

Any other Member wish to speak?

No, the Motion is then that the Smoking (Designation of Vehicles) Order 2017 and the Mental Health Approved Practitioners Order 2017 be noted. Is there any objections passing that Motion?

There is no objection, so those papers are noted.

## **The Honourable Gavin Short**

Mr Speaker, under section 41 (3) I move that the Mount Pleasant and Mare Harbour (Designation and Speed Limits) Order 2017 and the Road Traffic (Mount Pleasant Terminal Parking Control) Order 2017 be noted. These are perhaps unusual papers in as much as they do come under the department that I have portfolio control for, but they largely I believe fabricated, if that is the right word, between the Legal Department and MPA, however as they do come under my department, I will give the explanation for them.

If I could start with, perhaps, the Mount Pleasant and Mare Harbour (Designation and Speed Limits) Order 2017. Basically the order revokes and replaces the Mount Pleasant and Mare Harbour (Designation and Speed Limits) Order of 2004. A new speed limit of 20 miles per hour is being set for all roads in the married quarter complex, the current speed limit is 30 miles per hour. Further, the speed limit on the Mount Pleasant ring road will be aligned with that of the Mare Harbour road which is 40 miles per hour.

Moving on to the Road Traffic (Mount Pleasant Parking Control) Order 2017. This Order basically provides for controlled parking at the Mount Pleasant Terminal to manage traffic parking areas, which are designated in accordance with the type of motor vehicle. There are parking areas dedicated to Mini-buses, Coaches, Government motor vehicles, Ministry of Defence motor vehicles, and of course for visitors. Parking for visitors is either short term or long term; a parking area is also reserved for Government and Ministry of Defence motor vehicles.

## **Mr Speaker**

Can I have a seconder please for that motion? The Honourable Roger Edwards to second. Does any Member wish to speak to the Motion?

No. The Motion before the house is the Mount Pleasant and Mare Harbour (Designation and Speed Limits) Order 2017 and the Road Traffic (Mount Pleasant Terminal Parking Control) Order 2017 are noted, is there any objection to passing that Motion?

There is no objection, these papers are therefore noted.

## **The Honourable Jan Cheek**

Mr Speaker, Honourable Members, under section 41 (3.1) I move that the Falkland Islands Development Corporation annual report for the period 2015-16, and the financial statement

for the year ending June 30<sup>th</sup> 2016 be noted. These reports are required to be laid on the Table, after they have been through Executive Council, and the Corporation report outlines some of the many activities undertaken by the Corporation during that period. The financial statements are there as a legal requirement. As an aside, I would say we have got two representatives from the Corporation here today: Development Manager, Anne Wagner-Gras and Development Officer, Gordon Ackroyd, so I hope people will take the opportunity to speak to them later on.

**Mr Speaker**

Can I have a seconder for that Motion please? The Honourable Phyl Rendell to second. Does any Member wish to speak to the Motion?

No. The Motion before the House then is that the Falkland Islands Development Corporation annual report for the period 2015-2016 and the financial statement for the year ending 30<sup>th</sup> June 2016 be noted. Is there any objection to passing that Motion?

There is no objection, those papers are noted.

**The Honourable Roger Edwards**

Mr Speaker, Honourable Members, under section 41 (3) I move that the Revised Laws Project Fifth Report to the Legislative Assembly from the Statute Law Commissioner be noted. The two year Revised Laws Project is reaching its final stages, with most preparatory work completed, except work currently being undertaken by the Government's Corporate Management Team, preparing for the impact of the improved access to the Law that the project will deliver.

Work on the content of the Laws database is significantly complete, with work on-going to deliver the final data to the technical contractor. Work to finalise the declaratory Order in Council, which will confirm the laws applied to the Falklands Islands by the United Kingdom authorities is also on going with the FCO. The Law Revision and Publication Bill which underpins publication of the Laws database is, of course, currently under consideration by the Select Committee. Work has progressed well in relation to the technical solution, although there has been some recent delay on this aspect of the project, and the Law Commissioner is currently exploring the potential impact of this delay on final delivery of the publication, currently scheduled for the 31<sup>st</sup> May 2017, during a visit to the technical contractor. Every effort will be made to minimise any delay, which is not anticipated to be significant, but the project remains on track to deliver publication well within the term of this Assembly.

Mr Speaker, I move that the report on the Revised Laws Project be noted.

**Mr Speaker**

Thank you, can I have a seconder for that Motion, please? The Honourable Mike Summers to second. Does any Member wish to speak to the Motion?

No. The Motion before the House then is that the Revised Laws Project Fifth Report to this Assembly be noted. Any objection to passing that Motion? No objection. That report is noted.

## **Deputy Clerk to the Assembly**

Questions for oral response.

Question Number 6 of 2017 by the Honourable Michael Poole

### **The Honourable Michael Poole**

As the Assembly's representative on the Stanley Services Board, can the Honourable Jan Cheek please update this House regarding the company's plans for further development of Malvina House Hotel and the associated cinema project?

### **The Honourable Jan Cheek**

Mr Speaker, Honourable Members, I thank the Honourable Michael Poole for his question which gives me an opportunity to update people on what's happening with the developments. Regarding the new cinema, lounge and bar area, a revised planning application has been submitted to the Planning Committee. Our original plan was for the new cinema to be built under the existing bar, this would have involved the demolition of the existing bar and a new bar and meeting room would have been constructed over the cinema. Unfortunately, when we issued the tender documents we had zero interest from the local building companies, so we had to go back to the drawing board. In order to simplify the build, we repositioned the planned new cinema to the back of the hotel, and this is reflected in the new plans. The proposed new building will incorporate not only the cinema, but a new laundry, staff rest room, and offices, and this is all obviously subject to planning approval.

On the Fox Bay installation, we are planning that the work will now be completed by the end of June. Investment in Camp generally: the company continues to look for suitable locations to invest in Camp to increase capacity, which is desperately needed if land based tourism in the Islands is to be increased, and in Town we're looking at the site we have on Roberts Way, the company is planning to develop that site with a new warehouse, subject again to receiving planning approval in the not too distant future.

I'm pleased to say that Stanley Services have a proven record of investing in the Islands and this strategy will continue with these exciting developments.

### **The Honourable Michael Poole**

Thank you Mr Speaker, just in response, we're very pleased to hear that these projects are moving on. I echo the sentiment in terms of Stanley Services investment in the local community. The Honourable Jan Cheek is aware that the government had kind of parked early discussions around a community cinema project in the expectation that Stanley Services were moving forward with their own project, and I know there has been road bumps as that has progressed. It would be great to see that done, as a matter of urgency, and I know that is the way the Board is dealing with it.

### **The Honourable Phyl Rendell MBE**

Thank you Mr Speaker, I thank the Honourable Jan Cheek for her reply. I think she is well aware that the Honourable Michael Poole and I, when we first elected, were very keen to address the issue of the cinema in Stanley, and we were advised that Stanley Services were going to take that initiative, so we backed off, and as the Honourable Michael Poole has just commented, so I am really pleased this is still on the cards. It has taken a few years to get to the point where you are now looking at the development at the back of the hotel, but could you tell us, what kind of time scale you are talking about, and could you also perhaps indicate the scale of the cinema, I understand it is going to be quite small and intimate, but would be great for people to go and see a good movie, so could you give us a little bit more detail? Thank you, Mr Speaker.

### **The Honourable Jan Cheek**

Mr Speaker, Honourable Members, the plan is for a relatively small cinema, but it will now be slightly larger because the location is not as confined as the one originally planned, but it will be around 30 to 40 seats with repeat showings, so that people can get an opportunity to see new films in very comfortable and, dare I say it, luxurious circumstances. It will also double as a lecture hall or meeting room that can be hired out, when it is not showing films. On dates that is very much dependent on firstly the planning process, which I hope won't take too long, and then on finding a builder who is able to fit it in to their schedule.

### **The Honourable Roger Edwards**

Mr Speaker, Honourable Members, my question followed on from the Honourable Phyl Rendell. As the Honourable Jan Cheek mentioned the Fox Bay installation in her answer to the question, could I please ask the Honourable Jan Cheek the completion date of that project at Fox Bay?

### **The Honourable Jan Cheek**

Mr Speaker, Honourable Members, I did actually mention it and we are hoping for the work to be completed by the end of June, but that is clearly dependent on the contractor.

### **The Honourable Ian Hansen**

Mr Speaker, Honourable Members, I was very pleased to hear the Honourable Jan Cheek mention the Fox Bay installation, and I would just like to say that I am very pleased that it will be completed in June. It will be a huge help to people on the West Falklands, and indeed those people coming across visiting. I had a meeting with the Director of Central Services just yesterday, and even after the installation is complete there will still be a few little things to iron out, such as who owns the fuel and when the handover is going to be, but I am very pleased to hear that it is coming that close.

### **Mr Speaker**

Is there any other comment or supplementary questions?

## **Deputy Clerk of the Assembly**

Question Number 7 of 2017 by the Honourable Michael Poole

### **The Honourable Michael Poole**

Thank you Mr Speaker, Can the Honourable Gavin Short please update this House on the plans for tarmacking the MPA road for what remains of this season and for the next three full financial years?

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members, I would like to thank the Honourable Gentleman for his question. I must say before I start that I am very grateful to our Roads Engineer Ivan Porritt for his invaluable assistance in putting this answer together.

During this season, we have laid 6,050 tonnes of base course and 120 tonnes of wearing course on the MPA road, which equates to about 2,000 linear metres, which in real money, for people of my age is 2,187 yards or 1.24 miles. The balance of the wearing course is due to start being laid in April, and in addition to this we did lay extra lengths of Asphalt on the turn offs to the abattoir and also the access and egress to the quarry.

Now looking ahead over the next 3 years, we envisage works will continue with approximately 2,000 linear metres being laid each year, base and wearing courses, with culverting works and the replacement or repair of any *pasa libres* taking place beforehand. Now I must caveat my answer though, by saying that this is an answer of its time, I cannot speak for the government that will follow us. They may take the view that they wish to do the same, do more, less or indeed, do nothing at all. Also, there is the vexed question of whether the new lay will actually be moving out towards MPA, or whether we will have to go back and spend one season resurfacing the old part of the road if it starts to deteriorate too badly.

### **The Honourable Michael Poole**

Thank you, Mr Speaker, I thank the Honourable Gavin Short for that response. I just would like to begin by congratulating Ivan and the team on the work that has been done this year, and it is very impressive and looks very good as the previous years had been as well. As the Honourable Gavin Short has said, clearly with the medium term financial plan and the current allocation would allow us to do a couple of kilometres each year, I mean my preference, as a lay person, is to very much continue out to the road and to lay new tarmac rather than replacing stuff that may need to be replaced at some point, but bad tarmac still seems a lot better than no tarmac at all in my mind, but a couple of supplementary questions: firstly, is there the potential for this work to commence earlier in the season than it has in the last two years, you would start it quite late each summer and is there a particular reason for that? Secondly, would the Honourable Gavin Short support me in saying we should be looking at ramping up the amount we are doing each year?

### **The Honourable Gavin Short**

Mr Speaker, as far as I am aware there is no reason why we cannot start earlier or indeed carry on later, though we have to be aware that you may get interruptions due to adverse weather. As to whether we should be doing more, perhaps I can give my answer there by being my normal gloomy self. We also have something called the By-pass Road, which is causing us some concern at the moment as it is cracking up. Now, I for one would not want us to stop laying anything on the MPA road to do the work that may or will need to be done I'm afraid on the By-Pass Road, so I expect that at some stage, it may not be in our lifetime, but I think that we going to have to spend extra money on just maintaining the amount we are putting down. I hope that sort of answers your questions.

### **Mr Speaker**

The Honourable Michael Poole do you wish to respond, No.

### **The Honourable Michael Summers OBE**

Mr Speaker, Honourable Members, thank you for those informative answers. Could I enquire of the Honourable Gavin Short whether he knows what is the position of the proposed engineering survey for the Mount Pleasant Road. It was certainly my understanding that the Director of Public Works was happy to proceed with tarmacking those pieces of road up to the culvert by Mount Harriet, but in his firm view, that to do work beyond that requires a proper engineering survey to understand the conditions of the sub-base and the culverting, so does he know where that is, and presumably he would agree that it would be foolish to lay tarmac across the top of a sub-base that wasn't suitable. And this is perhaps a slightly unfair question, but he has mentioned the By-Pass, have you had any discussion or do you have any understanding as to whether it's possible to resurface the By-Pass and also do 2 kilometres of Mount Pleasant road in the same season?

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members, totally unfair. I think we could, I think we could do probably 2kms and at least so much of By-Pass, but we are also having difficulties of, I believe, of understanding what is under the By-Pass and what weights that will bear, but we want to understand that before we really embark on doing anything like that.

As for the engineering survey, that's has got slowed down and almost lost when we went through a period of having just about nobody except the tea boy left in the PWD office. I think it is work that will now be picked up, as we are starting to get people back in post again as it were, but I heartily agree that it would be absolutely foolish to even contemplate laying black top on top of something you do not understand the sub-surface structure, because you would just be chucking money away if that surface was found to be wanting at any stage.

### **The Honourable Phyl Rendell MBE**

Thank you Mr Speaker, would not the Honourable Gavin Short agree that there is a many elements needed to make tarmacking work, and one of them is the tarmacking machine which is very elderly, and it has stood up well in the last couple of years, with the pressures put on

it, to supply tarmac, could he update us on where we are with the purchase of a new tarmacking machine, I believe we approved £2Million in the last budget for such a thing, and where we are with it and where it is likely to be located when we do get it?

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members, I thank the Honourable Lady for that. Yes, I would heartily agree with your sentiments that you express. Without a machine it would take rather a long time, if we had to heat it up by hand. The machine itself, our old machine as I am going to be mentioning in my PWD report, with all the help that it has been given this year is causing us quite a few headaches, I'm afraid, she is failing, and failing quick now.

The new machine, I believe, we have almost signed the contract for the new machine, I think we sent the paperwork off to the company on Tuesday of this week, so if there are no glitches in any of the wording, and they happily sign up, we can get things moving. As I will be reporting, we are going to be starting work imminently on preparatory work for that new machine which, of course, will include the base for the thing and also a new power supply at the quarry, which is presently on the spare, we need to put that on the ring, so it can take the loads that are going to be put on it and, of course, I have given away the last part of my answer already, it is going to be located at the quarry. It makes life so much easier, at least for the initial parts of the MPA work, as we will be right on site as it were.

### **Mr Speaker**

Are there any other supplementary questions or comments?

### **Deputy Clerk of the Assembly**

#### **Motions**

Motion number 4 of 2017 by the Honourable Michael Poole.

This House believes that more should be done to consider the impact growing tourist visitor numbers has on the environment.

### **The Honourable Michael Poole**

Mr Speaker, Honourable Members, I propose this Motion today for two main reasons. Firstly, Assembly Members had committed to the Youth Assembly that we would formally discuss the issues that they debate when they meet. The Youth Assembly, as people will have heard, did meet earlier in March and debated a very similar Motion to this, so that is why we have brought it forward today.

Second, I think this Motion is actually quite timely as in our recently agreed tourism development strategy we agreed that the target of 90% growth in overnight stays in the tourism sector by 2023, so quite substantial growth, so whilst we have witnessed generally growing numbers of wildlife at most, not all, but most key tourism sites over the recent years, we cannot assume that this positive trend will continue, and that we are immune to the risk of over visitation of key sites, I think it is important that we investigate this issue a bit. It is also

quite fitting, I think, to discuss this issue here in North Arm today, as a gateway settlement to the amazing and beautiful site that is Bull Point, which is clearly got great tourism potential, if properly managed and developed in the future.

The wording of the motion is deliberately quite broad to allow for a range of issues to be discussed and considered, just as the Youth Assembly did, however, in proposing this motion I shall focus on just three key areas, and suggest how the Government and the private sector can best mitigate risk in those three areas. None of these issues are particular new or novel, and some are already in hand to a point, whilst others need a bit more political interest to push them on.

The first area I would like to discuss is the target within the current Tourism Development Strategy to adopt or create our own sustainable tourism certification scheme. There are a number of such sustainability standards across the world, and they range from generic sustainability standards such as ISO schemes, through to specific tourism awards, such as those governed by the Global Sustainable Tourism Council. These schemes vary widely in their scope and application, but often they look to impose certain levels of sustainability on tourism businesses in terms of greenhouse gas emissions, recycling, clean energy usage, management of numbers, and so on. Some of these items may not be relevant to the Falkland Islands, others such as renewable energy usage in terms of businesses; we already have a very strong story. As it stands, there appears to be no real barriers to individual business owners within the tourism sector looking to adopt such a standard themselves, however, I think there should be clear advantages in a more consistent industry wide approach across the islands.

The Tourist Board intends to commission some work in the coming months that will advise the Board and the local industry on such schemes, and how we could best approach the issue. It will also look to make the business case for the adoption of such a scheme, some of them can result in businesses being able to charge a financial premium for their product. I would therefore encourage the Falkland Islands Tourist Board, the Tourism industry, and the Falkland Islands Government to actively progress this work and look to engage with it positively and constructively once we have received such advice.

The second area I wanted to touch upon is that of tourism infrastructure. Whilst it may have been much maligned by some, the investment in the Cape Pembroke road was very much an investment in a key feature of tourism infrastructure, which will ultimately help protect the important environment in that area.

We have already seen improvements to the surrounding area which have come from the Gypsy Cove road that was built a number of years ago, and given time, I am certain that we will see the same in the wider Cape Pembroke area. However, these benefits will not materialise if we do not practically manage that area. I was pleased to hear from an Environment Committee last week that progress is being made in relation to improved signage and fencing around Cape Pembroke. I would also note that the Environment Officer recently stated, in a message to me, that whilst there is little registered direct impact on wildlife from tourism in the Falklands and that this may change if visitor numbers increase dramatically, he also noted that the secondary impacts from Camp driving to reach some destinations is having an increasing negative impact on some parts of the Falklands, and therefore looking to manage this to the greatest extent possible to keep sites appears to make

sense. Whilst not looking to unnecessarily take away from the experience that people come here for.

The third and final area I want to discuss is that of waste management. We have had some quite heated discussions about this over the last couple of weeks. I won't labour the issue, people know my views on this, and deep, deep frustration with the lack of Government action, but clearly if we have larger numbers of tourist visits, that is going to put additional pressure on waste management. The problem is not only around town, in Stanley, but also in Camp and settlements as well, so we really need to get our ducks in a row and make sure we have planned for that eventuality and improve our waste management practices in relatively simple and, hopefully, cost effective ways. So, I hope to see some meaningful progress particularly in that third and final area over the coming weeks. Thank you, Mr Speaker, I propose the motion.

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

Mr Speaker, Honourable Members, in rising to support the motion I, too, would like to say that we as a House need to support the Youth Parliament. I think both the Honourable Michael Poole and myself, and I'm sure all Members of the House, want to see this Youth Parliament succeed, and I think part of that is taking the debates that they have and bringing them to the House when they have relevance, and this one certainly does have relevance. I think the one quote that I remember from the debate from the students was 'Trust us, we're the Government', and I think that is one thing people should always have in mind.

The Honourable Michael Poole has touched on quite a few points there that are very important. What we don't want to do, is to destroy the very thing that people come to see here, the pristine environment, the undeveloped resorts, and we need to be conscious of that as things change, and things will change. I am not sure of the figures for cruise ship passengers this year, but I believe they were 62,000 last year, and I would like to focus on the effect that those cruise ship passengers might have on Stanley and the surrounding area.

In that sort of environment, not just the nature side but actually the town itself, and I think as passengers increase, and we are forecasting a steady increase in passenger numbers, we will need to start giving thought to the affect that that might have on the environment of Stanley and the nearby wildlife sites. We are not on our own in having to plan for this, many countries around the world are struggling with the problem already, and just simply typing a few things in to a Google search engine will tell you that countries and cities like Barcelona in Spain feel like they are already overwhelmed by tourists, and they are putting a block on any more tourists development in the town. Iceland with a population of about 300,000 is similarly struggling to cope with a tourist number that is now 1.5 million per year and some of that has been generated by the success of the TV series, "Game of Thrones" - I'm not very good at this, I think this is the one I am talking about. Venice, as we all know and think of as a World Heritage site, is the sort of place that people want to go, last year they had 25 million visitors, they are a UNESCO World Heritage site, but they are so concerned about the damage that the huge cruise ships are doing that the UNESCO said 'we will put you on an endangered list if you do not control the sheer numbers of people, particularly the cruise ships passengers, who are coming through Venice each year', and they are having to grapple with that. Santorini, a small island in Greece, which at times has received up to 12 to 14 thousand passengers per day from the cruise ships, they have now put a limit that they will not allow

more than 8 thousand people to land per day, and many countries were famous for walks and hikes, are already starting to put limits on the number of people who can walk on the most popular walks to stop erosion. I think we all know about the Inca trail to Machu Picchu. It is very restricted on the number of people who can make that. The trek to Everest Base camp again is similarly restricted to stop the damage that that could cause. African countries are looking very much at how to change their image, so when you see this solitary lion being photographed in what you believe is open savanna, and then you pan back a bit, and there are 8 or 10 Landrover tourist vans surrounding it. I think that we don't want that sort of development, so why do we need to worry about more and more people? I think it is because of the wealth of the world and the way that flights have become much less expensive, various international air or nautical organisations have said that compared to 20 years ago flying to distant places from the UK or Europe or vice versa, is 60% cheaper in real terms, that means more people are prepared to make long trips by plane to join a ship in other countries and that is what is driving things forward.

What does the future hold in terms of numbers of people coming here? We don't know, but if you look just at China, 4 years ago 58 million Chinese left China as international tourists. Last year it was 125 million, in the next three years that's predicted to rise to 200 million people, and that's going to affect all sorts of countries around the world and almost certainly ours. How would we cope, if over the next 5 or 10 years the number of tourists coming into the Islands increased by 30 or 40% into town. Would we have the personnel to manage, would the areas such as Gypsy Cove, that my Honourable Colleague has mentioned, Volunteer Point, and Bluff Cove, those close in areas, how will they cope and what do we need to invest in those areas to ensure that they are not damaged, and sacrifice the very thing they come to see, purely from the sheer numbers of visitors. We are not at a point of having to put on blocks or anything like that, but I do trust that we, and indeed the Tourist Office and Tourist Board, are looking ahead at 5, 10, 15 years' time, what might be the numbers coming, how might we mitigate the damage both in Stanley and in surrounding areas. Mr Speaker, I support the Motion.

### **The Honourable Mike Summers OBE**

Mr Speaker, Honourable Members, this is an important issue for the Falklands generally, because each of our traditional industries is, to a large extent, interactive with the others, the tourism industry and the farming industry work hand in hand in many instances. The fishing industry has a significant effect on the marine ecosystem, which in turn has an effect on the bird life and the other wildlife around the islands, so our industries together have a joint responsibility to manage the environment.

It has been my experience from having been involved in the tourism industry from fairly early on in its inception here, that the tourist industry itself is actually quite conscious of this issue. It is very often other people who are not, and it is important, as my Honourable Colleagues have mentioned, that we are planning longer term to be able to take more people, but not worrying about what happened in Santorini or what happens in China. Worry about what happens here, and how we can plan to mitigate the problems. I don't think there is very much evidence at the present time that the number of tourists that we currently have here in the Falklands, whether cruise ship passengers or land based, cause significant environmental damage aside from perhaps some tracks in one or two places, but it is important that the evidence is collected, and that's a key issue.

We must, I think, clarify our minds about where the relative responsibility sits for this, because it will sit between the Government collectively, the Falkland Islands Tourist Board, who plan tourist works here and, of course, private land owners. And private land owners have their own responsibilities, and they will also take their own responsibilities and they need to be informed about what potential effects are. Obviously, Falklands Conservation have a role in this. They regularly survey the number of animals around the coastlines in the Falklands to provide information on trends in numbers, very little of it is actually related directly to the tourism industry, but those base lines are important to understanding what might be happening with wildlife around the Falklands.

I will just mention that in my view, there are much more important issues in terms of dealing with the environment than worrying about tourists at this particular stage. The issue of plastics in the Falklands is the same as the issue with plastics elsewhere in the world; we have done little or nothing to mitigate the effect of plastics both in the sea and around the coastlines in the Falklands, and that I think is an important issue. We have done little or nothing to deal with domestic waste in the Falklands, and I share my Honourable Colleague's frustration that we have not been able to move forward with methodology to assist both the population of Stanley and Camp in disposing of domestic waste.

I would mention also building waste. For those of us that have been on my Honourable Colleague's clean ups around Stanley over the years, the amount of building waste you pick up around Stanley is phenomenal, and perhaps talking about that might be a useful thing to do. And then there is, of course, the constant issue of vessel waste washing up on the shores around the Falklands, not all of it and probably only a small proportion of it generated from vessels actually working in the Falklands, but these are important issues. So, it is a broad subject, of course the environment matters and it matters hugely, because it matters to our key industries, it matters to tourism, it matters to farming, it matters to fishing, but I think it important early discussion on this topic would be to actually set down with more clarity where the various responsibilities sit, and allocate various tasks to people, to plan for the future.

### **The Honourable Roger Edwards**

Mr Speaker, Honourable Members I think it is rather unkind to raise this particular motion at the moment. It is only a couple of weeks since the years 7 and 8 sat in the Youth Parliament, and I think we are going to be compared with them. I hope we make a good showing because by goodness me, I was very impressed by our youths and the efforts that they put in to that Youth Parliament in the Chamber of Commerce, and I for one congratulate them on what they did. I, like my colleague to my right, the Honourable Mike Summers, believe that the environment in the Falklands is being threatened from other angles rather than the tourists that we get here. We do have a lot of cruise ship passengers, 60,000 odd in a season, but the numbers that go out to the "nearby" sites are limited because we just don't have enough Rover drivers, vehicle drivers, to take them out, so even though we get a ship in with say 3,000 passengers on board, it's barely 400 people that we can move out to the two sites.

I also believe that the Falkland Islands are environmentally aware, and every time Ester sends a message 'Please can we go and talk to Conservation' and I trot down the road there, and I say to her every time, "the reason the Islands are like they are today is because the way they

have been farmed in the past and the way they are farmed today”, and I think the Falkland Island folks, the land owners, are incredibly responsible people when it comes to their own environment. They know how far they can go, on collecting the odd goose egg, or penguin egg, or what have you, without committing any damage.

The sites are warded. I know from my own experience when you go to these sites, the wardens are there, they may be only young children who are helping out, right up through to the adults, they make sure you’re outside the zone, and you don’t actually damage or upset the wildlife., I can also remember the case of when they were building the ferry terminal at New Haven: ‘Oh, my gosh, it is close to a penguin colony! You shouldn’t build it there, it’s terrible, you are going to destroy that penguin colony!’ and what happened? The penguins did move out of the penguin colony, they moved closer to the ferry terminal, because they wanted to watch who was turning up and who was going on the ferry, and the numbers seemed to increase, because they are fascinated by all these movements going on.

I am a great believer that the Falkland Islands, the Falkland Island people, will not be suffering from tourism damaging the environment for a considerable number of years. Don’t get me wrong, I do think we should carefully monitor it and watch to see how trends are going and so on, but we must recognise that the people running these various tourist lodges, sites and the like that people go to, are aware. It is their livelihood if they destroy and damage the site, if tourists no longer wish to go, they are destroying their own livelihood, so everyone that I am aware of that owns one of these tourist sites are very aware of what there is. So I don’t think we do have a problem, and I would love to see our cruise ship numbers double, I would love to see our land based tourism numbers double, and I hope that our ghastly neighbours actually open up and let us have more flights into the Falklands so we can bring more land based tourists to the islands.

### **The Honourable Jan Cheek**

Mr Speaker, Honourable Members, our natural environment is the reason that most of us are here, whether because we live here because we love the natural environment, or because it provides our livelihood. Whether it’s Government or individuals, we can always do more, but most of it, of course, like everything we try to do, involves people, time and money.

We do need to take care monitoring sites and wildlife, monitoring for erosion, management of these visitors, provision of wardens, I have long believed that we should, I disagree with some of my neighbours on this, I actually believe that we should go for far smaller numbers of high end tourists. Not only does this reduce any impact that they may have, but as demonstrated in the tourism statistics, each individual land based tourist contributes more to the economy per day, than those day trippers arriving on the large cruise vessels. As someone who runs a small tourism business, I have had to place a limit on numbers of visitors to minimise, or try to minimise impacts of the heavy traffic we get on big cruise ship days and this, of course, is not very popular with some of the tour operators, but I think those with a genuine feel for the product that we provide, recognise that it is sometimes necessary. But environment means more than just the natural environment, but also the living environment which, and this is a favourite hobby horse of mine, I believe in Stanley is threatened by excessive in-fill and some areas of over development, with greedy developers’ eyes on every last square of open space in the town that they can build on.

Flying over cities even in much more highly populated places in the world, I am often impressed by the amount of park area and green space that they retain in those cities, and I think we will be cursed by future generations, if we don't stop this kind of in-fill.

Where I do agree with my Honourable neighbours is that we could be doing a lot more on managing the waste, not just from visitors, not just from industries, but from the town itself, and I hope we are almost at a stage where we will see more happening on that. I support the motion.

### **The Honourable Ian Hansen**

Mr Speaker, Honourable Members, I will speak very briefly on this. I do support this motion and I certainly support the views of my colleagues that have spoken before me on the broader principle that this addresses. You know this not just about plastic bags, or the odd sheep skin floating away from the abattoir, this is a much bigger issue, which has been explained already.

The Honourable Michael Poole mentioned in his opening remarks that we are looking at a 90% growth by 2023, am I correct, on land based tourists? Now, obviously, that is nearly double, though that is only six years away, and regardless or not, whether you agree with the Honourable Roger Edwards that we are in a good place at the moment, in six years' time, if we do have almost double the amount of land based tourists, we will almost certainly will have some sort of impact, further impact than what we have now. So, I do support the motion that there should be something done at least to consider the impact.

### **The Honourable Phyl Rendell MBE**

Mr Speaker, really one couldn't disagree with this Motion because we always want to understand and have more information about everything that we are responsible for in the Islands. So, of course, we want more information on the impact of tourism on the environment, so I totally support the Motion, but I personally don't believe we are in a crisis situation currently with the impact of our tourists here, and I think if it is to be a piece of work, it is certainly not something we should be making a priority, and drawing people away from other important work. I do believe a report done by Falklands Conservation a few years ago still stands, its conclusions in that report were that tourism is well managed, particularly off of the cruise ships, most cruise ships have their own tour guides and the view of Falklands Conservation is that the impact is quite minimal.

I would welcome the land based numbers increasing that the Honourable Ian Hansen mentioned. I declare an interest, but I think it's only about 500 currently coming, so if we've got a thousand that would be great, I do hope that we can see those numbers growing.

I would just like to make a plug actually for the Rural Development Strategy work, because an initiative of the Rural Development Strategy in relation to waste, particular old vehicles, wrecked pieces of machinery and so on in the Camp. The RDS has a scheme in place to support people to move those pieces of equipment either into Stanley and to be put into Mary Hill Quarry, and I know we have an issue with Mary Hill Quarry and that's something that what happens when it gets there, but at least it would be in one place, but also perhaps to bury

in the Camp, so there is a scheme in place to help people in the Camp to do something with their waste.

Being brief Mr Speaker, I do support the Motion.

**The Honourable Gavin Short**

Mr Speaker, Honourable Members, you probably won't be surprised that I take a slightly more jaundiced view. I don't know if I am supporting this or not, because it is the wording that I don't like. "More should be done to consider the impact", we have spent 3 years considering stuff, producing hot air, which itself is damaging to the environment, and we have done nothing, absolutely nothing. The simpler stuff we could have done, like waste management, we need to get on do stuff rather than "considering". I mean yes, I actually agree the sentiments of the Honourable Mike Summers, I think trying to have a little look, see what's going on, but don't make it a priority, we have stuff that we need to be getting on with.

I have seen, of course, the effects of tourism. I have seen the effects of the erosion that they cause down, especially down around Gypsy Cove in the Diddle Dee, but that may not just be tourists, because I myself go trampling down there, and I'm probably causing just as much damage as a tourist does.

Before sitting down though, there are some very fine sentiments expressed here, but I think one that I haven't heard mentioned, and it is a real threat to the environment especially around Stanley and in the mountains outside Stanley, is some of the land based tourists we get coming in, who stay a week, who seemed to come armed with spray paints and glue, and go around doing graffiti and gluing stuff to rocks, which in itself causes damage when you are trying to get the stuff off. We really need to put a kerb on something like that, and I see that as more of an immediate priority, thank you.

**Mr Speaker**

The Honourable Michael Poole to sum up.

**The Honourable Michael Poole**

Thank you Mr Speaker, just in response very broadly, I absolutely agree that I don't think this is the top environmental priority. I don't think the Honourable Dr Barry Elsby and I were meaning to be alarmist in any way. This clearly is manageable pressure at the moment, and even with significant growth it's all within our ability to cope with it relatively easily, and that's certainly a sentiment that is echoed by the Falklands Conservation Chief Executive, and she had made the point me, earlier in the week, that there is great environmental benefit to tourism, in terms of putting people in front of wildlife and giving them a greater understanding and respect for the natural world, so we wouldn't wish to curtail that unnecessarily, but when talking about this issue, I mean it was considered within the biodiversity framework that we passed last year, you are not just looking at future growth, you are also looking at quite significant growth over the last decade and a half or so for the Falklands, so maybe the doubling over the next 5 or 6 years is not too much to worry about, but actually you were starting from a very small point in the early to mid-90s, and absolutely

I hadn't thought about it in terms of inter linking with other industries, I think that is a very good point and we need to make sure that we link them into this work as well.

I absolutely do not disagree with Honourable Gavin Short in terms of we need to get on and do things, as portfolio holder for the department that generally does things he may want to look internally, in terms of his response there.

Can I propose some next steps in relation to this issue: I think we can sit down relatively simply, without drawing people away from other more important environmental work, to lay out the responsibilities as the Honourable Mike Summers suggested, where that responsibility sits, and make sure that we have got a base line and some kind of early warning system in place, to make sure that while this isn't an issue today, that doesn't become one in the future. I think that is relatively simply done and I would suggest that I liaise with the Tourist Board, the Environmental Planning Department and Falklands Conservation, and others to make sure that happens. Thank you, Mr Speaker.

### **Mr Speaker**

Honourable Members, the Motion is that this House believes that more should be done to consider the impact of growing tourist visitor numbers has on the environment. Is there any objection to passing this motion?

There is no objection, that Motion is carried.

### **Deputy Clerk of the Assembly**

Portfolio Reports, The Honourable Phyl Rendell MBE.

### **The Honourable Phyl Rendell MBE**

Thank you, Mr Speaker. My portfolio responsibility is Natural Resources, so I will be reporting today on the work of the Fisheries Department, and that of the Agriculture Department, but firstly three headlines, and then the detailed report.

On the 25<sup>th</sup> of February, we had what we called "Fish Day" in Stanley, to celebrate the 30<sup>th</sup> anniversary of the fisheries. It was a highly successful day and many aspects of the fisheries were showcased on that day.

The events included public and private sector activities, vessels to visit, Seaman's Mission was open and had a roaring trade with a barbeque there, and people visited FIPASS and saw the works going on FIPASS, the fish farming facility was open and also the processing plant. It was an extremely wet day, but visitors turned out in their dozens and I think everyone found it a very interesting and informative day and learned a lot more about the fishery.

Now the same sort of thing is going to happen on Saturday. There is the Agricultural Show at Goose Green. A lot of people from the Goose Green settlement couldn't make it down today because they are helping to get ready for that at Goose Green Shearing shed. So similarly at Goose Green will be showcasing what Agriculture is all about in the Islands. So we have had two opportunities for people to learn a lot about fisheries in the Falklands and now we have

an opportunity to understand what agriculture is about, and I hope lots of people from town come out to Goose Green on Saturday.

My Third headline is really about the Illex fishery this year. The licensing has gone well, we licenced a 105 jiggers, and they have all been in to collect their licences. We have had two incidents of vessels going aground in the harbour, and we are looking carefully at alternative procedures to avoid this happening in the future. So far, we have had no repeat of events in previous years when crew members have left their vessels and, of course, we have had tragic losses in years past. There has been an ongoing campaign to improve conditions on vessels and crew welfare and this seems to be paying off. I would like to thank the Port Welfare Committee for their work in this area.

Now turning to the report and from the department, I am indebted to John Barton, the Director, and his Heads of Service, for the following report.

Firstly, I would like to report on the *CFL Hunter* that was launched in Vigo in February:

It is excellent to see a new efficient vessel joining the fishery. It is also good to see a Falkland company making this very significant investment. It was anticipated that when the ITQ system was put into place it would facilitate such investments, and this has resulted in this long-liner being constructed, and at least two trawlers are also in various stages of build. It was a privilege to be invited to represent FIG at the launching of the *CFL Hunter* in the Port of Marin in Spain, and I thank CFL for that.

Whilst we were there, The Director of Fisheries and I were also able to see something of the Vigo fishing sector and the arrangements, processes and facilities applicable to Falklands' seafood product when it reaches Vigo and the EU. Falklands' seafood represents a significant volume of the port activity and the wider fisheries sector and they see that as very important business. Like us they are hoping for continued stability as the United Kingdom moves through Brexit. So, I would like to just thank Mr Hamish Wylie for putting the programme together for John Barton and myself for when we were in Vigo.

Referring now to the Scientific Section of the Fisheries Department.

The South Patagonian stocks of Illex are good this year, as it has been indicated by high seas catches in February and March. The jigging fleet preferred to work in the high seas until the third week of March and then the fleet moved into FICZ/FOCZ from the weekend of 18-19 March. There are good catches so far, and the risk of significant refunds, as happened last year, seems to be diminishing, but we are not quite there yet.

The Loligo fishery is doing well. A high abundance of this squid has been observed during research cruises before the season, and since the start of the commercial fishery at the end of February, catches are good. There have been a number of transhipments into containers and thanks to those companies who have been using SAAS this year. We look forward to seeing more shipments during the season. For every container that goes onto SAAS and every container that comes south again, it's less of tax payer's money supporting that service.

Two research cruises were also carried out in January and February. The first cruise found shallow water sites of juvenile Toothfish, and estimated their high abundance. It was

interesting that small Toothfish avoid predation by larger fish predators by staying in shallow waters. A similar tactic for Loligo as well for their recruitment. During the cruise, large King Crabs were found in shallow waters in the southern and eastern parts of FICZ, and for those that went to the Fisheries Department on the open day, the 25<sup>th</sup> February, they would have seen some of these large King Crabs that were being caught. These have been rarely caught in the Falklands waters before, but would perhaps indicate that the recent immigration from southern Argentina and Chile.

The second research cruise did not find many large Rock Cod, which have probably migrated to the Argentinean EEZ, however, quite a high abundance of small fish was found, which is encouraging for this Rock Cod fishery.

Currently there is a lot of work going on in preparation for the Marine Stewardship Certification for the Toothfish fishery, and the upcoming certification of this stock later in the year.

Turning to the Marine section of the department, the MCA or Maritime Coastguard Agency made a visit last week. They undertake monitoring of ships' registers operated by the Overseas Territories on about a 4-yearly basis to review the safety and pollution standards set and enforced by all British Registers to ensure that international obligations are being met, and also to provide advice and assistance to the Maritime Administration in meeting these objectives. This review being taken last week went well, and the people that came to do the review noted the revision of the maritime legislation that is ongoing within the Falkland Islands. We are grateful to David Brown who is here today as the Attorney General for his work on the drafting of that legislation.

Turning to FIPASS, FIPASS is in what we call Phase II work phase. The work commenced in February. This work has been progressing well although due to anticipated low steel temperatures, painting operations will be curtailed at the end of the month and all work stopped in early April. SatCo, the company undertaking the work, plan to return in late September to continue with the project which is anticipated to be completed in December. To date, the upper Causeway work has been completed alongside a significant amount of sand blasting and painting work to the southern barges, including the replacement of walkways and supporting structures. In addition to this work, there has been work carried out on the Ro-Ro barge. Phase III work will need to be evaluated with an anticipated focus on the NW barge.

Now referring to the North West Barge, there was a survey carried out by a company called Marine Design between the 7<sup>th</sup> and 20<sup>th</sup> March. While a full report will be forwarded along with repair costs, the immediate headlines were shared with the department. It is clear that the NW barge is in very poor condition particularly the berthing face and associated northern compartments. While full implications are yet to be worked through, a review of safe operating parameters will be undertaken.

In light of this, I am pleased to report that a paper went to Executive Council yesterday, and is now released to the public, on how we might progress building a new port facility for the Falklands, and I do commend those interested in such an initiative that they get a copy of that report and see what has been recommended.

Then referring to legislation, the major item of work that the department have been addressing is the Maritime and Harbours Bill. This will, hopefully, be coming to Executive Council in the coming months. The draft Bill is now being separated into two separate Bills, namely the Maritime Bill 2017 and The Harbours and Ports Bill 2017. The Maritime Bill consolidates the many UK laws that have been applied in the Falklands by various instruments, whilst the Harbours and Ports Bill focuses on identifying the Maritime Authority's structure and implementation of the Authority's functions.

Now turning to Agriculture. In general, most farms have had above average lambing this year, but the rainfall has been very varied. Whilst the East Falkland may have received a reasonable amount of rainfall, much of West Falkland and the outer islands remained very dry. In addition to low summer pasture growth there remains a lack of water for stock on many farms in their camps.

The National Stud Flock Ram Sale took place on 10<sup>th</sup> March. Over 70 people attended the sale, and there were 30 registered bidders. Total income from the sale was £33,680 with a clearance rate of 97%. This year saw record prices paid for both mature and shearling rams at £660 and £520 respectively. It's pleasing to see continued strong demand for the superior genetics coming out of the National Stud Flock.

Looking at wool prices, above average AWEX prices and the weak pound continue to deliver high wool prices across most of the micron ranges, particularly at the finer end. Some farmers who have made genetic changes and fined their wool are benefiting from these good prices. As discussed at a recent Agricultural Advisory Committee meeting, it is now very much the time for farmers to invest in such things as boundary fences, infrastructure and the like.

There was an Agronomy Trial at Saladero, and the pasture and fodder crop variety trial at Saladero has progressed well, and in the face of high pressure from geese and sorrel apparently. A viewing was held in conjunction with the Stud Flock sale and was well received and well attended. Observations from this season's trial will be used to refine further trials that will be established in the 2017/18 growing season.

The Staffing of the Department: we can warmly welcome Mandy Ford, who will be becoming the Saladero Manager from the 10<sup>th</sup> of April, and there is recruitment on-going for an Agronomist, not quite there yet, but we are assured that we should have someone in place for Farmers' Week.

Erica Berntsen who has been undergoing training at the moment to achieve an Agricultural Science degree in Australia, has been working in the department in the summer holidays back in Australia, and is doing very well on her course.

The Veterinary Section report that their porch is completed thanks to the Public Works Department. The new X-ray facilities are not yet in place. We really do need a building to be constructed for that to be set up, and that hopefully is going to be in place later in the year.

The veterinary section have been very busy with annual fishing vessel audits which they carry out in January and February, and a third vet has been recruited and should start work in May.

The Veterinary staff working down at the abattoir during the export season report that all is progressing well this year at FIMCO. And on the subject of FIMCO, I would like to end my report by commenting on the excellent quality of the stock coming through from the farms. A lot of hard work and planning goes into finishing animals for the abattoir and the results are very encouraging this year. Also, I understand that meat prices globally are quite buoyant, and considerably better than last year, and we have customers for our product. Thanks to Dave Roberts and his team working on these matters, down at FIMCO.

Mr Speaker that completes my report.

### **Mr Speaker**

Does any Member wish to comment upon that report?

### **The Honourable Michael Poole**

Thank you, Mr Speaker and Honourable Members, just a question relating to the interim development of a new port for the Falkland Islands, the process that was laid out in the Executive Council paper that was agreed yesterday is a 10 or 11 month process beginning with some relatively informal consultations, then leading to an expression of interest process, effectively soft market testing as we have taken to calling it. Would the Honourable Member agree with me that this subject has been sufficiently well discussed and researched over the recent years, that we should look to truncate that consultation period as far as possible and look to move to the expression of interest as soon in this year as we can? Thank you, Mr Speaker.

### **The Honourable Phyl Rendell MBE**

I thank the Honourable Michael Poole for his question, and it is good to highlight this matter today, as it is really new news. I totally agree with him that we don't want to spend months agonising over much of the analysis that has been carried out previously. In fact, there are numerous reports on the shelves of the Secretariat regarding port development, but perhaps the Chief Executive might like to comment, he is going to be driving the project, and there were funds in the paper, and also approved at Standing Finance yesterday to recruit someone that can drive the project along, so can I invite the Honourable Chief Executive to comment?

### **The Honourable Chief Executive**

Thank you for that question, basically I think we are going to be in a position to review that timetable in July, so yet some further initial work to be done, if I am confident we will truncate the timetable, so I agree that we should try to do that.

### **Mr Speaker**

Are there any other comments on that report?

## **Deputy Clerk of the Assembly**

Portfolio report: the Honourable Gavin Short.

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members.

I would like to start my PWD report by expressing my condolences to our DPW Colin Summers and his family at this sad time, and I am indebted to the spirit of cooperation with which all Section Heads within the PWD have approached my pleas for assistance in putting together this report. I owe you all.

Perhaps I can start with the Power & Electrical Department. Following on from my statement to the House regarding the situation with the Flywheels at the Sand Bay Wind Farm, we had a visit from two representatives from Enercon, and both myself and MLA Rendell were present at a meeting that was held between them and the DPW, Power Station Manager and the Chief Executive.

This was probably one of the most useful meetings I have ever attended in a long time as the Enercon reps clarified the situation regarding the flywheels, and the upshot is that they will be commissioning them, and they will also be supporting them. We were warned that whilst commercially available spare parts will be available in good time, any bespoke items may take longer to supply if anything should fail. This is understood and accepted.

I believe once up and running this will be the only fully operational “live” Enercon flywheel project in the world.

I should state that this is still looked on as a research and development project by us, and after giving them a prolonged period of use (maybe say over a year) during which time data will be gathered, a view will be taken as to whether to continue down the flywheel path or invest in alternative forms of energy storage, such as batteries, should the technology be deemed to be at a point that we are happy with.

This should also mesh nicely with the design works for the new power station as we can (and should) make sure that whatever we build is capable of taking power from other sources such as wind and solar.

I am not so happy to have to report that at the time of writing this report, there is still no delivery dates for the emergency power units. This means that it looks like we will have to make it through one more winter solely dependent on our aged generators and the wind.

To say I am frustrated is a major understatement. The hope was to have those generators here and online for this coming winter. The way things are going it looks like they may be here and operational for the following winter. These units are not off the shelf and are built to the specs supplied and delays with contracts etc. mean that you could miss your slot on the production line which will, of course, lead to further delays. Yes, we have the spares package, but we have sailed close to the wind on a number of occasions, and it is only going to take a piston to be spat through the side of an engine and some other defect appear one or two of the

larger sets, and even with wind and the lower demand we could find ourselves in a position whereby power rationing could become a reality, and I am not scaremongering. We were inches away from that sort of situation about two years ago.

On a happier note, preparatory works for the arrival of the generators have been going ahead, with the two Nissan huts removed and the old tank just about to be taken down. Quotes have been sought for the groundworks, generating set foundations, retaining walls and new building.

It is well documented and mostly now understood and accepted that our power station has achieved an age and matured beyond the time when it ought to have been replaced. As I have alluded to, we endured multiple issues again recently, about March 6<sup>th</sup>, these have been individually worked through and we are again in better shape. Stanley Interim Power Station has been designed to work alongside the existing station or entirely independently, the aim here is to provide a bridge between our existing situation and the construction of a new robust permanent facility. The strategy of having a full set of large items, for example: heads, liners, and pistons, prepared and ready to refit a stripped-down engine, has reduced generating- set downtime from six months to a little over six weeks. This has proven to be an excellent reduction in a period of high risk during which other engine failures are common. On completion of these projects a Power Station open day will be held and members of the public will be able to see for themselves, as do any who have actually visited us, our old but very well maintained power station.

The Bypass and Public Jetty street lighting-LED heads are being pre-wired and we anticipate these works being completed in the next few days, and I think the Public Jetty lighting might have already been completed.

Looking now at the Design Office, the new Contracts Engineer, John Ross, started with PWD on the 7<sup>th</sup> March. We have no news yet on when the Building Advisor post will be filled. Steve and Graham are in the meantime carrying out statutory inspections on new developments until the Building Advisor post is filled. I believe we have failed to recruit a Deputy Director position as well, and that is of some great concern to me.

The Survey Section currently has Ross Chaloner and Patsy Robson, with Mike Floyd studying for an Engineering Surveying degree in the UK and currently is in his first year.

Mentioning the dear old Public Jetty again, the handrails for the Public Jetty have arrived and will be offloaded from the container this coming Saturday the 1<sup>st</sup> of April. They are due to be fitted in the next couple of weeks.

We have received the new Asphalt Plant drawings and carried out a preliminary design appraisal of the foundations. We will be progressing with the detailed design and hope to get started early next week. I will make further mention of the Asphalt Plant further into my report.

Sapper Hill Phase 5 is progressing well and scheduled for completion by end of November. We expect the access road to have been completed to a stage where it is handed over to Highways, ready for asphaltting for the next season between January and April. Excavations

for the access road are almost complete. Peaty and soft clayey material were excavated and replaced with crushed stone and compacted in layers to bring it up to a working level to enable drainage installations to commence. Installation of storm and foul drain pipes along the loop are scheduled to commence mid-April. Land has been set aside for 8 government houses. These will be built under a separate contract which will be advertised in due course.

If I could turn now to the Sapper Hill 30 Houses – 4 of the two-bed and 4 three bedroom houses have been handed over to the Property and Municipal Section. Morrisons has advised that the rest of the plots will be handed over at the end of April, except for plots 9 and 11 which have been earmarked for completion at the end of May.

As probably a lot of people have seen, work has commenced on the footpath running parallel to the Stanley By-Pass. Nigel Bishop advised that the footpath will be completed by the end of April.

Works will resume on the upgrade to Ross Road at the beginning of winter. The next phase is the stretch of road between Pencil Lane and Cable Street. A funding request has also been submitted for the surfacing, including a new retaining wall, of what is termed here as the Gilbert House gardens.

Highways and Asphalt, MPA Surfacing works – 80% of this seasons asphalt has been laid. The Asphalt Plant has suffered some downtime this year due to parts failures and is waiting for replacement load cells. It is just as well that the preparation for the new plant is well underway.

As I have given details of what is being put on the MPA road this year in answer to a question from MLA Poole I will not go back over this in any detail, save to say that as well as the run on the MPA road, we have also been doing works in and around Stanley, and that we shall be starting preparatory work down at the Jetty Centre car park before asphaltting that this season. There are also some private asphalt sales to be completed including some runway repairs at MPC.

Ralph at the garage reports that the new asphalt paver is performing well and has actually eased the strain for garage staff as the oldest paver that is 27 years old has now been retired, the other old paver is retained as a back-up.

The Asphalt laying crew are finding the new machine easy to use and it is producing a good finish.

The new paver though not large in size has considerably more output than the old models and is matched to the new Asphalt Plant that Materials sections are purchasing.

I would like, once again, to publicly thank everyone involved in this year's campaign from the people out on the front line laying it right through to the quarry crew, mechanical and electrical sections right down to the splendid crews in the office who all form part of the rather large team that goes right across the PWD, who all play their part in making sure that the black topping happens each year. I suspect that thanks are also due to others in the FIG machine that also play a part, such as the HR Department, to name just one.

Looking more now at road type stuff - Grading:

Grading works are on-going on the road from Newhaven to MPA.  
Grading works are also continuing, of course, on the MPA Road.  
Grading of West roads is now 100% completed.  
Grading of East roads is 85% complete.

Capping:

Capping was due to start on the MPA Road at the end of March, and as we all know we all know as came up the road this morning, it is under way.

Culverts:

Culvert replacement works are on-going on the East

Culvert replacement on the MPA Road will be done during the winter period, in time for next season's asphalt.

Cattle grids:

The Contractor is due to start works on 6 cattle grids on the West in the Dunnose Head / Shallow Harbour area.

One cattle grid is due to be replaced on the MPA Road in time for next season's asphalt.

Turning to the Quarry

The Materials Section is continuing to support Highways in the prep work ahead of asphaltting the MPA road then supplying the asphalt as required. We are also keeping up with all current orders to the private sector.

The new Asphalt Plant is in the process of being purchased as a preferred bidder has now been selected. I have been told that we have sent, what we hope is, the final paperwork for the supply of the machine to the selected supplier earlier this week.

As mentioned earlier in my report, the next step of course is for the Design Section to compile the relevant drawings for the civil works so this can go out to tender ahead of the plant arriving.

Water section

The supply of water continues to be good. There was a small technical fault which was quickly remedied at the filtration plant some weeks ago which meant that the quality of the water was not to the same high standard as normal. However even at its worst it was still within the limits we adhere to (World Health Organisation limits). So, there was absolutely no risk to health.

We have also had a leak on the mains on Moody Street which is now in the process of being repaired. This repair work has taken a fire hydrant offline, the Fire and Rescue Service are aware of this.

Ongoing improvements and upgrades to the filtration plant are continuing.

#### Plant and Vehicle section

The section has been under-staffed for some time, and had a high work load throughout the summer season, but we now have two agency mechanics and this is helping with backlog of work that has accrued, though there is an observation from the garage that there is a chronic lack of skilled mechanics on the Islands.

The de-miners have spent the summer clearing the mine fields very near to the workshop, but good co-operation with BACTEC has kept disruption for both parties to the absolute minimum.

Plant & Vehicle Section continue to support other sections of PWD, and FIG as a whole, in all projects and operational work.

#### Property and Municipal

This department is providing planned and reactive maintenance to all government buildings and government housing stock. This includes central services such as Waste Management and Sewerage. We also support the Education, FIGAS and other departments in management of cleaning contracts.

Projects we have completed or are working on this year were the redecoration of the Town Hall and installation of new curtains; painting the outside of Stanley Airport Terminal, external refurbishment of the Government Legal Services office, and refitting of the Stanley House Hostel.

And there ends my report.

#### **Mr Speaker**

Does any Member wish to comment on that report?

No, I thank both the Honourable Members for their portfolio reports.

#### **Deputy Clerk of the House**

Order of the Day: Bills

The Prisons Bill 2017, this Bill has been gazetted and we therefore move to the second reading.

## **The Honourable Mike Summers OBE**

Mr Speaker, Honourable Members

This Bill will repeal and replace the Prisons Ordinance 1996. It is part of a package of legislation that will also include the making of Prisons Regulations.

The necessary regulations have already been approved by Executive Council and will be made once the Bill is passed.

The current Prisons Ordinance is now out of date in respect to a number of issues which include human rights compliance, management of a prison, punishment for acts of misconduct in prison, release on licence, focus on rehabilitation and reform as opposed to punishment, involvement of support agencies to ensure proper reintegration in society, it is also out of date in respect to the functions of the Prison Monitoring Board (formerly Prison Visitors Board), and the training of prison officers.

Clause 4 lists human rights principles in compliance with the Constitution (section 7) which must be complied with, prisoners must be treated with humanity and with respect for their inherent dignity. These include accommodation specifications, dietary requirements, health, a dignified search and taking of samples, right to religious practice, access to education and earning privileges. A transparent disciplinary procedure is also put in place, where a prisoner commits an act of misconduct as well as the punishment that is permissible, and that punishment of additional days is awarded independently of the prison service. A prisoner has a right of appeal.

A prisoner who behaves well will be entitled to release after serving two thirds of the sentence subject to conditions for the remaining part of the sentence, and that was confirmed by the Criminal Procedure and Evidence Bill, relatively recently. Bad behaviour attracts additional days which entail an increase of the two thirds custodial period. Early release must achieve a balance between protecting members of the community and securing a successful reintegration of the prisoner. A provision has been inserted to allow early release for purposes of deportation under the Immigration Ordinance.

The Governor will appoint an Officer in Charge of a prison and other staff. He must designate a public officer as a Director of Prisons and the position may be held together with another appointment to the public service. The Officer in Charge and prison officers have the same powers as police officers so that they are able to keep custody, conduct searches and take samples for conducting tests.

The Governor will appoint a Prison Monitoring Board which will monitor compliance with the Ordinance by ensuring that prisoners' welfare and human rights are upheld. The new Board will no longer perform disciplinary functions.

Mr Speaker and Honourable Members, these are the major provisions of the new Prisons Ordinance.

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

**The Honourable Roger Edwards**

I second the Motion

**Mr Speaker**

Does any Honourable Member wish to speak to that Motion?

**The Honourable Michael Poole**

Thank you Mr Speaker, it's always good to modernise out-dated pieces of legislation and this is clearly particularly well timed, with recent investment in the prison from infrastructure perspective, but also in terms of the staffing, it is important that they work around the prison as well. Clearly the goal in the prison system is to punish, yes, but it also has an equally important role in the rehabilitation, and education as the Honourable Member has referred to, and I am pleased that this Bill looks to strengthen the Government's obligations in this regard, right from admission of the prisoner through to the eventual release of that prisoner and post release as well. We continue to have an obligation to support and to appoint. I think it's also right there's a functional and practical separation between the Prison Service and the Police Service; however, we will need to ensure that we are pragmatic about this, and that we don't incur unnecessary costs or staffing, when the two can and should reasonably work together. The Memorandum of Understanding that came to Executive Council, along with this Bill a few weeks back, reassured me in that regard. The Honourable Chief Executive will certainly need keep an eye on it, I think, to make sure the spirit of that document is maintained over the coming years. Thank you, Mr Speaker, I support the principles of the Bill.

**The Honourable Dr Barry Elsby**

Mr Speaker, Honourable Members, the Honourable Michael Poole has touched on a couple of the points I wanted to raise, but that is I, too, welcome this new Bill. It is well overdue, and I am pleased to see that the Bill lays a very clear duty on the Prison Officers to work with prisoners to reduce the risk of them reoffending, and focusing around that is education, and the regulations that will follow will clearly put a duty on the Government to assess the educational needs of the person when they are put in prison, such that we can put in place educational training. When they leave prison, and people always leave prison, they should be better people than when they went in, both reducing the risk of crime, but also being better contributors to the society itself. Mr Speaker, I support the Motion.

**Mr Speaker**

Any other Member wish to speak to the Bill?

The Motion is that the Bill be read a second time. Is there any objection to that Motion? There is no objection, the Bill will be read a second time.

**Deputy Clerk of the Assembly**

The Prisons Bill 2017.

**Mr Speaker**

Honourable Members, we have a Government amendment to the Bill, we therefore will move into Committee.

We are now in Committee, and I would say that anyone who wishes to speak can remain seated whilst we are in Committee.

**Deputy Clerk of the Assembly**

Clauses 1 to 5

**The Attorney General**

Mr Speaker, I beg to move that clauses 1 to 5 stand as part of this Bill.

**Mr Speaker**

Honourable Members the Motion is that clauses 1 to 5 stand part of the Bill, is there any objection to that Motion? There is no objection; clauses 1 to 5 stand part of the Bill.

**Deputy Clerk of the Assembly**

Clause 6

**The Attorney General**

Mr Speaker, I beg to move that clause 6 be amended in sub clauses 1, 2, and 3 by deleting the following words after Governor, 'acting in his or her discretion'. The reason for this is that following recent legal advice, those words are no longer seen as necessary and this will give consistency with the entire Falkland Islands Statute book and prevent any difference arising between our legislation on our current drafting conventions.

**Mr Speaker**

Honourable Members the Motion is that Clause 6 as amended stands part of the Bill. Is there any objection to that Motion? There is no objection, the clause 6 as amended stands part of the Bill.

**Deputy Clerk of the Assembly**

Clauses 7 to 55

**The Attorney General**

Mr Speaker, I beg to move that clauses 7 to 55 stand part of this Bill.

**Mr Speaker**

Honourable Members the Motion is that clauses 7 to 55 stand part of the Bill, is there any objection to that Motion? There is no objection; clauses 7 to 55 stand part of the Bill.

**Deputy Clerk of the Assembly**

Schedule

**The Attorney General**

Mr Speaker, I beg to move that the Schedule stands as the Schedule to this Bill.

**Mr Speaker**

Honourable Members the Motion is that the Schedule stands as the Schedule to the Bill, is there any objection to that Motion? There is no objection; the Schedule stands as the Schedule to the Bill.

The Assembly resumes.

**The Honourable Mike Summers OBE**

I beg to read the third reading of the Bill.

**Mr Speaker**

And the Honourable Roger Edwards to second that Motion. The Motion is that the Bill be read for the third time and do pass, is there any objection to that? There is no objection, and the Bill will be read for a third time, and do pass.

**Deputy Clerk of the Assembly**

The Prisons Bill 2017.

The Criminal Procedure and Evidence (Amendment) Bill 2017.

**The Honourable Roger Edwards**

Mr Speaker, Honourable Members

This Bill amends the Criminal Procedure and Evidence Ordinance 2014. The amendment will rectify some minor matters in the Ordinance that have been identified during the development of the implementation plan. Commencement of the Ordinance is targeted for mid-April 2017.

The Bill provides for the repeal of section 150 of the Ordinance (Variation of bail: Supplementary). When read in conjunction with other provisions section 150 had the unintended effect of enabling a defendant to apply for a variation of bail even if there are no

grounds upon which to make the application. The amendment has the effect to limit renewed applications to circumstances where there is new information before the court and this is covered in section 149 of the Ordinance.

Clause 7 of the Bill repeals section 581 of the Ordinance. The provisions of the new Prisons Bill adequately deal with the release of prisoners on licence and so section 581 is no longer required. The repeal of section 581 gives rise to consequential amendments to sections 580, 582, 583 and 584.

The Bill deletes Imperial Enactments which apply to the Falkland Islands by their own force which were wrongly included in the list of disappplied Imperial Enactments.

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

**The Honourable Mike Summers OBE**

I second the Motion.

**Mr Speaker**

Does any Honourable Member wish to speak on the Bill? There is no debate. Is there any objection to dealing with this Bill by the short procedure? There is 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 for a third time, and do pass.

**Deputy Clerk of the Assembly**

The Criminal Procedure and Evidence (Amendment) Bill 2017.

The Crimes (Amendment) Bill 2017.

**The Honourable Roger Edwards**

Mr Speaker, Honourable Members

The Crimes Ordinance 2014 (and the Criminal Procedure and Evidence Ordinance 2014) are the product of a root and branch review of the entire Criminal Justice system. Since the Ordinances were passed through Legislative Assembly a great deal of work has been done on ensuring that they are implemented effectively. Throughout this time the provisions of the Ordinances were kept under constant review and the opportunity has been taken to address some additional matters to ensure that as many aspects of the criminal law are addressed whilst there is the scope to do so. Since the date of Legislative Assembly other legislation, the Prisons Bill and the Communications Bill have been, or shortly will be, brought forward and the opportunity has also been taken to ensure that the Ordinances will work in conjunction with this new legislation.

This Bill amends the Crimes Ordinance 2014 to make amendments and corrections.

1. The Bill amends the 2014 Ordinance as follows:

- (a) Section 58 to make it consistent with the UK Act from which it is derived;
- (b) Section 154 to insert a penalty under subsection (2);
- (c) Section 187 to provide for the Chief Executive;
- (d) Section 383(2) to provide a new paragraph (c); and
- (e) Section 434 to clarify the provision further by adding some wording.

2. The Bill corrects the Crimes Ordinance 2014 as follows:

- (a) Section 107 to correct the terms of imprisonment; and
- (b) Section 581 to correct the wording.

3. The Bill adds the following new sections to the Crimes Ordinance 2014:

- (a) Section 70A to provide for the offence of reasonable punishment of children;
- (b) Section 107A to provide for the offence of breaching a non-molestation order;
- (c) Section 383A to provide for the offence of re-programming a mobile telephone, etc.
- (d) Section 383B to provide for the offence of possession or supply of things for re-programming purposes;
- (e) Section 559A to provide for the definition of “displaced residential occupier”; and
- (f) Section 559B to provide for the definition of “intending residential occupier”.

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

**The Honourable Mike Summers OBE**

I second that Motion

**Mr Speaker**

Honourable Members, does anyone wish to speak to the Bill?

**The Honourable Michael Poole**

Mr Speaker, just a very quick point, in relation to Clause 9 of this amendment Bill, which removes the requirement for Commander of British Forces to give permission for somebody to enter a mine field, clearly as the demining process progresses at think it is entirely right that we remove that administrative burden from CBF, which is a bit un-necessary at the moment, but we have been told very clearly and reassured that the MODs commitment to

dealing with unexploded ordinance in the future does remain, so people should not be concerned about that. Thank you, Mr Speaker.

**Mr Speaker**

Any other Member wish to speak to the Bill?

**The Honourable Gavin Short**

Mr Speaker, Honourable Members. I just thought it worth putting in a note to clarify something that was said earlier, which might have been picked up by folk on the radio when it was talking about reprogramming of mobile phones. I just want to assure the public that I did question at the time, it is not covering unblocking a telephone, it actually refers to changing of the unique identifying number that each mobile device has, which is something totally different and I don't think any normal person would want to do, I think it is only the naughtiest parts of society that would want to do that, so I would just like to assure people that it doesn't have any effect on the unblocking telephones.

**Mr Speaker**

Does any other Member wish to speak to the Bill? Is there any objection to dealing with this Bill by the short procedure? There is 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 for a third time, and do pass.

**Deputy Clerk of the Assembly**

The Crimes (Amendment) Bill 2017.

The Marriage (Amendment) Bill 2017.

**The Honourable Roger Edwards**

Mr Speaker, Honourable Members

This Bill makes amendments following a family law reform consultation which was carried out in 2015 and the results of which were collated in 2016.

It came out from the consultation that there is great deal of support both for the introduction of civil partnerships and same sex marriage within the Falkland Islands. 90% were in favour of the introduction of same sex marriage and 94% were in favour of the introduction of civil partnerships for all couples. The proposed Bill marks a turning point in the Falkland Islands and will create more opportunities for those wishing to live as a family unit by creating more options for people to choose their relationship status, regardless of gender.

Another change this Bill will bring into effect is an amendment to the current divorce legislation. The results of the consultation found that only 5% of people supported the current waiting times of 3 years for a "fault" divorce or 5 years for a "no fault" divorce. These times will be reduced to 1 year and 3 years respectively and will shorten the wait required to formally end a relationship.

The Bill amends several pieces of legislation.

#### 1. Marriage Ordinance 1996

(a) It amends the Marriage Ordinance 1996 to introduce same sex marriages in the Falkland Islands. Same sex marriages are to be treated in the same way as marriages between men and women and therefore all the provisions of the current Marriage Ordinance will apply to same sex marriages.

(b) It further provides for the registration of civil partnerships in the Falkland Islands and through a new Part IVA provides for all matters relating to formation, eligibility, and recognition, sets out the requirements for registration which includes procedures to be done before the actual registration can take place. It goes on to provide for dissolution of such partnerships and other matters related to civil partnerships. This allows for civil partnerships for both same sex couples and heterosexual couples.

Most of the legal principles relating to marriages and their dissolution apply to civil partnerships and therefore both the Marriage Ordinance and the Matrimonial Causes Ordinance will apply to civil partnerships. Other matters of process and administration will be provided for under subsidiary legislation.

(c) It makes other amendments in relation to ministers of religion who are given a wider choice to opt-out of solemnising marriages.

#### 2. Interpretation and General Clauses Ordinance 1977

In order to accommodate the introduction of same sex marriages and civil partnerships new definitions will be added to the Interpretation and General Clauses Ordinance 1977 by this Bill. This removes gender bias from the terms.

#### 3. Matrimonial Causes Ordinance

The Bill amends the Matrimonial Causes Ordinance to reduce the timeframes currently in place for divorce and dissolution of marriages. This will apply to civil partnerships as well. Other amendments are made to make the Ordinance compatible with same sex marriages.

#### 4. Matrimonial Proceedings (Summary Jurisdiction) Ordinance 1967

Like amendments to the Interpretation and General Clauses Ordinance above the Bill amends the Matrimonial Proceedings (Summary Jurisdiction) Ordinance 1967 to provide for new definitions which reflect equal treatment for parties to all marriages and also remove gender bias.

#### 5. Registration Regulations and Registration of Marriage Regulations

To give effect to the changes brought about by the amendments above existing forms and certificates under both the Registration Regulations and Registration of Marriage Regulations are proposed to be amended so they are gender neutral. New forms will be made under subsidiary legislation to support the introduction of civil partnerships and same sex marriages.

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

**The Honourable Mike Summers OBE**

Mr Speaker, I am unable to second this Motion, someone else will need to do so.

**Mr Speaker**

Does any other Member wish to second?

The Honourable Jan Cheek to second. Does any Member wish to speak to the Bill?

**The Honourable Jan Cheek**

I wish to second the Motion and speak. As has been noted elsewhere we are one of only a few countries in the world to open civil partnerships to mixed male and female couples as well as same sex couples, this choice is something I think we should be celebrating. Moving on to the new marriage provisions, marriage rules have varied from culture to culture, faith to faith, age to age, and through the centuries have included strange things like polygamy, polyandry, and others. In our cultural tradition arranged marriages, which were more about securing alliances and power, were common. Women were expected to come with a dowry and they and their property became the chattels of their husbands, who they promised to obey. Divorce was well-nigh impossible; all that is moved on, no one would now wish a couple to live unhappily ever after. When I married 49 years ago, women were finally beginning to achieve equality, it took a while, and now marriage has evolved into an equal partnership between two people who wish to declare their love for each other, often before friends and family, and to spend their lives together. Our Constitution does not allow discrimination, so it is right that this is extended to include same sex partners. I second and support the Motion.

**The Honourable Mike Summers OBE**

Mr Speaker, Honourable Members. I cannot support this Bill. I come from a background that places the family at the centre of every community, and the importance of the family is a deep rooted issue for me, and in my experience a family was always a man and a woman with their children. I have no objection whatsoever to the removal of discriminatory issues in all the legislation, of course, that should be supported, but in my view and it is a deeply held view, a marriage is between a man and a woman. I cannot persuade myself that it should be any other way. The Honourable Jan Cheek has already mentioned that marriage has evolved over many centuries, perhaps thousands of years, in different ways for different groups of people. I am not sure, I cannot convince myself that the concept of marriage should be taken from where it has previously been to be used in this set of circumstances. The provisions for Civil Partnerships, I think are perfectly adequate, and I have been told by people who worry about this sort of thing, they are perfectly adequate and could be used for what is being proposed. So Mr Speaker, I fully accept that there has been some consultation on this issue, I'm not sure it has been that wide and that deep, but nevertheless there was broad acceptance of the principle. I accept my responsibilities to represent the community. I also accept my responsibilities to vote with my conscience. In this case, I cannot support the Bill.

### **The Honourable Michael Poole**

Thank you, Mr Speaker, Honourable Members, I am pleased to this Bill before the Assembly today. We had agreed the policy principles some time back, and it is good to complete this work formally. It is also pleasing that we are able to open up there and put ourselves in the quite rare position of having legislation that I think is frankly stronger and fairer than that which exists in number of major countries around the world. In my view, it is entirely appropriate and equitable that partners of any description can define themselves within the law, in the way that they feel best suits them as a couple. So, for that reason Mr Speaker, I support principles of the Bill.

### **Mr Speaker**

Does any other Member wish to speak?

### **The Honourable Gavin Short**

Mr Speaker, Honourable Members. I would like to support this Bill, and I would like to fully associate myself with the words of the Honourable Jan Cheek who said things far more eloquently than I ever could. I did look into this during the last Assembly, when I was approached, so that shows how long things take really to come through, but I was warned then that if there was a legal challenge, there would be a winner and a loser, and we wouldn't be the winner, so I am glad to see that we have finally got to where we need to be, and I have to be careful what I say here, but I am a sort of straight up and down guy, but what is great is that here in the Falklands, I think, the vast majority of us live and let live. The Falklands you know has a broad enough mind to embrace these things, and I think this is one of the lovely things about our country. So yes, I certainly do support this.

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

Mr Speaker, Honourable Members. I too, strongly support this Bill. There has been a wide consultation on the matters, and they are difficult matters, but I would join with my Honourable Colleague Gavin Short in saying how this reflects on our society. We are a very developed society, we are a very caring society, and I think that 90% of people who supported this tells us what sort laws our society wants. The Honourable Jan Cheek says things are equal now, men and women in a marriage are equal. It is not always the case. I live in a benign dictatorship (*laughter*), it is not always that benign either, but seriously, the one thing I could find fault here is the change of no-fault divorce reduced from five years down to three. I don't see why that should be three years, I don't see why it should be the same as the other reasons, and that one year. I hope that in the future, we will reduce that and two consenting adults, they know when they want to separate and to put a five year ban is wrong I think, it has been reduced to three, I think it should be reduced to one.

Mr Speaker, I support the Motion.

**Mr Speaker**

Does any other Member wish to speak to the Bill?

The Motion is that the Bill be read a second time, and since we have a difference of opinion can we take a formal vote on this.

**Deputy Clerk of the Assembly**

The Honourable Jan Cheek - Yes  
The Honourable Roger Edwards - Yes  
The Honourable Mike Summers - No  
The Honourable Dr Barry Elsbey - Yes  
The Honourable Ian Hansen - Yes  
The Honourable Michael Poole - Yes  
The Honourable Phyl Rendell - Yes  
The Honourable Gavin Short - Yes

**Mr Speaker**

That Motion is therefore carried, the Bill will be read a second time.

**Deputy Clerk of the Assembly**

The Marriages (Amendment) Bill 2017

**Mr Speaker**

Since we have Government amendments to the Bill, the House is now in Committee

**Deputy Clerk of the Assembly**

Clauses 1 to 3

**The Attorney General**

Mr Speaker, I beg to move that clauses 1 to 3 stand part of this Bill.

**Mr Speaker**

Honourable Members, the Motion is that clauses 1 to 3 stand part of the Bill, is there any objection to that Motion?

There is no objection to that Motion. Clauses 1 to 3 stand part of the Bill.

**Deputy Clerk of the Assembly**

Clause 4

**The Attorney General**

Mr Speaker,

I beg to move that clause 4 be amended in section 3A by adding the following words at the end of subsection (3) (a) —

“And in that Part any reference to a “man” includes a “woman”; and any reference to a “woman” includes a “man”.”

This is to give absolute clarity to the general equality within the proposed ordinance.

**Mr Speaker**

Honourable Members, the Motion is that clause 4 as amended by the Attorney General stands part of the Bill, is there any objection to that motion?

There is no objection. Clause 4 as amended stands part of the Bill.

**Deputy Clerk of the Assembly**

Clause 5

**The Attorney General**

Mr Speaker,

I beg to move that clause 5 stands part of this Bill.

**Mr Speaker**

Honourable Members, the Motion is that clauses 5 stands part of the Bill is there any objection to that Motion?

There is no objection to that Motion. A clause 5 stands part of the Bill.

**Deputy Clerk of the Assembly**

Clause 6

**The Attorney General**

Mr Speaker,

I beg to move that clause 6 be amended in section 24E, subsection 1 by replacing paragraph (c) with —

“(c) they are within the prohibited degrees described under section 5 and specified in Schedule 1 and for purposes of this paragraph in section 5 —

(i) any references to a “man” includes a “woman” and any reference to a “woman” includes a “man”.”

That is to extend the prohibited degrees in a gender neutral way, for same sex marriages

**Mr Speaker**

Honourable Members, the Motion is that clause 6 as amended stands part of the Bill, is there any objection to that Motion?

There is no objection to that Motion. Clause 6 as amended stands part of the Bill.

**Deputy Clerk of the Assembly**

Clauses 7 to 24

**The Attorney General**

Mr Speaker,

I beg to move that clauses 7 to 24 stand as part of this Bill.

**Mr Speaker**

Honourable Members, the Motion is that clauses 7 to 24 stands part of the Bill is there any objection to that Motion?

There is no objection to that Motion. Clauses 7 to 24 stand part of the Bill.

**Deputy Clerk to the Assembly**

There are no Schedules

**Mr Speaker**

There are no Schedules to this Bill, the Assembly resumes.

**The Honourable Roger Edwards**

Mr Speaker,

I beg to move that the bill be read a third time, and do pass.

**Mr Speaker**

And the seconder please to that Motion. The Honourable Jan Cheek would you please second that?

**The Honourable Jan Cheek**

Yes, I second that.

**Mr Speaker**

So the Motion is that the Bill be read a third time, and do pass. Is there any objection to that Motion?

There is no objection, the Bill will be read a third time, and do pass.

**Deputy Clerk of the Assembly**

The Marriages (Amendment) Bill 2017.

The Motion for Adjournment

**The Honourable Chief Executive**

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

**The Honourable Mike Summers OBE**

Mr Speaker, Honourable Members, I will be very brief.

Just two issues to raise, firstly I would like to thank all the residents of North Arm for welcoming us here today, it is a pleasure to be in North Arm, I have not been here for some while. I was mentioning to someone earlier on that this is the land of my father. My father and his brothers and sisters, were all brought up here in North Arm, so I know tales of North Arm from long before you lot were here, so thanks very much, it is a pleasure to be here and I look forward to looking around the parts of the farm later on.

This is the last meeting of the Legislative Assembly for the Commander of British Forces, Darren Bone. I would like to thank Darren and his wife Jess for all the work they have done here in the Falklands over the last 2 years. People are inevitable classified in their work by, I guess, what they do and your time here, I think, will be defined by the start of project *Anemoi* which is a really important project for the defence of the Falklands.

For the spirited support you have given to the introduction of trainees, apprentices and work experience for the Islands at Mount Pleasant.

Obviously, for the search and rescue effort that took place with the *Le Boreal*, early on in your time here, but most importantly perhaps for the momentum that has been created, now in the provision for more local companies to be involved in work in the Falkland Islands. The momentum for this has been created, not only by your own work, but by the visit of the Secretary of State, Michael Falon, and the visit relatively recently of General Sir Chris Deverell. These will be important issues going forward, not only for the Falkland Islands, but I think also for the Ministry of Defence, in keeping itself as efficient and cost effective as possible. But of course, your principle task here always is the defence of the Falkland Islands, against our hostile neighbours. I think in that you have been able to give us always the

assurance that we need that the assets and the capability that is required to defend the Falklands is in place, both in Mount Pleasant and other places around the Falklands. So, Darren I would just like to thank you formally for all the work you have done, in defending the Falklands and in developing the relationships between the civil and military communities in the Falkland Islands. That relationship is absolutely crucial. We are all on the same side and it must endure and continue, thank you very much indeed to you and to Jess. I support the Motion.

### **The Honourable Phyl Rendell MBE**

Thank you, Mr Speaker,

In rising to support the Motion, Honourable Members, I would just like to reiterate the words of the Honourable Mike Summers and thank Steven Dickson and Emma Reid, and everyone at North Arm for hosting us here today, on a bright and sunny day. We left Stanley in cloud, in gloom and here we are in the Lafonia sunshine, and it is great to be down here. Quite nostalgic for me, as I spent my teenage years here at North Arm, and as the Honourable Mike Summers must have felt nostalgic too, when we had a meeting at Port Howard last year for the Assembly. I do hope that the new Assembly continues to venture out into Camp and hold Assemblies in Camp every year, like we are trying to do, and I would also like to say it's great to have an audience for the Legislative Assembly. At Stanley, we rarely have anybody and the hall is packed today, so thank you very much for coming along today and attending this meeting.

I would like to take this opportunity to address some points that I didn't put into my portfolio address on Agriculture, but on Falkland Landholdings (FLH), I thought it was appropriate to do in the Motion for Adjournment.

We are on an FLH farm. The FLH General Manager, Andy Pollard is here today, and is going to do a brief presentation over lunch about the achievements of FLH, and then later, we are going to have a farm tour. So, I am not going to steal Andy's thunder and quote any figures and so on, but they are quite impressive currently, and I look forward to hearing him talking about that. But I would like to take this opportunity to thank all FLH employees, not only those here at North Arm, but those that work at Goose Green, Walker Creek and Fitzroy for all their hard work and commitment, not only to FLH, but also really to farming in the Falkland Islands. FLH supplies the bulk of our exports of wool and meat and that assists other farms to access markets. Without that critical mass we wouldn't have those export markets, and FIMCO would not have been established if we didn't have the stock supplied by FLH farms. The Corporation also offers employment for those wanting to live and work in the Camp, and I am looking forward to the reintroduction in due course that I know the General Manager is working on, on training opportunities for young people to learn about farming, and hopefully that will lead to careers in agriculture, and I believe we have three work experience students coming to the farms to spend their time next month here. So, that's a great step forward.

The drive of the General Manager, managers and staff to improve production through both genetic change and cropping to finish stock for the abattoir is very much appreciated by the FLH Board. Change in agriculture requires hard work that needs consistent application over several years. Results are coming through with bigger yields and finer wool that are gaining

higher market prices. Also, lamb, mutton and beef going through to the abattoir from all the FLH farms are of excellent quality.

A would like to make a special thanks, before I stop speaking about FLH, to Ian Beatie and Lewis Morrison for their hard work here at North Arm, on the crops this year. We have had extremely good reports about that to the Board, and the Board were very, very encouraged. I know that you had advice from Adam Dawes from the Department of Agriculture, and we are looking forward to going and viewing those crops later today, but with the effort put in, has really resulted in fine animals going into the abattoir, and also can be used for our breeding programmes.

Now I have to turn to the sad part of the meeting. We were all very saddened when we heard the news of the death of Owen Summers recently, and it's fitting to pay tribute to his work here at this meeting at North Arm. He visited this farm regularly as General Manager of the Falkland Islands Landholdings Corporation. Owen was employed for many years by the FIG, working for and heading up the Department of Agriculture, known in the 70s and 80s as the GTU – the Grasslands Trials Unit. Owen was responsible for many of the farm sub-divisions in the 1980's and 1990's when FIG bought the larger farms that were owned by absentee landlords and owners. They were sub-divided, and Owen spent many, many hours carefully reviewing those farms, checking the camps and making sure that they were fairly proportioned out, so that they could be divided for Islanders to purchase, and we just see now the results of that today, going from, we had about 35 farms before the sub-division programme began and now we have 85, and Owen was absolutely key to all of that sub-division.

One of the other major projects Owen was responsible for was the importation of the Polwarth Stud Flock that was airfreighted to the Islands from Australia in 1992. The project was not without risks, and there was quite a lot of criticism at the time. However, the decision of Owen and the farmers of the day to establish a National Stud Flock has undoubtedly made the greatest contribution to genetic change in the production of Falklands' wool. Its continuing success was demonstrated only a few weeks ago at the annual ram sale, and I commented on that in my portfolio report.

Owen was appointed FLH's General Manager in 2003, and people will remember the flux the farms were in, we had a churn of managers that came from overseas, with different ideas and we were all over the place. He brought that stability that these farms needed and it really lasted through his eleven years as General Manager of these farms. His local knowledge was invaluable, particularly when the farms faced dire wool prices, and needed financial support from FIG to pay wages. Farm maintenance was cut to an absolute minimum and Owen had to find ways to cut costs to keep the farms going, it was a very difficult time. The opening of the abattoir enabled farm sub-division and this was a considerable help, and Owen worked tirelessly to maximise return on meat sales, particularly at Fitzroy.

Once wool prices improved Owen steered the Corporation back into profit and began investing in the farms again. The results can be seen today here at North Arm, at Goose Green, Walker Creek and Fitzroy, with well supplied and maintained farms, using modern technology, particularly with investment in alternative energy. He was very proud of his achievements at Fitzroy with the wind turbines, and one of the last conversations I had with him was about the wind turbines at Goose Green, and about how the project was working out.

Owen, a modest man, always spoke highly of his managers and of his staff on the farms and he paid credit to them for making things happen on the ground. Owen made a major contribution to agriculture in the Falkland Islands over his career and was at the forefront of the many changes that benefit farming today.

His contribution, of course, on the race course was particularly welcome, particularly here on the FLH farms in the days that we had racing at North Arm and at Fitzroy I remember, and now it's focused on Goose Green, and we shall always celebrate and remember Owen's efforts with his horses, and what great entertainment he could give us with that.

We are all thinking of Owen's family, particularly Colin and Mike, this is a very difficult time and we trust they will be comforted by reflecting on all his many achievements during his very full and active life.

I finish my Motion for Adjournment speech to just say thank you very much to Darren and to Jessica, and to wish them well in their future, and wherever you are going next. Mike has covered all your achievements here well; I would just want to wish you all the best for the future. I hope to see lots of people at Goose Green on Saturday.

### **The Honourable Ian Hansen**

Mr Speaker, Honourable Members, I will be brief. I would like to begin by echoing the tribute to Owen Summers that the Honourable Phyl Rendell has just mentioned. I have been involved with FLH and the FLH Board now for 12 years, and 7 of those 11 years that Owen was with us as the FLH General Manager, I was with him, so FLH has always been, well still is, dear to my heart. I have been through some of the difficult times, and there is some people in this room that have been through the difficult times as well, and we know what it was like when we were begging for subsidies, and if you worked an FLH farm, you were almost regarded as somebody that was a freeloader, because you were being subsidised. I am really pleased to see that has changed. I can't tell you how pleased I am that's changed, and as Phyl said, much of that was down to Owen and the managers obviously. One of the things that Phyl perhaps didn't mention, but Owen was always very supportive getting youngsters up through the ranks, young managers and that was achieved, we have young managers. Though I think it's fair to say, one of them doesn't look as young as he did a few months ago, but that's neither here nor there. So, I would just like to echo Phyl's sentiments absolutely and support everything she said.

Just a couple of other brief things I would like to mention, Mr Speaker. Our Director of Central Services Matt Basford, leaves a week tomorrow. I would just like to take this opportunity to thank him very much for all the work he has done, he hasn't exactly been given easy projects, the telecoms licence, the ferry contract, the air terminal, the new port facility, to name a few, but he has, I believe, been a great asset to the Falklands and I think we are going to miss him. I would also would like to add my farewells to Commodore Bone and his wife Jess, and I do wish you all the best for the future wherever you go, and thank you for everything you've done. And obviously, finally I would like to thank the people of North Arm for hosting this event today, it's a great pleasure to be here, and I look forward to having a chat with you later. Mr Speaker, I support the Motion.

## **The Honourable Roger Edwards**

Thank you, Mr Speaker, firstly thank you very much to Steven and Emma for hosting us and making us so very welcome here at North Arm today, and I must say I look forward to enjoying the wonderful spread that I noticed before we sat down and opened this meeting.

I do wonder, though, who the other two hundred odd people are that are coming to take part in that enormous feast that we are looking forward to, so thank you very much to both you and the people of North Arm.

I would also like to say thank you very much to everybody else who turned up from the surrounding farms here on the East. I think this is probably one of the biggest audiences we have had for any Legislative Assembly, be it in Stanley or Camp, so thank you very much.

During the course of this morning's meeting, someone mentioned that we are going out live. Actually we are being recorded and we will go out live sometime later, and that was partially due to the fact of the poor access we have to the web and so on, and also we are out of sight of the mobile phone, so it is that subject that I would like to briefly touch on. As you know we have just passed the new Telecommunications Bill, and a new licence has been prepared and is now complete, and we are hoping that Sure South Atlantic Ltd will be able to sign that licence next Wednesday, on the 5<sup>th</sup> of April, and that will bring into being the start of various actions that they have promised us. We are going to have data package boosters brought in within 6 months of the date of signing the licence.

You also will have heard and will be aware that the mobile network is going to be extended across the Islands, and will cover something like 98% of the total Falkland Islands' population. In addition to the current 2G system that you can speak to people on, send the odd text, you are going to have a 4G network, which will be rolled out within 18 months of them signing the licence. So you will have access to all the other bits and pieces that go with this new system, and we hope, and I certainly am assured that we will speak with Sure and the packages that will be coming forward with those improved phones and things will ensure that you get a better deal at a similar price, a much better deal on what you get today, so 2G and 4G will be rolled out across the Islands, and once it is in place, the Falkland Islands Government have undertaken to do a coverage check to see how many people are in fact outside that, and to see where and how we can put in, perhaps, in-fill sites, so that we can get more, and that final 2% in the Falklands covered on the mobile and data network, so I think that is important.

I would like to welcome David Brown as the Attorney General to his first Legislative Assembly as Attorney General, welcome David, and I would like to thank the Commander of British Forces for all that he has done in the Falklands, and wish him and his wife Jessica well in their future, wherever that might be. Mr Speaker, I support the Motion.

## **The Honourable Jan Cheek**

Mr Speaker, Honourable Members.

Taking note of the time and the incredible stamina of our audience I will be very brief, so first I would like to join in the thanks and the good wishes to Darren and Jessica and wish them very good luck in whatever they do in the future. As others have said, this is probably a

first Assembly in Lafonia, it is a great pleasure to be at North Arm, the farm is looking great, and a credit to the manager and staff and also to all the other people that are involved in it. Thank you, I support the Motion.

**The Honourable Dr Barry Elsby**

Mr Speaker, Honourable Members

I too will be brief. I too wish Darren and his wife well in the future, thank you for all your hard work. I too would like to associate myself with the very moving tribute that the Honourable Phyl Rendell made in regards to Owen, he will be missed.

I would also like to just briefly talk about success of two of our students. We have in the Islands at the moment representatives of an organisation called AFS, which is an organisation trying to link up young people from different cultures, to exchange across cultures and so learn more about each other's way of life. I have been working with them for some months, and I am pleased to say that they have offered us a free scholarship for one of our students to spend six weeks with a family in Uruguay, attend school there, full funding including flights and everything, a tremendous opportunity. They came to the Islands on Saturday to interview students and I am pleased to say that five students applied, which when you consider the numbers in each year group that is a good percentage. The meetings were with the students and with the parents, they then had an exam they had to sit as well, and then they had a more in-depth interview with each student and then interview with the family. The aim being to try to say that the person that is selected is someone that will fit in and will take the culture shock, if you like, of living with another family in another country in their stride, and I am pleased to say that all the exams and the interviews finished yesterday evening. I would like to announce that Darby Newman was chosen as the person to receive the scholarship and go to Uruguay at the end of July for about six weeks and second, in case Darby changes her mind, they have chosen a second place person, and that's Nicola Wilks. So I would like to congratulate them, but I would also like to congratulate the other three students who applied, but didn't get it this time. I am told that it was a very, very close decision, and I hope that this movement, this exchange of students will become an annual thing, so one of our students might consider going to Uruguay and again somebody from Uruguay coming here. And as we are in Lafonia, there are many farms, of course, in Uruguay and many of our farmers have been over there. It would be good if one of those students coming over was from a farming background and chose to exchange and stay with a family here.

Mr Speaker, I support the Motion.

**The Honourable Gavin Short**

Mr Speaker, Honourable Members.

Mine isn't going to be as short as it could be, however, I do know the people in Camp have a much better stamina level than us townies, they are made of sterner stuff out here.

In rising to support the Motion for the Adjournment I would like say a big thank you to everyone here at North Arm, and indeed everyone that has come up the track as well, for

allowing us to have Legislative Assembly out here. It's always good to do things like this, and it sends the political message out that the Falklands is not just Stanley, it is the Camp.

In a way, I suppose it is almost fitting that we are having Legislative Assembly here today because, of course, this used to be FIC territory and, of course, happily it is now back under the control of the Falklands and, of course, there is a battle raging for what remains of the FIC, we will have to see how that goes.

Earlier this month, if I can just touch on Telecoms, ExCo gave the thumbs up to the Telecoms Agreement with our present provider. Right through the long process I tried to keep a clear mind and take a balanced view. Having worked for the company and having a little bit of an understanding of telecoms allowed me to appreciate that some of what was being demanded was impossible to deliver at a cost that could be afforded. This may change as the world of telecoms evolves and it does evolve extremely rapidly. I certainly didn't support calls for larger users to be able to do their own thing, leaving us normal folk to foot the bill for what was left behind.

I certainly wasn't "Sure's man" as I was once accused of being. As I say, I tried to keep a balanced view and this view was only swayed right at the bitter end, when a) I spotted the final deal, and I still say it is not fair or equitable on the lower end users, and b) when we had the debacle of folks having their package sizes increased, and the ensuing congestion that followed due to the bandwidth out of the Falklands not being increased at the same time, (and working there allowed me to know the symptoms and to understand what the probable cause was), and perhaps what alarmed me more was the failure of the company to put out anything by the way of a public service announcement or apology until pressurised by the Government to do so.

This to me is not the actions of a company that cares for its customers or indeed was trying to prove how great they were in order to get a new deal. It smacked of some sort of arrogance or a culture of secretiveness that does not, I think, bode well for the future. I hope I am wrong, indeed I want very much to be proved wrong, but I do think we will need a change within the culture of that company at a higher level. We will also need an extremely capable and forceful regulator. Without one I am not at all hopeful. With one, this deal might just work and the customer be protected. We shall obviously see as time goes on.

I am becoming increasingly convinced now, that we are not going to see anything from Argentina in the form of the Kirchner sanctions being rolled back. Indeed, some of the pieces that I am picking up on the internet through their press and other outlets really seem to be going back to the Kirchner rhetoric.

What we are seeing though is a real push by some to have us cosy up to Argentina. It is worrying that the position as of today is exactly the same as it was when Kirchner left office, but some are starting to accept it as the normal situation and want us to start being friends and trading from this point, forgetting everything that is still in place in Argentina with the aim of bringing us to our knees and forcing us to accept their attempts to thieve our country.

We see many moves and attempts from them to have closer cooperation in such areas as medical, education and business – we see people coming over to swim for peace and try and get friendly with the locals. These attempts will carry on, I've got no doubt about that. They

cannot get their heads beyond what was happening in the 1970s, and they want to get us dependent on their country once again, (even with all the sanctions against us still in place), and before anyone says anything, yes I know the Falklands is a different place from what we were in the 1970s, but no one has told the Argentines that, and I am already seeing other folk starting to urge us to cosy up, even some young locals getting annoyed with us oldies for our jaundiced views of those across the water, and some are sort of accusing us of brainwashing our children because we want to teach history in our schools, this beggars belief.

I came out of school not knowing one thing about my history. I was living in a colonial situation in those days. Today we are not. Our children must know the history of what is their country. They have to know what shaped them and what is giving us our political and cultural identity. They have to understand where they came from in order to keep moving us forward to what, I hope, will one day be full independence (if ever those across the water grow up and drop their claim). Failure to properly teach our youngsters their history is in my view nothing short of a crime. It is not brainwashing, we can back up what we teach with historical, documented proof that any youngster can examine and challenge should they wish. Teaching “alternative history” based on lies, as happens on the coast that is brainwashing.

I come back to my point about those who come over wanting to be friends. Now some of them may be genuine and respect the fact that the Falkland Islands belongs not to the UK or Argentina but to us, but a great many of them do not. They come under the guise of friendship with the real aim of getting us cosied up to their country – if you can get the people to swing in your direction – the land will follow. That is their real agenda.

Wake up people, these people are as intent as the last bunch were to impose their unwanted and unwelcomed presence upon us, it’s just that they are going about it another way. Pay some heed to us “wrinklies”. Unlike you we have been around this particular tree before. You, unlike us, do not have the somewhat battered T shirt to prove it and us oldies do not want you ever to be in a position whereby you become the reluctant owners of that T shirt.

I am as bemused now as I have been for many years that those across the way cannot see that their attempts to strangle us are completely ineffectual. Our population grows; the strength and activity within the economy here in the Falklands continue to grow. Wages increase. No one goes hungry or dies of preventable diseases. We actually have roads that you can use.

Our children get free education at some of the best educational establishments going and not just in the UK. Those who are ill and require treatment over what we can manage here in the Falklands go to some of the best clinics in Chile and the UK.

The country that wishes to colonize us has an appalling economy, little regard for the welfare of its people, and medical and educational standards that would be a step backwards for any Falkland Islander unlucky enough to experience it.

Their track record on human rights, even now, especially when it comes to their aboriginal people, is beyond appalling, and the so called human rights group that came over here on their holiday and self-publicity trip would be better placed trying to champion the rights of the marginalised and desperately downtrodden in their own country before coming over to the Falklands on an all-expenses paid jolly.

Of course, we have problems here in the Falklands, we have done and always will do, but we will work around those problems, and we will sort them out, we always do. Compared to what lurks across the water, the Falklands are a shining beacon of wealth, freedom, opportunity and stability, something that the vast majority of people, who want to colonize us, can only dream of.

We are just about at Invasion Day once again. We have seen increased press activity from the coast as we always do, but I think I mentioned this perhaps before in this House, but I would like to touch on it again, and that's just share a thought at this time of year for those who suffer PTSD. It is not just those who fought on both sides here in the Falklands who suffer it, but there are also a great many people in the civilian community who suffer this as well. Some to this day do not know that they have got it until one day they hit the wall.

The human body and mind is an amazing thing and some people sailed through the whole experience without any seeming ill effects. Others didn't. PTSD is a nasty beast. It can manifest itself well after the event and has many symptoms, which on their own doesn't really point towards much, but it's only when you take them all together that you can reveal what the problem really is, and sometimes the person who has it is the most surprised of all.

We find it hard to talk about mental health issues, and PTSD in particular, as according to some whom I have heard speak of it years before, perhaps the civilian population here in the Falklands were not even meant to suffer it. In all fairness, those that have not suffered it find it extremely hard to accept or understand. It is just as hard on the families of those who do suffer it as it is to the actual sufferer, perhaps more so.

Some have the effects every day, other only at certain times of the year, and for a lot of us, we know full well that the loop of tape in our head is going to start playing fairly soon. It doesn't have an exact start or end date, nor do we know what the volume is going to be. Some years it just murmurs away in the background and some years it's loud and proud and makes dealing with it and everyday life that bit more bothersome. All that most of us know is that it will start playing, and we will relive the whole episode, year after year.

The effects aren't helped by the antics of certain visitors to our shores, and we must start doing more to try and protect our people and our country from those visitors. I believe moves are afoot to try and do just that. You probably will never stop the more determined folk, apart from perhaps breaking off all links with South America which, whilst seeming attractive at times, but to be honest it is not the way to go. Let us see where things go.

Finally, before sitting down perhaps two goodbyes, one to a Darren, I wish you well Sir, in whatever the future brings and this time I will be very careful not to the doubt the sobriety of your arm of the armed services, and I do wish you and your wife well. And finally, I would really like to join with the tributes that have been paid by Members here to Owen Summers, he has made a huge mark on the Falklands and is going to be greatly missed, perhaps for me it is also poignant that I will be saying goodbye to yet another member of the class of '82, thank you

## **Commander British Forces**

Mr Speaker, Honourable Members, I am very conscious of the time, I am also conscious that two years ago, the first place I came to visit, and Steve and Emma, you were kind enough to host us, was in this room for the championship dog trials, and you asked me to present the prizes. We have had a huge privilege of over the last two years of going round innumerable settlements and farms, and indeed in Stanley as well, but the joy has always been going out both on the East and out to the West, both of us are very grateful for the hospitality you have shown us.

I think we have two communities of very similar size, where there must be economies of scale that we can use going forward, and I think this has been our consistent theme, my consistent theme perhaps whilst I have been here. I think collaboration offers very exciting opportunities, but it takes commitment, of course, on both sides, to take that forwards. Just so we are absolutely clear for the record if you like; we on my British Forces side, MoD side, are very much looking 35 years ahead now. That's explicit in what we are doing in our building programmes at the moment. I flew over the port this morning at East Cove, where we upgrading our port facilities. We are building a brand new power station in Mount Pleasant at the moment, and just to really put it home, if you like, we are seeing the foundations go in on the new primary and junior school at Mount Pleasant which will take 50 children, which shows an idea of how many people are coming out as families for long term tours down here. So all those I think of as positive, and because I mentioned the school, the next generation are always the key, next week we will take the second group of work experience pupils from year 10 at the Falkland Islands Community School (FICS) in Stanley, and we are now doing that three times a year and they will join us on Monday. We are also, and we have everything in place already, to take on a number of apprentices, formal apprenticeships at NVQ level, 1, 2, 3 and beyond, and that is an offer genuinely on the table at Mount Pleasant.

As we look ahead, we look therefore to the Falkland Islands Government, to the community, and indeed to Falkland Island businesses to share that vision with us of collaboration to mutual benefit, and it's not just words, I think we genuinely mean it, but for that we must have collective ambition, energy and a desire to move forward at pace. I think we at Mount Pleasant are absolutely in the starting blocks ready to go on that, and I think, and I am grateful to the Honourable Mike Summers for bringing it up, that over the last 12 months it has been fortuitous but the timetable has been perfect with the Secretary of State coming, this time last year, and my own General, General Sir Chris Deverell, who was here but a month ago, finishing that circle up, and a whole load of workshops and things going on in the interim. I think through the General's visit, and he has already written to the Chief Executive, that we have cemented that as the way to go.

I can announce today that the MoD global food programme has now awarded the next contract for providing food for all UK Armed Forces deployed overseas, and particularly the ships, but also critically for us, it provides food for every one of the members of the British Armed Forces down in Mount Pleasant, so that is 1,800 with our civilian contractors. That has gone to Ecolog, a company, and it will take place in October this year. I think that therefore proves that we have delivered on what we promised in May last year 2016, and with that will come genuine opportunities for businesses, I would include FIMCO in that, private businesses and indeed SAAS, because they are going to use that as well, and there will be

waste management opportunities, all the other bits we have been working on. To that extent there I think we are ready, we have been speaking, and the Chief Executive and I have talked routinely. We're looking at sharing and establishing a joint staff, with people as well to prove that collaboration is two ways.

So my message, apart from thank you very much for two wonderful years, and I speak for Jessica as well, thank you for the friendship and the genuine warmth you have shown, I saw it twenty year ago, she and my family have now seen it and we feel as warmly as we did before, and I know that my successor is eager as anything to come down, and will have the exact same riding instructions that I have had in taking this forward, I suggest it is an opportunity that we should grasp and move forward together. Mr Speaker, thank you.

**Mr Speaker**

Honourable Members, may I just add my good wishes to CBF, and his wife of course, for their future.

**The Honourable Dr Barry Elsby**

Mr Speaker, if I may make a presentation to the Manager. I would like to say on the behalf of the whole Assembly thank you very much for inviting us to have our Assembly here, and as a small token of the fact, a shield. I'm not sure where you are going to put it.

**Manager of North Arm Steven Dickson**

Thank you. I don't know where we will place it; I just hope everybody will enjoy yourselves this afternoon, I am sure you will be interested in some of the things we have got to show you.

**Mr Speaker**

Honourable Members, thank you, this House stands adjourned accordingly.