

LEGISLATIVE ASSEMBLY

OF THE

FALKLAND ISLANDS



ORDER PAPER

09.00 AM

THURSDAY 28 SEPTEMBER 2017

IN THE COURT AND ASSEMBLY CHAMBERS

LEGISLATIVE ASSEMBLY

THURSDAY 28 SEPTEMBER 2017

IN THE COURT AND ASSEMBLY CHAMBERS

ORDER PAPER

09.00

1. Prayers
2. Confirmation of the Record of Legislative Assembly held on 31 August 2017
3. Papers laid on the Table by the Honourable Chief Executive
4. Questions for Oral Answer
5. Portfolio Reports:
6. Order of the Day Bills
7. Motion for Adjournment

LEGISLATIVE ASSEMBLY

THURSDAY 28 SEPTEMBER 2017

Papers Laid on the Table by the Honourable Chief Executive

In accordance with Statistics Ordinance 2010

- the 2016 Census Report

Process for Papers to be laid on the Table

CLERK Reads the list of Papers to be laid on the Table

Chief Executive Mr Speaker, I hereby lay the aforementioned Papers on the Table

Hon Michael Poole Mr Speaker, under Standing Order Section 41 (3) I move that the 2016 Census Report be noted

----- Explanation -----

Mr Speaker Please could we have a seconder

Secunder Mr Speaker I second the Motion

-----Any Debate-----

Mr Speaker Honourable Members, the Motion is that the 2016 Census Report is noted.

LEGISLATIVE ASSEMBLY

ORDER PAPER

THURSDAY 28 SEPTEMBER 2017

QUESTIONS FOR ORAL RESPONSE

Question Number 23 of 2017 by the Honourable Dr Barry Elsby

In this year's census report there appears to be a gender pay gap. It states "As found in other developed economies, males earn more than females on average and in 2016 the gender pay gap (in the Falkland Islands) was approximately £7,000 per annum"

Accepting that these salaries are self-reported and may be accounted for by numerous factors, as a start in trying to determine if women are really treated differently to men within FIG, can the Honourable Ian Hansen please tell this House:

- a) How many new FIG contracts of employment were issued in the last two financial years, listing men and women separately.
- b) Can he tell the House if any new employees over the last 2 financial years have been appointed at other than the first step on the relevant pay grade and if so, what is the breakdown by gender in numbers and percentage.
- c) Finally, looking at all FIG pay grades, can he report in absolute numbers and percentages, how many men and women are employed in each pay grade

Question Number 24 of 2017 by the Honourable Dr Barry Elsby

Can the Honourable Financial Secretary inform this House of ways data might be collected from the Public and Private sector on an annual basis that would make it possible to determine if men and women are paid the same salary for the same work?

Question No 28 of 2017 by the Honourable Michael Poole

Can the Honourable Chief Executive please update this house on what efforts FIG are making to improve Energy Efficiency across its buildings and wider asset base.

LEGISLATIVE ASSEMBLY

ORDER PAPER

THURSDAY 28 SEPTEMBER 2017

Portfolio Reports:

- The Hon Roger Edwards
- The Hon Michael Poole

LEGISLATIVE ASSEMBLY

ORDER PAPER

THURSDAY 28 SEPTEMBER 2017

Order of the Day: Bills

The Supplementary Appropriation (2017/18) Bill 2017

Proposed: Financial Secretary

Seconded: The Hon Roger Edwards

Members' Remuneration (Amendment) Bill 2017

Proposed: The Hon Chief Executive

Seconded: The Hon Michael Poole

Children (Amendment) Bill 2017

Proposed: The Hon Mike Summers OBE

Seconded: The Hon Dr Barry Elsby

Road Traffic (Amendment) Bill 2017

Proposed: The Hon Gavin Short

Seconded: The Hon Phyl Rendell

Commons Bill 2017

Proposed: The Hon Michael Poole

Seconded: The Hon Roger Edwards

Maritime Bill 2017 remaining stages

- Consideration of Clauses – Amendments

Proposed: The Hon Phyl Rendell MBE

Seconded: The Hon Ian Hansen

Harbours and Ports Bill 2017 remaining stages

- Consideration of Clauses – Amendments

Proposed: The Hon Phyl Rendell MBE

Seconded: The Hon Ian Hansen

Merchant Shipping (Adoption of Legislation) (Amendment) Bill 2017 remaining stages

Proposed: The Hon Phyl Rendell MBE

Seconded: The Hon Ian Hansen

**LEGISLATIVE COUNCIL
PROCEDURE FOR TAKING GOVERNMENT BILLS WHICH HAVE NOT BEEN PUBLISHED
IN THE GAZETTE
(NOT READ FOR THE FIRST TIME)**

CLERK "Orders of the day – Bills"

CLERK **The Supplementary Appropriation (2017-18) Bill 2017**

**FINANCIAL
SECRETARY** "Mr Speaker, I beg to move the first reading of the Bill

**MLA ROGER
EDWARDS** "I second the Motion"

MR SPEAKER "The Motion is that the Bill be read a first time – any objection to the Motion? No objection the Bill will be read a first time"

CLERK **The Supplementary Appropriation (2017-18) Bill 2017**

**FINANCIAL
SECRETARY** "Mr Speaker, this Bill etc....(explanation)
I beg to move that the bill will be read a second time"

MR SPEAKER "The Motion is that the Bill be read a second time – does and Honourable Member wish to speak to this Motion?"

-----Debate if any -----

"There is no debate"

Is there any objection to dealing with this Bill by the short procedure?

No Objection

Does any Member wish to propose any amendments to the wording of the Bill?

No Amendments

“I declare that the Bill will be read for a third time and do Pass”

or “No objection, the Bill will be read a second time”

CLERK Reads the SHORT TITLE of the Bill

MR SPEAKER Declares the Council to be in Committee

CLERK “Clauses

MOVER “I beg to move that Clauses stand part of the Bill”

MR SPEAKER “The Motion is that Clauses stand part of the Bill – any objection to the Motion? No objection, Clauses stand part of the Bill”

CLERK “Schedules”

MOVER “I beg to move that schedule stands part of the Bill”

MR SPEAKER “The Motion is that the schedule stands part of the Bill – any objection to the Motion? No objection, the schedule stands part of the Bill”

MR SPEAKER "The Council resumes"

FINANCIAL "I beg to move the Bill be read a third time and do pass"

SECRETARY

MR SPEAKER "The Motion is that the Bill be read a third time and do pass – any objection to the Motion? No objection – the Bill will be read a third time and passes"

CLERK **The Supplementary Appropriation (2016-17) Bill 2016**

SHORT TRACK PROCEDURE

- 2a) Immediately after an exposition has been given on the contents of the Bill the President may, if he thinks fit, enquire as to whether any Member other than the proposer and seconder wish to speak in relation to the Bill. If no such member indicates a desire to speak, the President may indicate that the Bill will be dealt with in accordance with the short procedure. Otherwise the Bill shall be dealt with thereafter in accordance with paragraph 3 to 6 of this Standing orders and standing orders 43 to 46, the long procedure.
- 2b) Where a Bill is to be dealt with by the short procedure, the President shall enquire whether any amendments of the Bill are desired if there are, any councillors shall straightaway be informed of them, if there are any, Council shall straightaway be informed of them and ask whether they will be agreed to. If any Member so requires they shall individually be put to the vote and accepted or rejected accordingly. Immediately after any desired amendments have to be dealt with, and if none are desired straightaway, the President shall declare the Bill to be read a third time and to have passed

LEGISLATIVE ASSEMBLY

PROCEDURE FOR TAKING GOVERNMENT BILLS WHICH HAVE BEEN PUBLISHED IN THE GAZETTE

CLERK "Orders of the Day – Bills"

CLERK Then reads the SHORT TITLE of the Bill

MOVER "Mr Speaker, this Bill etc.....(explanation) I beg to move the second reading of the Bill"

SECONDER "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?

No Objection

Does any Member wish to propose any amendments to the wording of the Bill?

No Amendments

"I declare that the Bill will be read for a third time and do Pass"

Debate

MR SPEAKER The Motion is that the Bill be read a second time – any objection to the Motion?

No Objection – the Bill will be read a second time.

CLERK Reads the short title of the Bill

MR SPEAKER Declares that the **Assembly is in Committee**

CLERK Clauses 1 and/to.....

MOVER I beg to move the Clauses 1 and/to....stand part of the Bill

MR SPEAKER “The Motion is that Clauses 1 and/to...stand part of the Bill. Is there any objection to the Motion?

No objection, Clauses 1 and/to....stand part of the Bill”

CLERK Schedules (if any)

MOVER I beg to move the Schedule(s) stand part of the Bill.

MR SPEAKER The Motion Is that Schedule(s) stand part of the Bill – any objection? No Objection, the schedule stands part of the Bill.

MR SPEAKER Declares that the **Assembly resumes.**

MOVER “I beg to move the Bill be read a third time and do Pass”

MR SPEAKER

“The Motion is that the Bill be read a third time and do Pass –
any objection to the Motion?”

No objection, the Bill will be read a third time and do Pass”

CLERK

Reads the short title of the Bill

**Procedure for Remaining Stages of the
MARITIME BILL 2017**

CLERK	MARITIME BILL 2017
SPEAKER	Invites the Honourable Phyl Rendell to report on the proceedings of the Select Committee on the Maritime Bill 2017
THE HON PHYL RENDELL	Reports Back from Select Committee Moves that the Report be accepted
THE HON IAN HANSEN	Seconds the motion – (Debate on Report)
SPEAKER	Declares the Assembly to be in Committee of the Whole
CLERK	Part 1 – Preliminary Clause 1
ATTORNEY GENERAL	I beg to move that Clause 1 stands part of the Bill
SPEAKER	The motion is that Clause 1 stands part of the Bill – any objection - Clause 1 stands part of the Bill
CLERK	Clause 2
ATTORNEY GENERAL	I beg to move that Clause 2 be amended as tabled in the Order Paper and stands part of the Bill.
SPEAKER	The motion is that amended Clause 2 stands part of the Bill – any

objection – the amended Clause 2 stands part of the Bill

CLERK

Clause 3

ATTORNEY GENERAL

I beg to move that clause 3 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 3 stands part of the Bill - any objection - clause 3 stands part of the Bill

CLERK

Clause 4

ATTORNEY GENERAL

I beg to move that Clause 4 stands part of the Bill

SPEAKER

The motion is that Clause 4 stands part of the Bill – any objection - Clause 4 stands part of the Bill

CLERK

Part 2 – Registration of British Ships in the Falkland Islands
Clauses 5 to 9

ATTORNEY GENERAL

I beg to move that Clauses 5 to 9 stand part of the Bill

SPEAKER

The motion is that clauses 5 to 9 stand part of the Bill - any objection - clauses 5 to 9 stand part of the Bill

CLERK

Clause 10

ATTORNEY GENERAL

I beg to move that clause 10 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 10 stands part of the Bill - any

objection – the amended clause 10 stands part of the Bill

CLERK

Clauses 11 to 12

ATTORNEY GENERAL

I beg to move that clauses 11 to 12 stand part of the Bill

SPEAKER

The motion is that clauses 11 to 12 stand part of the Bill - any objection - clauses 11 to 12 stand part of the Bill

CLERK

Part 3, Registration Requirements Clauses 12 to 13

ATTORNEY GENERAL

I beg to move that clauses 12 to 13 stand part of the Bill

SPEAKER

The motion is that clauses 12 to 13 stand part of the Bill - any objection - clauses 12 to 13 stand part of the Bill

CLERK

Clause 14

ATTORNEY GENERAL

I beg to move that clause 14 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 14 stands part of the Bill - any objection - the amended clause 14 stands part of the Bill

CLERK

Clauses 15 to 21

ATTORNEY GENERAL

I beg to move that clauses 15 to 21 stand part of the Bill

SPEAKER

The motion is that clauses 15 to 21 stand part of the Bill - any objection - clauses 15 to 21 stand part of the Bill

CLERK Clause 22

ATTORNEY GENERAL I beg to move that clause 22 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 22 stands part of the Bill - any objection - the amended clause 22 stands part of the Bill

CLERK Clauses 23 to 25

ATTORNEY GENERAL I beg to move that clauses 23 to 25 stand part of the Bill

SPEAKER The motion is that clauses 23 to 25 stand part of the Bill - any objection - clauses 23 to 25 stand part of the Bill

CLERK Part 4 – Masters and Seafarers, Clause 26

ATTORNEY GENERAL I beg to move that clause 26 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 26 stands part of the Bill - any objection - the amended clause 26 stands part of the Bill

CLERK Clauses 27 to 44

ATTORNEY GENERAL I beg to move that clauses 27 to 44 stand part of the Bill

SPEAKER The motion is that clauses 27 to 44 stand part of the Bill - any objection - clauses 27 to 44 stand part of the Bill

CLERK Clause 45

ATTORNEY GENERAL I beg to move that clause 45 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 45 stands part of the Bill - any objection - the amended clause stands part of the Bill

CLERK Clauses 46 to 63

ATTORNEY GENERAL I beg to move that clauses 46 to 63 stand part of the Bill

SPEAKER The motion is that Clauses 46 to 63 stand part of the Bill – any objection - Clauses 46 to 63 stand part of the Bill

CLERK Clause 64

ATTORNEY GENERAL I beg to move that clause 64 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 64 stands part of the Bill - any objection - the amended clause stands part of the Bill

CLERK Clauses 65 to 70

ATTORNEY GENERAL I beg to move that clauses 65 to 70 stand part of the Bill

SPEAKER The motion is that clauses 65 to 70 stand part of the Bill - any objection - clauses 65 to 70 stands part of the Bill

CLERK Clause 71

ATTORNEY GENERAL I beg to move that clause 71 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 71 stands part of the Bill - any objection - the amended clause 71 stands part of the Bill

CLERK Clause 72

ATTORNEY GENERAL I beg to move that clause 72 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 72 stands part of the Bill - any objection - the amended clause 72 stands part of the Bill

CLERK Clause 73

ATTORNEY GENERAL I beg to move that clause 73 stands part of the Bill

SPEAKER The motion is that clause 73 stands part of the Bill - any objection - clause 73 stand part of the Bill

CLERK Clause 74

ATTORNEY GENERAL I beg to move that clause 74 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 74 stands part of the Bill - any objection - the amended clause 74 stands part of the Bill

CLERK Clauses 75 to 80

ATTORNEY GENERAL I beg to move that clauses 75 to 80 stand part of the Bill

SPEAKER The motion is that clauses 75 to 80 stands part of the Bill - any objection - clauses 75 to 80 stands part of the Bill

CLERK Clauses 81

ATTORNEY GENERAL I beg to move that clause 81 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 81 stand part of the Bill - any objection - the amended clause 81 stand part of the Bill

CLERK Clause 82 to 83

ATTORNEY GENERAL I beg to move that clauses 82 to 83 stand part of the Bill

SPEAKER The motion is that clauses 82 to 83 stand part of the Bill - any objection - clauses 82 to 83 stand part of the Bill

CLERK Part 5, Safety Clauses 84 to 94

ATTORNEY GENERAL I beg to move that clauses 84 to 94 stand part of the Bill

SPEAKER The motion is that clauses 84 to 94 stand part of the Bill - any objection - clauses 84 to 94 stand part of the Bill

CLERK Clause 95

ATTORNEY GENERAL I beg to move that clause 95 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 95 stands part of the Bill - any objection - the amended clause 95 stands part of the Bill

CLERK Clause 96

ATTORNEY GENERAL I beg to move that clause 96 stands part of the Bill

SPEAKER The motion is that amended clause 96 stands part of the Bill - any objection - clause 96 stands part of the Bill

CLERK Clause 97

ATTORNEY GENERAL I beg to move that clause 97 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 97 stands part of the Bill - any objection - the amended clause 97 stands part of the Bill

CLERK Clause 98

ATTORNEY GENERAL I beg to move that clause 98 stands part of the Bill

SPEAKER The motion is that clause 98 stands part of the Bill - any objection - clause 98 stands part of the Bill

CLERK Clause 99

ATTORNEY GENERAL I beg to move that clause 99 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 99 stands part of the Bill - any objection - the amended clause 99 stands part of the Bill

CLERK Clause 100

ATTORNEY GENERAL I beg to move that clause 100 stands part of the Bill

SPEAKER The motion is that clause 100 stands part of the Bill - any objection - clause 100 stands part of the Bill

CLERK Clause 101

ATTORNEY GENERAL I beg to move that clause 101 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 101 stands part of the Bill - any objection - the amended clause 101 stands part of the Bill

CLERK Clause 102

ATTORNEY GENERAL I beg to move that clause 102 stands part of the Bill

SPEAKER The motion is that clause 102 stands part of the Bill - any objection - clause 102 stands part of the Bill

CLERK Clause 103

ATTORNEY GENERAL I beg to move that clause 103 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 103 stands part of the Bill -

any objection - the amended clause 103 stands part of the Bill

CLERK

Clauses 104 to 112

ATTORNEY GENERAL

I beg to move that clauses 104 to 112 stand part of the Bill - any objection - clauses 104 to 112 stand part of the Bill

SPEAKER

The motion is that clauses 104 to 112 stand part of the Bill - any objection - clauses 104 to 112 stand part of the Bill

CLERK

Parts 6 to 11

ATTORNEY GENERAL

I beg to move that Parts 6 to 11 stand part of the Bill

SPEAKER

The motion is that Parts 6 to 11 stand part of the Bill - any objection - Parts 6 to 11 stand part of the Bill

CLERK

Part 12 Admiralty Jurisdiction, Part Heading

ATTORNEY GENERAL

I beg to move that the Part Heading is deleted and amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that the amended Part Heading stands part of the Bill - any objection - the amended Part Heading stands part of the Bill

CLERK

Clauses 256 to 260

ATTORNEY GENERAL

I beg to move that clauses 256 to 260 stand part of the Bill - any objection - clauses 256 to 260 stand part of the Bill

SPEAKER The motion is that clauses 256 to 260 stand part of the Bill - any objection - clauses 256 to 260 stand part of the Bill

CLERK Part 13 Legal Proceedings, Clauses 261 to 266

ATTORNEY GENERAL I beg to move that clauses 261 to 266 stand part of the Bill - any objection - clauses 261 to 266 stand part of the Bill

SPEAKER The motion is that clauses 261 to 266 stand part of the Bill - any objection - clauses 261 to 266 stand part of the Bill

CLERK Clause 267

ATTORNEY GENERAL I beg to move that clause 267 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 267 stands part of the Bill - any objection - the amended clause 267 stands part of the Bill

CLERK Clause 268

ATTORNEY GENERAL I beg to move that clause 268 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 268 stands part of the Bill - any objection - the amended clause 268 stands part of the Bill

CLERK Clauses 269 to 275

ATTORNEY GENERAL I beg to move that clauses 269 to 275 stand part of the Bill - any objection - clauses 269 to 275 stand part of the Bill

SPEAKER The motion is that clauses 269 to 275 stand part of the Bill - any objection - clauses 269 to 275 stand part of the Bill

CLERK Part 14

ATTORNEY GENERAL I beg to move that Part 14 stands part of the Bill

SPEAKER The motion is that Part 14 stands part of the Bill - any objection - Part 14 stands part of the Bill

CLERK Parts 15, Clauses 289 to 300

ATTORNEY GENERAL I beg to move that Clauses 289 to 300 stand part of the Bill

SPEAKER The motion is that Clauses 289 to 300 stand part of the Bill - any objection - Clauses 289 to 300 stand part of the Bill

CLERK Clause 301

ATTORNEY GENERAL I beg to move that clause 301 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 301 stands part of the Bill - any objection - the amended clause 301 stands part of the Bill

CLERK Clause 302

ATTORNEY GENERAL I beg to move that clause 302 be amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 302 stands part of the Bill - any objection - the amended clause 302 stands part of the Bill

CLERK Clauses 303 to 310

ATTORNEY GENERAL I beg to move that Clauses 303 to 310 stand part of the Bill

SPEAKER The motion is that Clauses 303 to 310 stand part of the Bill - any objection - Clauses 303 to 310 stand part of the Bill

The Assembly Resumes

THE HON PHYL RENDELL I beg to move that the Bill be read a third time and do pass

THE HON IAN HANSEN I second the Motion

SPEAKER The motion is that the Bill be read a third time and do pass – any objection to the Motion? No objection – the Bill will be read a third time and passes

CLERK **MARITIME BILL 2017**

MARITIME BILL 2017

**CONSIDERATION OF CLAUSES
AMENDMENTS**

1. Part 1 Clause 2 in definitions:

Delete “British Dependent Territories citizen” and replace with
“British Overseas Territories citizen”

Replace the definition of “master” and replace with the same
definition proposed for the Maritime Bill

“master” includes a captain and every person (except a pilot)
having command or charge of a ship and, in relation to a fishing
vessel, means the skipper or any other person for the time being
in command of or in charge of the fishing vessel or in charge of
the fishing operations on board the fishing vessel;

Replace definition of “fishing vessel”

“fishing vessel” means a vessel for the time being used (or, in the
case of an application for registration, intended to be used) for, or
in connection with, fishing for sea fish other than a vessel used
(or intended to be used) for fishing otherwise than for profit; and
for the purposes of this definition “sea fish” includes shellfish,
salmon and migratory trout (that is to say, any species of trout
which migrates to or from the sea);

Add definition of “skipper”

“skipper” in relation to fishing vessel means the master or captain
of a fishing vessel;”

Under definition for “Registrar”, “Registrar General” and “Registrar
General of Shipping” add “of Seamen” immediately after “Registrar
of Shipping”

Delete definition for “the Registrar”

2. Clause 3

In subsection (2)(b) delete “British Dependent Territories citizens” and replace
with “British Overseas Territories citizens”

3. Part 2 Clause 10

| In subsection (1) delete “, other than a fishing vessel,”

4. Part 3 Clause 14

| replace “Atlantic” with “Antarctic”

| replace “appropriate” with “inappropriate”

5. Clause 22

| delete “9(3)” and replace with “12(3)”

6. Part 4 Clause 26

| In subsection (3):

| Under paragraph (a) delete “32” and replace with “33”

| Under paragraph (b) delete:
| “115” and replace with “114” and
| “117” and replace with “116”

7. Clause 45

| In subsection (1)(c) delete “for the voyage” which appears
| immediately after “seaworthy condition”

8. Clause 64

| In subsection (1)(c) delete “90” and replace with “88” and delete “48”
| and replace with “50”

9. Clause 71

| In subsection (3) delete “£1,000” and replace with “£2, 500”

| In subsection (4) delete “(3)(b)” and replace with “(3)”

10. Clause 72

| In subsection (3)(a) delete “£10” and replace with “1 day’s wages of
| seafarer’s income”

| In subsection (3)(b) delete “£10” and replace with “1 week’s wages
| of seafarer’s income”

11. Clause 74

| In subsection (3) delete “£100, £100” and replace with “1 week’s wages of seafarer’s income, 1 week’s wages of seafarer’s income”

12. Clause 81

| In subsection (1)(a) delete “Falkland Islanders” and replace with ““Falkland Islands”

13. Part 5, Clause 95

| In subsection (3) delete “level 7” and replace with “level 10”

14. Clause 97

| in subsection (3) delete “level 7” and replace with “level 10”

15. Clause 99

| in subsection (3) delete “to a fine ” immediately after “two years or”

16. Clause 101

| in subsection (2)(a) and (c) delete “101” and replace with “100”

| in subsection (4) delete “£50, 000” and replace with “level 10 on the scale set out in Schedule 7”

17. Clause 103

| In subsection (3) adding a new paragraph:

| “(e) securing employment and providing for the terms and conditions of employment of Falkland Islands status holders in the provision of trans-shipment services.”

18. Part 12, Heading Title:

| Delete “JURISDCITION” and replace with “JURISDICTION”

19. Part 13, Clause 267

| In subsection (6) delete “some” which appears immediately before “police officer” and replace with “a”

20. Clause 268

In subsection (1):

(i) delete “or” under paragraph (b)

(ii) add two new paragraphs:

“(d) a departmental officer; or

(e) an officer of the Authority.”

21. Part 15, Clause 301

delete subsection (1)(c) and renumber the remaining paragraphs

Under subsection (1)(f) replace “wrecks” with “wreck”

22. Clause 302

Under subsection (1)(f) replace “wrecks” with “wreck”

**Procedure for Remaining Stages of the
HARBOURS AND PORTS BILL 2017**

CLERK	HARBOURS AND PORTS BILL 2017
SPEAKER	Invites the Honourable Phyl Rendell to report on the proceedings of the Select Committee on the Harbours and Ports Bill 2017
THE HON PHYL RENDELL	Reports Back from Select Committee Moves that the Report be accepted
THE HON IAN HANSEN	Seconds the motion – (Debate on Report)
SPEAKER	Declares the Assembly to be in Committee of the Whole
CLERK	Part 1 – Preliminary Clauses 1 to 2
ATTORNEY GENERAL	I beg to move that Clauses 1 to 2 stand part of the Bill
SPEAKER	The motion is that Clauses 1 to 2 stand part of the Bill – any objection - Clauses 1 to 2 stand part of the Bill
CLERK	Clause 3
ATTORNEY GENERAL	I beg to move that in Clause 3 the definitions are amended as tabled in the Order Paper and the amended clause stands part of the Bill
SPEAKER	The motion is that amended clause 3 stands part of the Bill - any objection - the amended clause 3 stands part of the Bill

CLERK Part 2 – Establishment of Authority, Harbour Master and other officers
Clauses 4 to 5

ATTORNEY GENERAL I beg to move that Clauses 4 to 5 stand part of the Bill

SPEAKER The motion is that Clauses 4 to 5 stand part of the Bill – any objection - Clauses 4 to 5 stand part of the Bill

CLERK Part 3 - Ports

ATTORNEY GENERAL I beg to move that Clauses 6 to 9 stand part of the Bill

SPEAKER The motion is that clauses 6 to 9 stand part of the Bill - any objection - clauses 6 to 9 stand part of the Bill

CLERK Clause 10

ATTORNEY GENERAL I beg to move that clause 10 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 10 stands part of the Bill - any objection - the amended clause 10 stands part of the Bill

CLERK Clause 11

ATTORNEY GENERAL I beg to move that clause 11 stand part of the Bill

SPEAKER The motion is that clause 11 stand part of the Bill - any objection - clause 11 stands part of the Bill

CLERK

Clause 12

ATTORNEY GENERAL

I beg to move that clause 12 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 12 stands part of the Bill - any objection - the amended clause 12 stands part of the Bill

CLERK

Clause 13

ATTORNEY GENERAL

I beg to move that clause 13 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 13 stands part of the Bill - any objection - the amended clause 13 stands part of the Bill

CLERK

Part 4 – Harbours, Clause 14

ATTORNEY GENERAL

I beg to move that clause 14 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended heading to clause 14 stands part of the Bill - any objection - the amended clause 14 stands part of the Bill

CLERK

Clauses 15 to 17

ATTORNEY GENERAL

I beg to move that clauses 15 to 17 stand part of the Bill

SPEAKER

The motion is that clauses 15 to 17 stand part of the Bill - any objection - clauses 15 to 17 stand part of the Bill

CLERK Clause 18

ATTORNEY GENERAL I beg to move that clause 18 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 18 stands part of the Bill - any objection - the amended clause 18 stands part of the Bill

CLERK Clause 19

ATTORNEY GENERAL I beg to move that clause 19 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 19 stands part of the Bill - any objection - the amended clause 19 stands part of the Bill

CLERK Clauses 20 to 23

ATTORNEY GENERAL I beg to move that clauses 20 to 23 stand part of the Bill

SPEAKER The motion is that Clauses 20 to 23 stand part of the Bill – any objection - Clauses 20 to 23 stand part of the Bill

CLERK Clause 24

ATTORNEY GENERAL I beg to move that clause 24 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 24 stands part of the Bill - any objection - the amended clause 24 stands part of the Bill

CLERK Clause 25

ATTORNEY GENERAL I beg to move that clause 25 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 25 stands part of the Bill - any objection - the amended clause 25 stands part of the Bill

CLERK Clause 26

ATTORNEY GENERAL I beg to move that clause 26 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER The motion is that amended clause 26 stands part of the Bill - any objection - the amended clause 26 stands part of the Bill

CLERK Clauses 27 to 31

ATTORNEY GENERAL I beg to move that clauses 27 to 31 stand part of the Bill

SPEAKER The motion is that clauses 27 to 31 stand part of the Bill - any objection - clauses 27 to 31 stand part of the Bill

CLERK Clause 32

ATTORNEY GENERAL I beg to move that clause 32 be deleted and replaced as tabled in the Order Paper and new clause 32 stands part of the Bill

SPEAKER The motion is that the new clause 32 stands part of the Bill - any objection – the new clause 32 stands part of the Bill

CLERK

Clause 33

ATTORNEY GENERAL

I beg to move that clause 33 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 33 stands part of the Bill - any objection - the amended clause 33 stands part of the Bill

CLERK

Clauses 34 to 36

ATTORNEY GENERAL

I beg to move that clauses 34 to 36 stand part of the Bill - any objection - clauses 34 to 36 stand part of the Bill

SPEAKER

The motion is that clauses 34 to 36 stand part of the Bill - any objection - clauses 34 to 36 stand part of the Bill

CLERK

Clause 37

ATTORNEY GENERAL

I beg to move that clause 37 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 37 stands part of the Bill - any objection - the amended clause 37 stands part of the Bill

CLERK

Clause 38

ATTORNEY GENERAL

I beg to move that clause 38 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 38 stands part of the Bill - any

objection - the amended clause 38 stands part of the Bill

CLERK

Clause 39

ATTORNEY GENERAL

I beg to move that clause 39 be deleted and replaced as tabled in the Order Paper and new clause 39 stands part of the Bill

SPEAKER

The motion is that new clause 39 stands part of the Bill - any objection - the new clause 39 stands part of the Bill

CLERK

Clause 40

ATTORNEY GENERAL

I beg to move that clause 40 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 40 stands part of the Bill - any objection - clause 40 stands part of the Bill

CLERK

Clause 41

ATTORNEY GENERAL

I beg to move that clause 41 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 41 stands part of the Bill - any objection - the amended clause 41 stands part of the Bill

CLERK

Clause 42

ATTORNEY GENERAL

I beg to move that clause 42 stands part of the Bill

SPEAKER

The motion is that clause 42 stands part of the Bill - any objection -

clause 42 stands part of the Bill

CLERK Part 5 – Pilotage, clause 43

ATTORNEY GENERAL I beg to move that clause 43 stands part of the Bill

SPEAKER The motion is that clause 43 stands part of the Bill - any objection -
clause 43 stands part of the Bill

CLERK Clause 44

ATTORNEY GENERAL I beg to move that clause 44 is amended as tabled in the Order
Paper and stands part of the Bill

SPEAKER The motion is that amended clause 44 stands part of the Bill - any
objection - the amended clause 44 stands part of the Bill

CLERK Clauses 45 to 49

ATTORNEY GENERAL I beg to move that clauses 45 to 49 stand part of the Bill - any
objection - clauses 45 to 49 stand part of the Bill

SPEAKER The motion is that clauses 45 to 49 stand part of the Bill - any
objection - clauses 45 to 49 stand part of the Bill

CLERK Clause 50

ATTORNEY GENERAL I beg to move that clause 50 is amended as tabled in the Order
Paper and stands part of the Bill

SPEAKER The motion is that amended clause 50 stands part of the Bill - any

objection - the amended clause 50 stands part of the Bill

CLERK

Clauses 51 to 52

ATTORNEY GENERAL

I beg to move that clauses 51 to 52 stand part of the Bill - any objection - clauses 51 to 52 stand part of the Bill

SPEAKER

The motion is that clauses 51 to 52 stand part of the Bill - any objection - clauses 51 to 52 stand part of the Bill

CLERK

Part 6 – Dredging and other works, clause 53

ATTORNEY GENERAL

I beg to move that clause 53 stands part of the Bill

SPEAKER

The motion is that clause 53 stands part of the Bill - any objection - clause 53 stands part of the Bill

CLERK

Clause 54

ATTORNEY GENERAL

I beg to move that clause 54 is amended as tabled in the Order Paper and stands part of the Bill

SPEAKER

The motion is that amended clause 54 stands part of the Bill - any objection - the amended clause 54 stands part of the Bill

CLERK

Clauses 55 to 56

ATTORNEY GENERAL

I beg to move that clauses 55 to 56 stand part of the Bill - any objection - clauses 55 to 56 stand part of the Bill

SPEAKER

The motion is that clauses 55 to 56 stand part of the Bill - any

objection - clauses 55 to 56 stand part of the Bill

CLERK

Part 7 – Miscellaneous provisions

Clause 57

ATTORNEY GENERAL

I beg to move that clause 57 stands part of the Bill

SPEAKER

The motion is that clause 57 stands part of the Bill – Any Objections
– Clause 57 stands part of the Bill.

CLERK

Schedule

ATTORNEY GENERAL

I beg to move that a new Schedule be inserted as tabled in the
Order Paper and is the schedule to the Bill

SPEAKER

The Motion is that the new Schedule as tabled in the Order Paper is
the Schedule to the Bill – Any Objections – The new schedule stands
as the schedule to the Bill

The Assembly Resumes

THE HON PHYL RENDELL

I beg to move that the Bill be read a third time and do pass

THE HON IAN HANSEN

I second the Motion

SPEAKER

The motion is that the Bill be read a third time and do pass – any
objection to the Motion? No objection – the Bill will be read a third
time and passes.

CLERK

Harbours and Ports Bill 2017

HARBOURS AND PORTS BILL 2017

**CONSIDERATION OF CLAUSES
AMENDMENTS**

1. Clause 3 in definitions:

“Harbour Master” be amended by deleting “4” and replacing it with “5”

Replace the definition of “master” and replace with the same definition proposed for the Maritime Bill

“master” includes a captain and every person (except a pilot) having command or charge of a ship and, in relation to a fishing vessel, means the person for the time being in command of or in charge of the fishing vessel or in charge of the fishing operations on board the fishing vessel

2. Part 3 – Ports, Clause 10

In subsection (1) add “or other issues of national interest” immediately after “internal security”

3. Clause 12

In subsection (2)(a) delete “level 3 on the standard scale” and replace with “level 7 on the scale set out in the Schedule”

4. Clause 13

In subsection (2)(c) add “or out of” immediately after “into” and delete “or” immediately after “moving in”

In subsection (2)(f) delete “level 3 on the standard scale” and replace with “level 7 on the scale set out in the Schedule”

5. Part 4 – Harbours, Clause 14

In the section heading delete “Declaration” and replace with “Designation”

6. Clause 18

In subsection (1)(c) delete “injury” and replace with “damage”

7. Clause 19

In subsection (2)(f) delete “level 6 on the standard scale” and replace with “level 3 on the scale set out in the Schedule”

8. Clause 24

In subsection (1) and (3) add “or owner” immediately after “master”

9. Clause 25

In subsection (2) delete “as the Governor may from time to time direct”

10. Clause 26

in subsection (1) delete “without the sanction in writing of the Governor”

in subsection (2):

(i) delete “without the Governor’s sanction ”

(ii) replace “Governor” with “authority”

11. Clause 32 be deleted and replaced with the following:

“32. Master to report arrival of vessel

(1) The master of a vessel must report the arrival of a vessel to the Harbour Master within such time as may be specified by the Harbour Master.

(2) A master who fails to make a report within the specified time commits an offence and is liable to a penalty not exceeding level 1 on the scale set out in the Schedule.”

12. Clause 33

in subsections (1) and (2) delete “12hours” and replace with “24 hours”

13. Clause 37

in subsections (1) delete “level 9 on the standard scale” and replace with “level 7 on the scale set out in the Schedule”

14. Clause 38

delete “level 1 on the standard scale” and replace with “level 7 on the scale set out in the Schedule”

15. Clause 39 be deleted and replaced with the following:

“39. Restrictions before pratique

(1) It is an offence to receive anything from any vessel arriving from ports outside the Falkland Islands before the person has received free pratique.

(2) It is an offence for any unauthorised person other than the pilot, to board or leave, or make fast to any vessel before the person has received pratique.

(3) A person who commits an offence under this section is liable on conviction to a fine not exceeding level 10 on the scale set out in the Schedule.”

16. Clause 40

delete “level 1 on the standard scale” and replace with “level 7 on the scale set out in the Schedule”

17. Clause 41

(i) delete “level 1 on the standard scale” and replace with “level 10 on the scale set out in the Schedule”
(ii) delete “four months” and replace with “2 years”

18. Part 5 – Pilotage, Clause 44

in subsection (6) delete “level 8 on the standard scale” and replace with “level 6 on the scale set out in the Schedule”

19. Clause 50

in subsections (2) and (3) delete “level 8 on the standard scale” and replace with “level 6 on the scale set out in the Schedule”

20. Part 6 – Dredging and other works, Clause 54

in subsection (3) delete “level 9 on the standard scale” and replace with “level 6 on the scale set out in the Schedule”

21. Schedule

Schedule, Scale of Fines for Offences under this Ordinance

“SCHEDULE
SCALE OF FINES FOR OFFENCES UNDER THIS ORDINANCE

	Level		Maximum Fine
	1		£2,500
	2		£5,000
	3		£10,000
	4		£20,000
	5		£40,000
	6		£100,000
	7		£175,000
	8		£250,000
	9		£500,000
	10		£1,250,000
	11		£2,500,000
	12		£6,500,000

”

**Procedure for Remaining Stages of the
MERCHANT SHIPPING (ADOPTION OF LEGISLATION) (AMENDMENT) BILL 2017**

CLERK **MERCHANT SHIPPING (ADOPTION OF LEGISLATION) (AMENDMENT)
BILL 2017**

SPEAKER Invites the Honourable Phyl Rendell to report on the proceedings of
the Select Committee on the Merchant Shipping (Adoption of
Legislation) (Amendment) Bill 2017

**THE HON PHYL
RENDELL** Reports Back from Select Committee

Moves that the Report be accepted

THE HON IAN HANSEN Seconds the motion – (Debate on Report)

SPEAKER Declares the Assembly to be in Committee of the Whole

CLERK Clauses 1 to 3

ATTORNEY GENERAL I beg to move that Clauses 1 to 3 stand part of the Bill

SPEAKER The motion is that Clauses 1 to 3 stand part of the Bill – any objection -
Clauses 1 to 3 stand part of the Bill

The Assembly Resumes

**THE HON PHYL
RENDELL** I beg to move that the Bill be read a third time and do pass

THE HON IAN HANSEN I second the Motion

SPEAKER

The motion is that the Bill be read a third time and do pass – any objection to the Motion? No objection – the Bill will be read a third time and passes

CLERK

**MERCHANT SHIPPING (ADOPTION OF LEGISLATION) (AMENDMENT)
BILL 2017**

LEGISLATIVE ASSEMBLY

ORDER PAPER

THURSDAY 28 SEPTEMBER 2017

PROCEDURE FOR THE MOTION FOR ADJOURNMENT

CLERK

“Motion for Adjournment”

CHIEF EXECUTIVE

“Mr Speaker I beg to move that House stands adjourned sine die.”

Honourable Members may speak to the Motion.

THE SPEAKER

“The House stands adjourned accordingly.” Mr Speaker then departs