

EXECUTIVE COUNCIL

PUBLIC

Title: Clerk of the Councils' Report Quarter 1 July – 30 September 2018 *(starred item)

Paper Number: 170/18

Date: 24 October 2018

Responsible Director: Chief Executive

Report Author: Clerk of the Councils

Portfolio Holder: MLA Roger Spink

Reason for paper: This paper is submitted to Executive Council as required Executive Council Standing Order 17(4):

Publication: Yes with redactions highlighted in grey, Executive Council minutes are not public information

Previous papers: 76/18, 163/17, 115/17, 57/17, 196/16, 116/18

List of Documents: None

1. Recommendations

Honourable Members are recommended to note this report:

2. Additional Budgetary Implications

None

3. Executive Summary

Since 1 July 2018:

- 20 Committees have met
- 18 sets of Committee minutes have been lodged with the Clerk's Office and are available for inspection
- The Clerk's Office has been notified of 19 decisions that have been made with reference to Executive Council under Section 66(2) of the Constitution

4. Background

4.1 Report is produced as required by Executive Council Standing Order 17(4). As a matter of good governance it records the activities of the bodies discharging executive decision-making responsibilities on behalf of Executive Council or which exist to advise Executive Council.

5. Documents Held by the Clerk's Office

The following documents have been deposited with the Clerk's office and are available for inspection at the Clerk's office by appointment during normal office hours.

5.1 Committee Meetings

Since the date of the last report the following Committees have met and minutes were available at the date of the report as indicated:

Committee	Meeting Date	Minutes Available Y/N
Transport Advisory	02/07/2018	Y
Standing Finance Committee	03/07/2018	Y
Planning and Building Committee	04/07/2018	Y
Health and Medical Services Committee	05/07/2018	Y
Stamp Advisory	11/07/2018	Y
Housing Committee	11/07/2018	Y
Minerals Committee	19/07/2018	Y
Police Committee	20/07/2018	Y
Falkland Islands Tourist Board	23/07/2018	Y
Standing Finance Committee	25/07/2018	Y
Health and Medical Services Committee	23/08/2018	Y
Falkland Islands Development Board	23/08/2018	Y
Standing Finance Committee	29/08/2018	Y
Lands Committee	05/09/2018	Y
Environment Committee	05/09/2018	Y
Fisheries Committee	06/09/2018	Y
Planning and Building Committee	13/09/2018	Y
Standing Finance Committee	26/09/2018	Y
Transport Advisory	27/09/2018	18/10/2018
Falkland Islands Tourist Board	28/09/2018	19/10/2018

5.2 Decisions made outside Executive Council

5.2.1 Since the date of the last report the following decisions that have been made without reference to Executive Council under Section 66(2) of the Constitution and have been notified to the Clerk's office as required by section 66(3) of the Constitution:

Decision	Date	Authority
Appointment of Surveyors of Ships: <ul style="list-style-type: none"> • Mikael Eriksson 	05/07/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j) Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)
Appointment of Surveyors of Ships: <ul style="list-style-type: none"> • Jose Maria Perez-Garzon 	09/07/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j) Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)
Application for exemption from lotteries tax <ul style="list-style-type: none"> • Ms Jackie Cotter, Lighthouse Seafarer’s Mission 	09/07/2018	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (a)
Appointment of Member of the Health and Medical Services Committee <ul style="list-style-type: none"> • Mr Roger Spink MLA 	12/07/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i) Public Health Ordinance 1894 Section 3(2)(c)
Application for exemption from lotteries tax <ul style="list-style-type: none"> • Mrs Trish Jamieson, Stanley Swimming Club • Mr Thomas Busbridge, Falklands Ball Hockey Club and SAMA 82 • Mr Gareth Goodwin, Falkland Islands Rifle Association 	17/07/2018 19/07/2018	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (a)
Appointment of Surveyors of Ships: <ul style="list-style-type: none"> • Yury Shishkin • Thomas Christensen 	30/07/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j) Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)
Appointment of Surveyors of Ships: <ul style="list-style-type: none"> • Stephen Smith 	01/08/2018	Section 66 (2) (e) of the Constitution: Appendix A,

<ul style="list-style-type: none"> Ben Hipwell 		part 2, paragraph 5 (j) Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)
Falkland Islands Status: <ul style="list-style-type: none"> Sarah May Bo Clarke Mark Nicholas Street Mark Rasey 	02/08/2018	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (h) Falkland Islands Status Ordinance 1998, Section 4
Appointment of Livestock Inspectors Sept 18 – Sept 19: <ul style="list-style-type: none"> Adam Leonard Dawes, Senior Agricultural Advisor Daniel Severino Pereira Machin, Agricultural Advisor James Kenneth Bryan, Agricultural Advisor Lucy Ellis, Assistant Agricultural Advisor Stephen William Pointing, Senior Veterinary Officer Zoe Fowler, Veterinary Officer Ross Daely Ralph Milner, Veterinary Officer 	03/08/2018	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (j)
Application for exemption from lotteries tax <ul style="list-style-type: none"> Stepping Stones – Harry Phillips and his family 	07/08/2018	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (a)
Appointment of Chair of Public Accounts Committee <ul style="list-style-type: none"> Andrea Patricia Clausen 	31/08/2018	Section 81 (1)(a) of the Constitution Appendix A, part 2, paragraph 5 (i)
Appointment of Member of Board of Management <ul style="list-style-type: none"> Stephen Paul James Freer Deborah Davidson John Fredrick Simpson 	01/08/2018	Retirement Pensions Ordinance 1996 Section 3(2) Appendix A, part 2, paragraph 5 (i)

<p>Appointment of Trustees of Media Trust</p> <ul style="list-style-type: none"> • Nigel Jon Leach • Jennifer Mary Luxton 	06/08/2018	<p>Media Trust Ordinance 1989, Section 4 (1)</p> <p>Appendix A, part 2, paragraph 5 (i)</p>
<p>Revocation of Appointment of Bailiffs</p> <ul style="list-style-type: none"> • Thomas Mark Whistler • Mark Fredrick Delgarno • Peter Young 	20/08/2018	<p>Administration of Justice Ordinance 1949, Schedule 3, Part 1 (3)</p>
<p>Appointment of Bailiffs</p> <ul style="list-style-type: none"> • Stephen John Dent • Karen Michella Rozee • Jane Clement • Graham John Didlick 	22/08/2018	<p>Administration of Justice Ordinance 1949, Schedule 3, Part 1 (3)</p>
<p>Appointment to the Agricultural Advisory Committee:</p> <ul style="list-style-type: none"> • Michael Evans 	07/09/23018	<p>Appendix A, part 2, paragraph 5 (i)</p>
<p>Appointment of Member to the Board of Education:</p> <ul style="list-style-type: none"> • Susan Jean Wilks • Cecil Alexander 	05/09/2018	<p>Appendix A, part 2, paragraph 5 (i)</p>
<p>Designation of Fishing Vessel Argos Cies as a vessel to which the provisions of the Fishery Products Ordinance 2006</p>	14/08/2018	<p>Appendix A, part 2 paragraph 5 (n)</p>
<p>Application for exemption from lotteries tax</p> <ul style="list-style-type: none"> • Mrs Andrea Barlow, FI Museum and National Trust, MacMillan Cancer Support 	12/08/2018	<p>Section 66 (2) (e) of the Constitution</p> <p>Appendix A, part 2, paragraph 5 (a)</p>
<p>Appointment of Members of the Pensions Board</p> <ul style="list-style-type: none"> • Mr Drew Irvine • Mrs Karen Steen 	20/09/2018	<p>Falkland Islands Pensions Scheme Ordinance 1997 section 5</p> <p>Appendix A, part 2, paragraph 5 (i)</p>
<p>Appointment of Surveyors of Ships:</p> <ul style="list-style-type: none"> • Manuel Berrios • Gavin Brice 	<p>27/09/2018</p> <p>04/10/2018</p>	<p>Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j)</p> <p>Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)</p>

Removal of confidentiality relating to EXCO Report 67/10 with redaction for publication as part of a Planning Application	08/10/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 4 (c)
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5.2.2 A copy of each of these decisions is available for inspection at the Clerk's office

5.3 Decisions made using other procedures

5.3.1 Since the date of the last report two decision that has been made using email or written resolution on the 18 September and 15 October 2018

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5.4 Decisions made under the Governor's Constitutional discretion

The Governor advises that under Section 84 of the Falkland Islands Constitution and Executive Council Standing Orders, Appendix 1, Part 1, he conferred three appointments to a public officer.

Designation of Acting Chief Police Officer, Gary Roberts	10/07/2018	Police Ordinance 2000, Section 4(2)
Appointment of Commissioners for Oaths <ul style="list-style-type: none"> Megan Shirley Rebecca Middleton 	21/08/2018	Commissioner of Oaths Ordinance 1969 section 2 (2) Appendix A, part 2 paragraph 4 (c) & (d) and 5 (j)
Appointment of Complaints Commissioner and Designation of Principal Complaints Commissioner, Richard Sawle	18/09/2018	Falkland Islands Constitution Order 2008, Section 95 and Complaints Commissioner Ordinance 2010 section 4
Approval of the External Audit Arrangements for the Financial Year Ended 30 June 2020 and beyond Approved the tendering for an external audit provider and consider bids from all compliant applicants. This option keeps the options of FIG open and consideration of all suitable bids, with an appropriate evaluation process in place.	16/10/2018	Falkland Islands Constitution Order 2008, Section 80 Appendix A, Part 1

6. Resource Implications

6.1 Financial Implications

None

6.2 Human Resource Implications

None

6.3 Other Resource Implications

None

7. Legal Implications

7.1 This report demonstrates compliance with section 66(3) of the Constitution.