

**LEGISLATIVE ASSEMBLY  
OF THE  
FALKLAND ISLANDS**



**THE BUDGET MEETING OF THE LEGISLATIVE ASSEMBLY**

**COURT AND ASSEMBLY CHAMBERS**

**TUESDAY 4 JUNE 2019**

**09.00 AM**

**LEGISLATIVE ASSEMBLY  
TUESDAY 4 JUNE 2019  
09:00 AM**

**PROCEDURE**

**The Speaker will enter the Chamber – announced by the CLERK and takes a seat on the dais (ALL STAND)**

**CLERK                   “PRAYERS”**

(Honourable Members remain standing whilst Prayers are said)

**THE SPEAKER       Opens the Session**

**CLERK                   THE CLERK ANNOUNCES HIS EXCELLENCY THE GOVERNOR INTO THE CHAMBER**

**THE SPEAKER       Invites His Excellency The Governor to address to the Legislative Assembly**

**HON     MARK       Motion of Thanks  
POLLARD**

**His Excellency The Governor to remain for the Motion of Thanks**

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**ORDER PAPER**

1. Prayers
2. His Excellency The Governor's Address to the Legislative Assembly
3. Motion of thanks
4. Confirmation of the Record of the Legislative Assembly held on 25 April 2019
5. Papers to be Laid on the Table by the Honourable the Chief Executive
6. Questions for Oral Answer
7. Motions
8. Order of the Day – Bills
9. Motion - Customs
10. Motion for Adjournment

**LEGISLATIVE ASSEMBLY**

**ORDER PAPER**

**TUESDAY 4 JUNE 2019**

**MOTION OF THANKS**

**Motion number 6 of 2019 by the Honourable Mark Pollard**

This House notes with thanks the address by His Excellency the Governor and believes that this is an appropriate point for the Government to consider its agenda priorities for the forthcoming year.

**Proposed by the Honourable Mark Pollard**

**Seconded by the Honourable Leona Roberts**

## LEGISLATIVE ASSEMBLY

TUESDAY 4 JUNE 2019

### 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.

#### **Currency (Coin) Regulations Order (no 3) 2019**

In accordance with Section 80 (2) of the Constitution the update from the Public Accounts Committee in respect of internal audit reports:

- **16/18 Highways**
- **17/18 Cash Handling Audit – Leisure**
- **02/19 Corporate Governance**
- **04/19 FICS - Examinations**
- **Follow Up Report 01/19 – Travel and Subsistence**
- **Follow Up Report 02/19 – IT Security**
- **Follow Up Report 03/19 – PWD Tenders & Contracts**
- **Follow Up Report 04/19 – Customs & Immigration**
- **Follow Up Report 06/19 – Biosecurity**
- **04/18 KEMH Epidemics Plan Review**
- **03/19 Cash Handling Audit – Police**
- **Follow Up Report 20/18 Debtors**
- **Follow Up Report 05/19 Pensions**

**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 Roger Spink** Mr Speaker, under Standing Order Section 41 (3) I move that the Currency (Coin) Regulations Order (no 3) 2019 be noted

----- Explanation -----

**Mr Speaker** Please could we have a seconder

**Hon Teslyn Barkman** Mr Speaker I second the Motion

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

**Mr Speaker** Honourable Members, the Motion is that the Currency (Coin) Regulations Order (no 3) 2019 is noted.

**Hon Barry Elsby** Mr Speaker, under Standing Order Section 80 (2) I move that the update from the Public Accounts Committee in respect of internal audit reports be noted

----- Explanation -----

**Mr Speaker** Please could we have a seconder

**Hon Mark Pollard** Mr Speaker I second the Motion

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

**Mr Speaker** Honourable Members, the Motion is that the update from the Public Accounts Committee in respect of internal audit reports are noted

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## SUBSIDIARY LEGISLATION

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### Currency (Coin) Regulations Order (No. 3) 2019

S. R. & O. No: 13 of 2019

*Made:* 25 April 2019

*Published:* 30 April 2019

*Coming into force:* on publication

I make these regulations by order under section 22 of the Currency Ordinance 1987 on the advice of Executive Council.

#### **1. Title**

This Order is the Currency (Coin) Regulations Order (No. 3) 2019.

#### **2. Commencement**

This Order comes into force on publication in the Gazette.

#### **3. Prescribed denomination, weight, form, design, metal composition of coins**

For the purposes of section 6(5)(a) of the Currency Ordinance 1987, the Commissioners may arrange the minting of a coin that —

- (a) is of the denomination of 2 pence;
- (b) is 7.13 g in weight;
- (c) has the following form —
  - (i) diameter of 25.90 mm;
  - (ii) a plain edge finish;
- (d) has the following design (as set out in the Schedule) —
  - (i) obverse design is Pobjoy Mint Effigy of H.M. Queen Elizabeth II;
  - (ii) reverse design is an Upland Goose; and
  - (iii) the value “2” and the year of issue is shown on the reverse side; and
- (e) is made of copper plated steel.

Made 25 April 2019

R. A. J. Mitham,  
*Acting Governor.*

### SCHEDULE



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#### EXPLANATORY NOTE

*(not forming part of the regulations)*

Section 6(1) of the Currency Ordinance 1987 gives the Commissioners of Currency (appointed under section 5(1) of the Ordinance) the sole right to issue currency notes and coins, and section 6(3) of the Ordinance provides that only notes and coins issued by the Commissioners are legal tender. Under section 6(5)(a) of the Ordinance the Commissioners must arrange for the minting of coins in the denominations, weight, form, design and metal composition as are prescribed. Section 9 also specifies requirements relating to amounts of notes and coins having legal tender.

Section 22(a) of the Ordinance gives the Governor in Council the power to make regulations by order to prescribe anything that is required to be prescribed by the Ordinance. Section 6(5)(a) requires the prescription of the denomination, weight, form, design and metal composition of coins that the Commissioners arrange to be minted.

This Order makes regulations prescribing the denomination, weight, form, design and metal composition of a 2 pence coin for the purposes of section 6(5)(a) of the Ordinance.



# Public Accounts Committee

PO Box 420  
Stanley  
Falkland Islands  
FIQQ1ZZ

Tel +500 22905

Email: [pacsecretary@horizon.co.fk](mailto:pacsecretary@horizon.co.fk)

3rd May 2019

Our Ref: PAC/19/05/01

Members of the Legislative Assembly  
Gilbert House  
Stanley

Dear Members,

At our Committee Meeting held in January 2019, the Chief Internal Auditor appraised us of a number of Internal Audits.

We are content that the following audits were satisfactory; indeed one audit outcome was rated as fully implemented which is a very pleasing result:

**16/18 Highways - Satisfactory**

**17/18 Cash Handling Audit – Leisure - Satisfactory**

**2/19 Corporate Governance - Satisfactory**

**4/19 FICS – Examinations - Satisfactory**

**FUR 1/19 Travel & Subsistence – Full Implementation**

**FUR 2/19 IT Security – Substantial Implementation**

**FUR 3/19 PWD Tenders & Contracts – Substantial Implementation**

**FUR 4/19 Customs & Immigration – Substantial Implementation**

**FUR 6/19 Biosecurity – Substantial Implementation**

Additionally the audits below were also brought before the PAC meeting and it was noted that Follow Up Reports will be due shortly, therefore the PAC, apart from the KEMH Epidemics Plan Review, did not make any further recommendations;

**4/18 KEMH Epidemics Plan Review – Satisfactory**

PAC noted the status as ‘satisfactory’ and that a follow up report would be completed by year end.

However, the PAC recommendation is that there is a timetable for implementation of the Pandemic Plan to be integrated into the Major Incident Plan.

**3/19 Cash Handling Audit – Police - Limited**

PAC were concerned to note that the opinion status was ‘limited’ however the Chief Internal Auditor, Philip Honeybone, noted there would be a Follow Up report as the recommendations became due and thus the PAC await the Follow Up Report in due course.

**FUR 20/18 Debtors – Partial Implementation**

PAC noted changes implemented since the report and that a report to SFC had indicated improvements on unallocated debt and PH noted changes had been made on deductions for employee debt. PAC were content but would monitor the situation closely.

**FUR 5/19 Pensions – Partial Implementation**

PAC were concerned to note that the FUR’s status was ‘partial implementation’ but were content to wait on the further follow up report due in November 2019.

Yours sincerely,

Dr Andrea Clausen  
Chairman  
Public Accounts Committee

cc: Chief Internal Auditor

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**QUESTIONS FOR ORAL ANSWER**

**Question Number 07/19 by the Honourable Teslyn Barkman**

Please could I ask the Honourable Mr Spink to update the House on the purpose, conclusions and implementation of the Welfare review?

**Question Number 08/19 by the Honourable Roger Spink**

Please could I ask the Honourable Leona Roberts to update the House on how many fixed penalty notices have been issued over the last year by type and total value, and if the police committee have formed a view on the effectiveness of these penalties in community policing?

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**MOTIONS**

**Motion No 7 of 2019 by the Honourable Mark Pollard**

That this House agrees to suspend Standing Order 5(2) for this sitting of the Legislative Assembly to enable the Assembly to take Motions, of which notice has been given pursuant to Standing Order 43, out of order.

**Proposed by the Honourable Mark Pollard**  
**Seconded by the Honourable Leona Roberts**

**Motion No 8 of 2019 by the Honourable Roger Spink**

That this House agrees to suspend Standing Order 65(1) and (2) for this sitting of the Legislative Assembly to enable the Assembly to take the Appropriation Bill 2019 without further reference to a Select Committee.

**Proposed by the Honourable Roger Spink**  
**Seconded by the Honourable Mark Pollard**

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**ORDER OF THE DAY: BILLS**

- Supplementary Appropriation (2018-2019) (No. 4) Bill 2019
- Appropriation Bill 2019
- Capital Appropriation Bill 2019
- Finance Bill 2019

**LEGISLATIVE ASSEMBLY  
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** **Supplementary Appropriation (2018-2019) (No. 4) Bill 2019**
- FINANCIAL SECRETARY** "Mr Speaker, I beg to move the first reading of the Bill.
- HON ROGER SPINK** "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** **Supplementary Appropriation (2018-2019) (No. 4) Bill 2019**
- FINANCIAL SECRETARY** Mr Speaker, this Bill..... (EXPLANATION)... I beg to move that the bill will be read a second time"
- HON ROGER SPINK** "I second the Motion"
- 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 -----
- If no debate then the short procedure to be followed
- or** "No objection, the Bill will be read a second time"
- CLERK**
- MR SPEAKER** Declares the Assembly to be in Committee
- CLERK** "Clauses 1-4"
- MOVER** "I beg to move that Clauses 1-4 stand part of the Bill"
- MR SPEAKER** "The Motion is that Clauses 1-4 stand part of the Bill – any objection to the Motion? No objection, Clauses 1-4 stand part of the Bill"
- CLERK** "Schedules"

<b>MOVER</b>	“I beg to move that the schedule stands part of the Bill”
<b>MR SPEAKER</b>	“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”
<b>MR SPEAKER</b>	“The Assembly resumes”
<b>FINANCIAL SECRETARY</b>	“I beg to move the Bill be read a third time and do pass”
<b>MR SPEAKER</b>	“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”
<b>CLERK</b>	<b>Supplementary Appropriation (2018-2019) (No. 4) Bill 2019</b>

#### **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

**Supplementary Appropriation (2018-2019) (No. 4) Bill 2019**

(No:        of 2019)

**ARRANGEMENT OF PROVISIONS**

Clause

1. Title
2. Commencement
3. Appropriation
4. Replacement of amount withdrawn by authority of Contingencies Warrant

Schedule



# SUPPLEMENTARY APPROPRIATION (2018-2019) (NO. 4) BILL 2019

(No: of 2019)

(assented to: 2019)  
(commencement: on publication)  
(published: 2019)

A BILL

for

AN ORDINANCE

To authorise the appropriation from the Consolidated Fund of the additional amount of £1,000,000 for the financial year ending 30 June 2019.

BE IT ENACTED by the Legislature of the Falkland Islands —

## **1. Title**

This Ordinance is the Supplementary Appropriation (2018-2019) (No. 4) Ordinance 2019.

## **2. Commencement**

This Ordinance comes into force on publication in the *Gazette*.

## **3. Appropriation**

(1) The additional amount of £1,000,000 is appropriated from the Consolidated Fund for the financial year ending 30 June 2019.

(2) The issue of the additional amount from the Consolidated Fund in the amounts necessary to replace an amount in accordance with section 4 and to supply the vote set out in the Schedule is authorised.

## **4. Replacement of amount withdrawn by authority of Contingencies Warrant**

If an amount has been withdrawn from the Contingencies Fund by the authority of Contingencies Warrant No. 9 of 2018-2019, the amount withdrawn must be replaced from the amount appropriated under section 3.

## SCHEDULE

*section 3*

<b>Number</b>	<b>Head of Service of Government</b>	<b>Amount</b> £
0200	<b>Operating Budget</b>	
	Health & Social Services	1,000,000
	<b>Total Operating Budget</b>	<u>1,000,000</u>
	<b>Total Schedule</b>	<u>1,000,000</u>

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### OBJECTS AND REASONS

The Bill authorises:-

- (a) supplementary appropriation of £1,000,000 for the financial year ending 30 June 2019; and
- (b) the issue of that amount from the Consolidated Fund in the amounts necessary to replenish the Contingencies Fund and to supply the vote set out in the Schedule.

The Bill is proposed in accordance with sections 76(3) and 78(2) of the Constitution as read together with section 26(3) of the Finance and Audit Ordinance 1988.

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**PROCEDURE FOR TAKING THE APPROPRIATION BILL**

**MR SPEAKER** Invites the Honourable Financial Secretary to report on the proceedings of the Select Committee on the Estimates.

**FINANCIAL SECRETARY** Reports back from the Select Committee

**HON ROGER SPINK** Moves that the report be accepted

**HON MARK POLLARD** I second the Motion

**CLERK** Appropriation Bill 2019

**FINANCIAL SECRETARY** "I propose the first reading of the Bill"

**HON ROGER SPINK** " 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** "A Bill for an Ordinance to authorise the withdrawal from the Consolidated Fund of money for the financial year ending 30 June 2020."

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

**HON ROGER SPINK** "I second the Motion"

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

(Debate – if any)

**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** "A Bill for an Ordinance to authorise the withdrawal from the

Consolidated Fund of money for the financial year ending 30 June 2020.”

**FINANCIAL  
SECRETARY**

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

**HON ROGER SPINK**

I second the Motion

**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**

A Bill for an Ordinance to authorise the withdrawal from the Consolidated Fund of money for the financial year ending 30 June 2020

# **Appropriation Bill 2019**

(No:            of 2019)

## **ARRANGEMENT OF PROVISIONS**

Clause

1. Title
2. Commencement
3. Appropriation

Schedule

## APPROPRIATION BILL 2019

(No: of 2019)

(assented to: 2019)  
(commencement: on publication)  
(published: 2019)

A BILL

for

AN ORDINANCE

To authorise the appropriation from the Consolidated Fund of £93,224,070 for the financial year ending 30 June 2020.

BE IT ENACTED by the Legislature of the Falkland Islands –

### **1. Title**

This Ordinance is the Appropriation Ordinance 2019.

### **2. Commencement**

This Ordinance comes into force on publication in the *Gazette*.

### **3. Appropriation**

(1) The amount of £93,224,070 is appropriated from the Consolidated Fund for the financial year ending 30 June 2020.

(2) The issue of the amount from the Consolidated Fund in the amounts necessary to supply the votes set out in the Schedule is authorised.

## SCHEDULE

<b>Number</b>	<b>Head of Service of Government</b>	<b>Amount</b> £
<b>Operating Budget</b>		
0110	Development & Commercial Services	6,396,654
0120	Human Resources	1,014,659
0200	Health & Social Services	11,822,408
0250	Education & Training	8,136,563
0350	Public Works	13,329,933
0410	Natural Resources	7,514,647
0451	Law & Regulation	1,643,568
0550	Emergency Services	3,640,729
0600	Executive Management	6,335,085
0615	Policy	1,156,430
0620	Mineral Resources	711,286
0700	Treasury	3,407,114
0997	Oil Development	857,030
0999	Islands Plan Investments	7,681,694
<b>Total Operating Budget</b>		<b>73,647,800</b>
0998	<b>Fund Transfer and Transfer Payments</b>	2,746,488
0999	<b>Transfer to the Capital Equalisation Fund</b>	16,829,782
<b>Total Transfers</b>		<b>19,576,270</b>
<b>Total Schedule</b>		<b>93,224,070</b>

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### OBJECTS AND REASONS

The Ordinance would authorise the appropriation of £93,224,070 for the financial year ending 30 June 2020. The issue of that amount from the Consolidated Fund would be authorised in the amounts necessary to supply the votes set out in the Schedule. The Schedule reflects the expenditure estimates for the financial year.

The Bill is proposed in accordance with section 76(2) of the Constitution and section 8(1) of the Finance and Audit Ordinance 1988.

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**PROCEDURE FOR TAKING THE CAPITAL APPROPRIATION BILL**

**MR SPEAKER** Invites the Honourable Financial Secretary to report on the proceedings of the Select Committee on the Estimates.

**FINANCIAL SECRETARY** Reports back from the Select Committee

**HON ROGER SPINK** Moves that the report be accepted

**HON MARK POLLARD** I second the Motion

**CLERK** Capital Appropriation Bill 2019

**FINANCIAL SECRETARY** "I propose the first reading of the Bill"

**HON ROGER SPINK** " 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** "A Bill for an Ordinance to authorise the withdrawal from the Capital Equalisation Fund of money for capital projects."

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

**HON ROGER SPINK** "I second the Motion"

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

(Debate – if any)

**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** "A Bill for an Ordinance to authorise the withdrawal from the Capital Equalisation Fund of money for capital projects."



**FINANCIAL  
SECRETARY**

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

**HON ROGER SPINK**

I second the Motion

**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**

A Bill for an Ordinance to authorise the withdrawal from the Capital Equalisation Fund of money for capital projects.

# **Capital Appropriation Bill 2019**

(No:            of 2019)

## **ARRANGEMENT OF PROVISIONS**

### Clause

1. Title
2. Commencement
3. Appropriation

### Schedule

# CAPITAL APPROPRIATION BILL 2019

(No: of 2019)

(*assented to:* 2019)  
(*commencement: on publication*)  
(*published:* 2019)

A BILL

for

AN ORDINANCE

To authorise the withdrawal from the Capital Equalisation Fund of money for capital projects.

BE IT ENACTED by the Legislature of the Falkland Islands –

## **1. Title**

This Ordinance is the Capital Appropriation Ordinance 2019.

## **2. Commencement**

This Ordinance comes into force on publication in the *Gazette*.

## **3. Appropriation**

(1) The Financial Secretary is authorised to withdraw from the Capital Equalisation Fund an amount not exceeding £21,137,468 for the purposes of funding expenditure of a capital nature under the capital programme as detailed in the Schedule.

(2) The authorisation given in subsection (1) —

- (a) is in addition to previous authorisations by Order or Ordinance in accordance with section 11 of the Public Funds Ordinance 1990; and
- (b) applies whether or not sums previously authorised have been paid out of the Capital Equalisation Fund. 3

## SCHEDULE

### Capital Programme

Category of capital expenditure under the capital programme	Financial Year	Financial Year	Total
	2018/19 £	2019/20 £	£
Economic Development		£1,000,000	£1,000,000
Infrastructure and Maintenance	£4,847,590	£9,944,368	£14,791,958
Social Investment	£1,020,000	£4,325,510	£5,345,510
	<u>£5,867,590</u>	<u>£15,269,878</u>	<u>£21,137,468</u>

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### OBJECTS AND REASONS

The Ordinance would authorise the withdrawal from the Capital Equalisation Fund of a sum not exceeding £21,137,468.

The authorisation is for expenditure for the following purposes —

- (a) the sum £5,867,950 required for the capital programme in the financial year 18/19; and
- (b) the sum of £15,269,878 required for the capital programme in the financial year 19/20.

The sum at (a) is in addition to the sum of £35,091,041 authorised to be paid out of the Capital Equalisation Fund under the Capital Appropriation Ordinance 2018 for the purposes of expenditure on the capital programme in the financial year 18/19.

The authorisation is in addition to previous authorisations and applies whether sums previously authorised have been paid out of the Fund or not.

The Capital Equalisation Fund was established as a Special Fund by the Finance Ordinance 2004, to which provisions of the Finance and Audit Ordinance 1988 and Public Funds Ordinance 1990 apply.

Section 11 of the Public Funds Ordinance 1990 provides the circumstances in which sums may be paid out of the Capital Equalisation Fund, which include such sums as are authorised to be withdrawn from the Fund by Appropriation or other Ordinance. The Ordinance would provide such authorisation.

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**PROCEDURE FOR TAKING THE FINANCE BILL**

**MR SPEAKER** Invites the Honourable Financial Secretary to report on the proceedings of the Select Committee on the Estimates.

**FINANCIAL SECRETARY** Reports back from the Select Committee

**HON ROGER SPINK** Moves that the report be accepted

**HON MARK POLLARD** I second the Motion

**CLERK** Finance Bill 2019

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

**HON ROGER SPINK** "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** A Bill for an Ordinance to increase various allowances, benefits, charges, contributions and fees provided for under the laws of the Falkland Islands; to provide for the validation of fees collected contrary to legislative provisions and to provide for connected matters

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

**HON ROGER SPINK** "I second the Motion"

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

(Debate if any)

**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**

A Bill for an Ordinance to increase various allowances, benefits, charges, contributions and fees provided for under the laws of the Falkland Islands; to provide for the validation of fees collected contrary to legislative provisions and to provide for connected matters

**FINANCIAL  
SECRETARY**

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

**HON ROGER  
SPINK**

I second the Motion

**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**

A Bill for an Ordinance to increase various allowances, benefits, charges, contributions and fees provided for under the laws of the Falkland Islands; to provide for the validation of fees collected contrary to legislative provisions and to provide for connected matters

## Finance Bill 2019

(No: of 2019)

### ARRANGEMENT OF PROVISIONS

#### Clause

1. Title
2. Commencement
3. Amendment of Administration of Estates Rules 1949
4. Amendment of Air Navigation (Fees) Regulations 2009
5. Amendment of Banking Regulations Order 1989
6. Amendment of Civil Cases (Fees) Rules 1992
7. Amendment of Companies and Private Partnership Ordinance 1922 and other Companies legislation
8. Amendment of Court Fees (Family Proceedings) Rules 1992
9. Amendment of Cruise Ships Ordinance 1998
10. Amendment of Customs (Fees) Regulations 2006
11. Amendment of Customs (Import Prohibitions)(Fees) Regulations 2009
12. Amendment of Dogs Rules 1949
13. Amendment of Electricity Supply Regulations 1969
14. Amendment of Embarkation Tax Regulations 1999
15. Amendment of Family Allowances Ordinance 1960
16. Amendment of Firearms and Ammunition Ordinance 1987
17. Amendment of Firearms and Ammunition (Fees) Regulations Order 1993
18. Amendment of Fishery Products (Hygiene)(Fees) Regulations 1998
19. Amendment of Harbours Regulations 1944
20. Amendment of Land Charges Fees Rules 1997
21. Amendment of Land (Non-residents)(Fees) Regulations 2007
22. Amendment of Land Ordinance 1949
23. Amendment of Licensing Ordinance 1994
24. Amendment of Minimum Wage Ordinance 2013
25. Amendment of Notaries Public Rules 1992
26. Amendment of Planning (General) Regulations 1991
27. Amendment of Plant Importation Regulations 1947
28. Amendment of Police Ordinance 2000
29. Amendment of Post Office Order 2006
30. Amendment of Registration of Marriages Regulations 1999
31. Amendment of Registration Regulations 1949
32. Amendment of Registration of United Kingdom Patents Ordinance 1930
33. Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996
34. Amendment of Road Traffic Ordinance 1948
35. Amendment of Road Traffic (Provisional) Regulations Order 1986
36. Amendment of Stanley Airport Regulations 1978
37. Amendment of Trespass Ordinance 1904
38. Amendment of Vehicle Licence Labels Regulations 1998

Schedule 1: New Schedule 2 to the Administration of Estates Rules 1949  
Schedule 2: New Schedule to Air Navigation (Fees) Regulations 2009  
Schedule 3: New Schedules 1 and 2 to the Civil Cases (Fees) Rules 1992  
Schedule 4: New Schedule A to Companies and Private Partnership Ordinance 1922  
Schedule 5: New Schedule to Court Fees (Family Proceedings) Rules 1992  
Schedule 6: New Schedule to Fishery Products (Hygiene)(Fees) Regulations 1998  
Schedule 7: New paragraph 1 of Schedule 3 to Harbours Regulations 1944  
Schedule 8: New Schedule 1 to Land Charges Fees Rules 1997  
Schedule 9: New Schedule 2 to Land Ordinance 1949  
Schedule 10: New Schedule 3 to Licensing Ordinance 1994  
Schedule 11: New Schedule to Notaries Public Rules 1992  
Schedule 12: New Schedule to Planning (General) Regulations 1991  
Schedule 13: New Schedules 1, 2 and 3 to the Post Office Order 2006  
Schedule 14: New Schedule 2 to Registration Regulations 1949  
Schedule 15: New article 1 of Schedule 2 to Stanley Airport Regulations 1978



# FINANCE BILL 2019

(No: of 2019)

*(assented to: 2019)*

*(commencement: in accordance with section 2)*

*(published: 2019)*

## A BILL

for

## AN ORDINANCE

To increase various allowances, benefits, charges, contributions and fees provided for under the laws of the Falkland Islands; to provide for the validation of fees collected contrary to legislative provisions and to provide for connected matters.

BE IT ENACTED by the Legislature of the Falkland Islands —

### **1. Title**

This Ordinance is the Finance Ordinance 2019.

### **2. Commencement**

This Ordinance comes into force on 1 July 2019, except where it is provided that particular provisions come into force at a later specified date.

### **3. Amendment of Administration of Estates Rules 1949**

Schedule 2 to the Administration of Estates Rules 1949 is omitted and replaced with the new Schedule 2 set out in Schedule 1 to this Ordinance.

### **4. Amendment of Air Navigation (Fees) Regulations 2009**

The Schedule to the Air Navigation (Fees) Regulations 2009 is omitted and replaced with the new Schedule set out in Schedule 2 to this Ordinance.

### **5. Amendment of Banking Regulations Order 1989**

(1) Regulation 4 of the Banking Regulations Order 1989 is amended by omitting “£10,000.00” and replacing it with “£11,000.00”.

(2) This section comes into effect on 1 January 2020.

### **6. Amendment of Civil Cases (Fees) Rules 1992**

Schedules 1 and 2 to the Civil Cases (Fees) Rules 1992 are omitted and replaced with the new Schedules 1 and 2 set out in Schedule 3 to this Ordinance.

## **7. Amendment of Companies and Private Partnership Ordinance 1922 and other Companies legislation**

(1) The Companies and Private Partnership Ordinance 1922 is amended —

(a) by omitting section 5(4); and

(b) by omitting Schedule A and replacing it with the new Schedule A set out in Schedule 4 to this Ordinance.

(2) Section 242A(2) of the Companies Act 1985 (as in force in England on 1 September 2006) is amended in its application to the Falkland Islands by omitting the table and replacing it with—

<b>“Length of period</b>	<b>Public company</b>	<b>Private company</b>
Not more than 3 months	£523	£108
More than 3 months but not more than 6 months	£1,077.00	£272
More than 6 months but not more than 12 months	£2,150	£539
More than 12 months	£5,390	£1,077”.

## **8. Amendment of Court Fees (Family Proceedings) Rules 1992**

The Schedule to the Court Fees (Family Proceedings) Rules 1992 is omitted and replaced with the new Schedule set out in Schedule 5 to this Ordinance.

## **9. Amendment of Cruise Ships Ordinance 1988**

(1) The Cruise Ships Ordinance 1988 is amended —

(a) in section 3(1) by omitting “£25.00” and replacing it with “£26.00” and

(b) in section 6 in paragraph (a) by omitting “of £10.00”.

(2) This section comes into effect on 1 July 2020.

## **10. Amendment of Customs (Fees) Regulations 2006**

The Customs (Fees) Regulations 2006 are amended —

(a) in regulation 3 —

(i) in paragraphs (a)(i) and (d)(i), by omitting “£82.60” and replacing it with “£85.00”;

(ii) in paragraph (a)(ii) by omitting “£41.30” and replacing it with “£42.50”;

(iii) in paragraphs (b)(ii), (c)(i) and (d)(ii) by omitting “£123.90” and replacing it with “£127.50”;

and

(iv) in paragraph (c)(ii) by omitting “£61.95” and replacing it with “£63.75”;

(b) in regulation 4 —

(i) in paragraphs (a) and (c) by omitting “£54.40” and replacing it with “£56.00”;

(ii) in paragraphs (b) and (d) by omitting “£269.80” and replacing it with “£277.90”;

(iii) in subregulation (3)(a) by omitting “£27.20” and “£54.40” and replacing them with “£28.00” and “£56.00” respectively; and

(iv) in subregulation (3)(b) by omitting “£134.90” and “£269.80” and replacing them with “£138.95” and “£277.90” respectively.

#### **11. Amendment of Customs (Import Prohibitions)(Fees) Regulations 2009**

Regulation 3 of the Customs (Import Prohibitions)(Fees) Regulations 2009 is amended by omitting —

(a) paragraph (a) and replacing it with —

“(a) Importation of Animals etc. Proclamation 2000 (No. 2 of 2000) —

(i) licence for importation of animal – standard (per licence)	£132.80
(ii) licence for importation of animal – poultry/exotic pet (per licence)	£33.80
(iii) licence for importation of animal – poultry/exotic pet (annual)	£67.50
(iv) inspection and treatment on arrival (per animal)	£11.40 plus the cost of necessary drug treatment
(v) clearance from port of arrival – (per importer)	£119.50
(vi) inspection following house quarantine (per animal)	£11.40”;

(b) paragraph (b) and replacing it with —

“(b) Importation of Food and Animal Products from South America Proclamation 2001 (No 3 of 2001) —

(i) licence for the importation of animal/animal product (commercial – single importation)	£16.50
(ii) licence for the importation of animal/animal product (commercial – annual)	£132.80
(iii) licence for the importation of animal/animal product (non-commercial)	£4.10”;

(c) paragraph (c) and replacing it with —

“(c) Proclamation Number 6 of 1985 —

Inspection of used shearing equipment by the Government Veterinary Officer per hour (proportion of hourly rate to be paid for every part hour) £41.10”.

## **12. Amendment of Dogs Rules 1949**

Rule 3(a) of the Dogs Rules 1949 is amended by omitting “£32.20” and replacing it with “£33.20”.

## **13. Amendment of Electricity Supply Regulations 1969**

(1) Regulation 9A of the Electricity Supply Regulations 1969 is amended by omitting “£50.00” and replacing it with “£309.00”.

(2) Any fees collected before the commencement of this Ordinance not provided for under the Electricity Supply Regulations 1969 are hereby validated as if the amount had been provided for in section 9A of the regulations.

## **14. Amendment of Embarkation Tax Regulations 1999**

(1) Regulation 3(1)(a) of the Embarkation Tax Regulations 1999 is amended by omitting “£25” and replacing it with “£26”.

(2) This section comes into effect on 1 July 2020.

## **15. Amendment of Family Allowances Ordinance 1960**

Section 3(1) of the Family Allowances Ordinance 1960 is amended by omitting “£75.00” and replacing it with “£77.00”.

## **16. Amendment of Firearms and Ammunition Ordinance 1987**

(1) Section 4A(3) of the Firearms and Ammunition Ordinance 1987 is amended by omitting “£7.25” and replacing it with “£7.60”.

(2) Any fees collected before the commencement of this Ordinance for a replacement licence are hereby validated as if the fees had been provided for in section 4A(3) of the Firearms and Ammunition Ordinance 1987.

## **17. Amendment of Firearms and Ammunition (Fees) Regulations Order 1993**

(1) The Firearms and Ammunition (Fees) Regulations Order 1993 is amended —

(a) in regulation 2, by omitting “£19.00” and replacing it with “£19.60”;

(b) by omitting the Schedule and replacing it with —

### “SCHEDULE

<i>Type of licence</i>	<i>Fee</i>
Firearms and ammunition import licence (Ordinance, s5)	£19.60
Firearms and ammunition export licence (Ordinance, s6)	£19.60
Firearms and ammunition dealer's licence (Ordinance, s9)	£71.10 per annum
Firearms and ammunition dealer's licence (endorsed ammunition	£19.60 per annum

only) (Ordinance, s9)  
Firearms licence (Ordinance, s13)

£39.10”.

(2) Any fees collected before the commencement of this Ordinance for the issue of firearms and ammunition import licences or firearms and ammunition export licences are hereby validated as if the fees had been prescribed under the Firearms and Ammunition (Fees) Regulations Order 1993.

### **18. Amendment of Fishery Products (Hygiene)(Fees) Regulations 1998**

(1) The Fishery Products (Hygiene)(Fees) Regulations are amended —

(a) by omitting regulation 2(2);

(b) by omitting the Schedule and replacing it with the new Schedule set out in Schedule 6 to this Ordinance.

(2) Any fees collected before the commencement of this Ordinance not provided for under the Fishery Products (Hygiene)(Fees) Regulations 1998 are hereby validated as if the fees had been prescribed under those regulations.

### **19. Amendment of Harbours Regulations 1944**

Schedule 3 to the Harbours Regulations 1944 is amended by omitting paragraph 1 and replacing it with the new paragraph 1 set out in Schedule 7 to this Ordinance.

### **20. Amendment of Land Charges Fees Rules 1997**

Schedule 1 to the Land Charges Fees Rules 1997 is omitted and replaced with the new Schedule 1 set out in Schedule 8 to this Ordinance.

### **21. Amendment of Land (Non-residents)(Fees) Regulations 2007**

The Schedule to the Land (Non-residents)(Fees) Regulations 2007 is amended by omitting —

(a) “£120.00” and replacing it with “£124.00”; and

(b) “£250.00” and replacing it with “£258.00”.

### **22. Amendment of Land Ordinance 1949**

Schedule 2 to the Land Ordinance 1949 is omitted and replaced with the new Schedule 2 set out in Schedule 9 to this Ordinance.

### **23. Amendment of Licensing Ordinance 1994**

Schedule 3 to the Licensing Ordinance 1994 is omitted and replaced with the new Schedule 3 set out in Schedule 10 to this Ordinance.

### **24. Amendment of Minimum Wage Ordinance 2013**

(1) Section 11(1) of the Minimum Wage Ordinance 2013 is amended by omitting “£6.67” and replacing it with “£7.03”.

(2) This section comes into effect on 1 January 2020.

## **25. Amendment of Notaries Public Rules 1992**

The Schedule to the Notaries Public Rules 1992 is omitted and replaced with the new Schedule set out in Schedule 11 to this Ordinance.

## **26. Amendment of Planning (General) Regulations 1991**

The Schedule to the Planning (General) Regulations 1991 is revoked and replaced with the new Schedule set out in Schedule 12 to this Ordinance.

## **27. Amendment of Plant Importation Regulations 1947**

Regulation 7(3) of the Plant Importation Regulations 1947 is amended —

- (a) in paragraph (a) by omitting “£4.10” and replacing it with “£4.20”;
- (b) in paragraph (b) by omitting “£128.90” and replacing it with “£132.80”; and
- (c) in paragraph (c) by omitting “£15.60” and replacing it with “£16.10”.

## **28. Amendment of Police Ordinance 2000**

(1) Section 60A of the Police Ordinance 2000 is amended by omitting “£25.00” and replacing it with “£30.10”

(2) Any amount collected before the commencement of this Ordinance for the service under section 60A of the Police Ordinance 2000 without being provided for under that section is hereby validated as if the amount had been provided for under that section.

## **29. Amendment of Post Office Order 2006**

Schedules 1, 2 and 3 to the Post Office Order 2006 are omitted and replaced with the new Schedules 1, 2 and 3 set out in Schedule 13 to this Ordinance.

## **30. Amendment of Registration of Marriages Regulations 1999**

(1) Regulation 18 of the Registration of Marriages Regulations 1999 is amended by deleting subregulation (1) and replacing it with —

“(1) The following fees are prescribed for the purposes of the Ordinance and of these regulations and must respectively, in each case specified below, be paid to the Registrar General —

(a) on giving notice of marriage	£62.00
(b) on grant of Registrar General’s licence	£62.00
(c) for solemnisation of a marriage by a Registrar	£31.00
(d) for attendance by the Registrar at the solemnisation of a marriage by a person who is not a minister of religion	£31.00
(e) any absence exceeding one hour by a Registrar from the Registrar’s usual address for either of the purposes mentioned at (c) and (d)	£104.50 plus the reasonable cost of travel and any

necessary  
overnight  
accommodation  
£209.00.”

(f) on application for a special licence

(2) Any fees collected before the commencement of this Ordinance without being provided for under regulation 18 of the Registration of Marriages Regulations are hereby validated as if the amount had been provided for under that regulation.

### **31. Amendment of Registration Regulations 1949**

Schedule 2 to the Registration Regulations 1949 is omitted and replaced with the new Schedule 2 set out in Schedule 14 to this Ordinance.

### **32. Amendment of Registration of United Kingdom Patents Ordinance 1930**

(1) The Registration of United Kingdom Patents Ordinance 1930 is amended —

- (a) in section 3(d), by omitting “£132.00” and replacing it with “£135.00”;
- (b) in section 7, by omitting “£101.50” and replacing it with “£104.50”;
- (c) in section 7A, by omitting “£61.00” and replacing it with “£63.00”;
- (d) in section 7B, by omitting “£101.50” and replacing it with “£104.50” and
- (e) by inserting a new section 7C after section 7B —

#### **“7C. Patent file search**

A fee of £41.80 must be paid by a person who wishes to conduct a patent file search and a proportion of hourly rate to be paid for every part of an hour.”

(2) Any fees collected before the commencement of this Ordinance without being provided under the Registration of United Kingdom Patents Ordinance 1930 are hereby validated as if the amount had been provided for under that Ordinance.

### **33. Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996**

(1) The Retirement Pensions (Prescribed Rate) Regulations 1996 are amended —

- (a) in regulation 3 with effect from 1 July 2019 —
  - (i) in paragraph (a) by omitting “£156.00” and replacing it with “£161.00”;
  - (ii) in paragraph (b) by omitting “£88.43” and replacing it with “£91.08”;
- (b) in regulation 5 —
  - (i) in subregulation (1)(a) by omitting “£16.75” and replacing it with “£17.75”
  - (ii) in subregulation (1)(b) by omitting “£33.50” and replacing it with “£35.50”;
  - (iii) in subregulation (1)(c) by omitting “£16.75” and replacing it with “£17.75”;

- (iv) in subregulation (2) by omitting “£16.75” and replacing it with “£17.75”;
- (v) in subregulation (2A) by omitting “£16.75” and replacing it with “£17.75”;
- (vi) in subregulation (3)(a) by omitting “£33.50” and replacing it with “£35.50”;
- (vii) in subregulation (4) by omitting “£33.50” and replacing it with “£35.50”;
- (c) in regulation 6 by omitting “£266.80” and replacing it with “£281.20”;

(2) The amendments under subsections (1)(b) and (c) come into force on 1 January 2020.

### **34. Amendment of Road Traffic Ordinance 1948**

The Road Traffic Ordinance 1948 is amended —

- (a) in section 4(1) —
  - (i) in paragraph (a) by omitting “£52.25” and replacing it with “£53.90”;
  - (ii) in paragraph (b) by omitting “£120.50” and replacing it with “£124.20”;
  - (iii) in paragraph (c) by omitting “£185.50” and replacing it with “£191.10”; and
  - (iv) in paragraph (d) by omitting “£44.00” and replacing it with “£45.30”; and
- (b) in section 6(15) by omitting “£11.75” and substituting “£12.10”.

### **35. Amendment of Road Traffic (Provisional) Regulations Order 1986**

(1) The Road Traffic (Provisional) Regulations Order 1986 is amended —

- (a) by omitting subregulation 2(5), and replacing it with —
  - “(5) A fee shall be paid to the chief police officer on an application —
    - (i) under sub-regulation (1), of £45.70; and
    - (ii) under sub-regulation (3), of £22.70.” and

(b) by inserting a new section 2A after section 2 —

#### **“2A. Replacement of vehicle registration certificate**

(1) If a person who held a vehicle registration certificate satisfies the chief police officer that—

- (a) the registration certificate has been lost or defaced; and
- (b) the person is entitled to continue to hold the registration certificate,

the chief police officer may issue a replacement certificate.

(2) A fee of £12.10 is payable for the issue of a certificate under paragraph (1).



(3) A vehicle registration certificate which has been defaced must be returned to the chief police officer at the time that an application is made for a replacement certificate.

(4) A person who has been issued with a replacement for a certificate which has been lost must take all reasonable steps to return the original registration certificate to the chief police officer if the original certificate is found.”

(2) Any fees collected before the commencement of this Ordinance not provided under the Road Traffic (Provisional) Regulations Order 1986 are hereby validated as if the fees had been provided for under those regulations.

### **36. Amendment of Stanley Airport Regulations 1978**

Article 1 of Schedule 2 to the Stanley Airport Regulations 1978 is omitted and replaced with the new Article 1 of Schedule 2 set out in Schedule 15 to this Ordinance.

### **37. Amendment of Trespass Ordinance 1904**

(1) Section 5 of the Trespass Ordinance 1904 is amended —

(a) by omitting “25p” and replacing it with “£36.00”; and

(b) by omitting “13p” and replacing it with “£18.00”.

(2) The Schedule is omitted and replaced with —

#### **“SCHEDULE**

#### **Fees**

<b>Winter grazing is limited to the number of animals that can be maintained on the grass available.</b>	
<b>Grazing seasons</b>	<b>Fees (per animal)</b>
<b>Summer:</b> 1 October to 31 May	£24.60
<b>Winter:</b> 1 June to 30 September	£12.30
<b>Annual Fee:</b> (1 June – 31 May)	£36.90
Animals may, by request, be grazed on the Common for a maximum of 10 days or less at the rate of £1.00 per day.	
Animals grazing on the Common for more than 10 days will be charged the full rate.”	

### **38. Amendment of Vehicle Licence Labels Regulations 1998**

Regulation 5(2) of the Vehicle Licence Labels Regulations 1998 is amended by omitting “£6.60” and replacing it with “£6.80”.

## SCHEDULE 1

*section 3*

### New Schedule 2 to Administration of Estates Rules 1949

#### “SCHEDULE 2

(section 3)

The following fees are payable in respect of the non-contentious items:

<b>Item</b>	<b>Fee</b>
1. On application for a grant of probate, letters of administration or for resealing a grant of probate or letters of administration-	
(a) net estate is £5,000 or less	no fee
(b) net estate exceeds £5,000	£155.00
2. For the entry or withdrawal of a caveat	£21.00
3. For a search for any document	£10.00
4. For a copy of all or part of any document	28p per page
5. Standard copy fee for sealed /verified copy of any documents	
For the first copy	£10.00
For every subsequent copy of the same document if supplied at the same time	28p
6. For perusing and settling citations, advertisements, oaths, affidavits or other documents-	
(a) For any one document settled	£21.00
(b) For any number of additional documents in the same case at the same time	£21.00”.

## SCHEDULE 2

section 4

### New Schedule to Air Navigation (Fees) Regulations 2009

#### “SCHEDULE

#### **PART 1** *Personnel Licensing*

<b>Description</b>	<b>Fee</b>
1. Certificate of validity of a flight crew licence	
(a) issue	£91.00
(b) renewal	£52.00
2. Flight information service office licence	
(a) initial issue	£108.00
(b) validation of a UK licence	£91.00
(c) examinations	
(i) radiotelephony examination	£57.00
(ii) air law and procedures examination	£67.00
(iii) meteorology and navigation examination	£67.00
(iv) resit of examination paper (paper only)	£36.00
(d) competency check	£52.00

#### **PART 2** *Aerodromes*

<b>Description</b>	<b>Fee</b>
1. Aerodrome certificate	
(a) issue	£1164.50
(b) amendment	£777.00

#### **PART 3** *Carriage of Dangerous Goods by Air*

<b>Description</b>	<b>Fee</b>
1. Dangerous goods approval	
(a) issue	£190.00
(b) amendment	£95.00

(c) validation of an approval issued by a recognised competent regulatory authority	£91.00
(d) approval of training programme	£95.00
2. Dangerous goods exemption	
(a) issue	£208.50
(b) amendment	£95.00

#### **PART 4** *Registration of Aircraft*

<b>Description</b>	<b>Fee</b>
1. Certificate of registration on an aircraft	£311.00
2. Reservation of registration mark	£77.00
3. Reservation of a specific out-of-sequence registration mark	£154.50
4. Temporary transfer of an aircraft to the register	Half the cost of a certificate of registration
5. Title search of the register in respect of an aircraft	£116.00
6. Cancellation of a certificate of registration	£77.00
7. De-registration advice to foreign regulatory authority or removal of an aircraft from the register upon export	£77.00

#### **PART 5** *Aircraft Operations*

<b>Description</b>	<b>Fee</b>
1. Air operator's certificate (AOC)	
(a) issue of AOC	
(i) aircraft not exceeding 2 tonnes	£2,050.00
(ii) aircraft exceeding 2 tonnes, but not exceeding 15 tonnes	£3,199.00
(iii) aircraft exceeding 15 tonnes	£4,581.00
(b) annual charge for an AOC (for each aircraft type named on the certificate)	
(i) aircraft not exceeding 2 tonnes	£1010.00
(ii) aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£2,500.00
(iii) aircraft exceeding 15 tonnes	£2,020.00
(c) inclusion of additional aircraft types in the AOC	
(i) aircraft not exceeding 2 tonnes	£1,204.00

(ii)	aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£1,832.00
(iii)	aircraft exceeding 15 tonnes	£2,058.00
(d)	variation of an AOC	
(i)	variation in the operating region	£506.00
(ii)	permission to operate a specified route outside of the operating region specified in the certificate.	£350.00
(iii)	change in the company or trading name where the legal entity is unchanged	£91.00

## 2. Article 134 approval (Part 125 Aircraft)

(a)	issue of an article 134 approval	
(i)	aircraft not exceeding 2 tonnes	£1,204.00
(ii)	aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£1,832.00
(iii)	aircraft exceeding 15 tonnes	£2,058.00
(b)	annual charge for article 134 approval (Part 125 aircraft)	
(i)	aircraft not exceeding 2 tonnes	£722.00
(ii)	aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£1,100.00
(iii)	aircraft exceeding 15 tonnes	£1,234.00
(c)	inclusion of additional aircraft types for article 134 approval	
(i)	aircraft not exceeding 2 tonnes	£482.00
(ii)	aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£733.00
(iii)	aircraft exceeding 15 tonnes	£818.00

## 3. Operations manual

(a)	approval of changes to minimum equipment list	£278.00
(b)	approval of minor change to minimum equipment list	£113.00
(c)	approval of changes to part D (Training)	£278.00
(d)	approval of minor changes to part D (Training)	£113.00
(e)	approval of changes to fatigue management scheme	£278.00
(f)	approval of minor changes to fatigue management scheme	£113.00

4.	Authorisation of flight examiners	£155.00
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**PART 6**  
*Airworthiness*

<b>Description</b>	<b>Fee</b>
1. Certificate of airworthiness	
(a) aircraft not exceeding 2,730kg	£190.00
(b) aircraft exceeding 2,730kg but not exceeding 5,700kg	£1010.00
(c) aircraft exceeding 5,700kg but not exceeding 30,000kg	£1010.00 plus £73.00 per 500kg (or part thereof) exceeding 5,700kg up to a maximum of £4,587.00
2. Certification notes (modifications approvals)	£192.00
3. Approval of a maintenance programme	
(a) initial issue	£737.00
(b) amendment	£294.00
4. Maintenance control manual approval	
(a) initial issue	£737.00
(b) amendment	£294.00
5. Part 145 approval	
(a) Option 1	
(i) initial	£737.00
(ii) renewal	£369.00
(b) Option 2	
(i) initial	£1,475.00
(ii) renewal	£737.00
6. Part 39 approval	
(a) Option 1	
(i) initial	£737.00
(ii) renewal	£369.00
(b) Option 2	
(i) initial	£1,475.00
(ii) renewal	£737.00

7. Noise certificate	£150.00
8. Permits to fly	
(a) permit to fly	£260.00
(b) permit to fly for test	£280.00
9. Type acceptance certificate	£386.00
10. OTAR supplement approval/acceptance	
(a) initial	£460.00
(b) amendment	£190.00
11. OTAR maintenance organisation exposition approval/acceptance	
(a) initial	£737.00
(b) amendment	£294.00

**PART 7**  
*Fees not specified elsewhere*

<b>Description</b>	<b>Fee</b>
1. Issue of a copy of any document issued under the Air Navigation (Overseas Territories) Order 2013	£39.00
2. Charges for services performed outside of the Falkland Islands	Actual costs incurred
3. A certificate issued in respect of any part of the Air Navigation (Overseas Territories) Order 2013	
(a) permission	£180.00 or £52.00 per 3-month period
(b) permit	£180.00 or £52.00 per 3-month period
(c) approval	£180.00 or £52.00 per 3-month period
(d) authorisation	£180.00 or £52.00 per 3-month period
(e) deviation	£180.00 or £52.00 per 3-month period
(f) exemption	£208.50

		or £62.00 per 3-month period
(g)	validation	£91.00 or £26.00 per 3-month period

4. Seasonal foreign operator permit for aircraft registered in a foreign country to take on board or discharge passengers or cargo in the Falkland Islands for valuable consideration

(a)	in the case of scheduled journeys to be provided over a period not exceeding six months	
(i)	for aircraft with twenty seats or less, or in the case of a cargo aircraft with a certificated maximum take-off weight not exceeding 5,700kg	£335.00
(ii)	for aircraft with more than twenty seats, or in the case of a cargo aircraft with a certificated maximum take-off weight greater than 5,700kg	£835.00

Note: Fees shall not be charged to aircraft operators

- (a) conducting flights in aircraft registered in the UK or any other Overseas Territories
- (b) conducting flights for the purpose of medical evacuation
- (c) conducting private flights
- (d) conducting one-off or short-notice flights that do not require the issuance of a Seasonal Permit".



### SCHEDULE 3

section 6

#### New Schedules 1 and 2 to the Civil Cases (Fees) Rules 1992

#### “SCHEDULE 1 FEES PAYABLE IN SUPREME COURT

1. The following notes have effect in relation to the table of fees appearing below:

(a) "originating process" includes a writ commencing an action, originating summons, petition in bankruptcy, petition for winding up a company or other body corporate and an application for leave to apply for judicial review;

(b) for purposes of the table an application of any kind is made:

(i) when a document of any kind requesting the court to entertain that application is delivered to the court office, and not when the application is heard by the court; and

(ii) in relation to any other matter (such as, for example, a writ of execution or sale pursuant to such a writ) specified in part 2 of the table, the relevant fee is payable on the delivery to the court office of a document of any kind requesting the issue of the process and not when that process is issued.

#### TABLE

#### PART 1 COMMENCEMENT PROCEEDINGS

<b>Fee number</b>	<b>Amount of fee</b>
1. Issue of originating process	£309.00
2. Application for an injunction ancillary to any cause of action	£155.00
3.(a) On the making of a general application -	
(i) on notice	£155
(ii) by consent/ without notice	£52
(b) On filing a counter claim	The same fee as if the remedy sought were the subject of separate proceedings

**PART 2  
ENFORCEMENT PROCEEDINGS**

4. Upon issuing enforcement action following an earlier judgment	£309.00
5. Sale under a writ of execution -	
(a) removing or taking steps to remove goods to a place of deposit	Reasonable expenses incurred as determined by the Court
(b) for the sale of goods, including all necessary catalogues, commissions and other matters	Reasonable expenses incurred as determined by the Court

**PART 3  
MISCELLANEOUS**

6. Service by the court of any summons or other document-	
(a) if served by post	No fee
(b) request for personal service by the Court of any summons or other document	
(i) East Falkland	£72.00
(ii) West Falkland and other islands fee and plus reasonable travel and subsistence costs as determined by the Court	£72.00
7. On filing a notice of appeal from any Court or tribunal from which an appeal lies to the Supreme Court ( <i>other than in relation to appeals of prohibition orders under the Licensing Ordinance or orders of the Workmen's Compensation Commission for which there is no fee</i> )	£155.00
8. Copy documents per A4 page	28p
9. On taxation of costs by the Registrar -	
(a) where the party is legally aided	Nil
(b) where the party is not legally aided	5p per £1.00 of profit costs and disbursements allowed
10. On issue of a costs certificate	£10.00
11. On appeal of taxation by the Registrar	£206.00
12. On deposing an affidavit or affirmation before an officer of the court	£7.50 plus £3.50 for each exhibit
13. Upon lodging an appeal for judicial review -	

(a) upon seeking first permission	£155.00
(b) upon granting of permission	£309.00
14. Upon requesting a certificate of satisfaction	£10.00
15. Upon the making of a Constitutional reference	£515.00

## SCHEDULE 2

### FEES PAYABLE IN THE MAGISTRATE'S COURT AND THE SUMMARY COURT

1. Except as provided in the table below the fees prescribed in Schedule 1 apply to the equivalent steps or items in civil proceedings in the Magistrate's Court or in the Summary Court.
2. For purposes of paragraph 1 the following table has effect:

#### TABLE

1. On the issuing of proceedings for the recovery of a sum of money or delivery of goods	£72.00
2. On the filing of a counterclaim, on the amount or value (if any)	£72.00
3. Upon issuing enforcement action following an earlier judgment	£72.00
4. Service by the court of any summons or other document -	
(a) if served by post	Nil
(b) request for personal service by the Court of any summons or other document	
(i) East Falkland	£72.00
(ii) West Falkland and other islands	£72.00 plus reasonable travel and subsistence costs as determined by the Court
5. On requesting a certificate of satisfaction	£10.00
6. Upon the lodging of an appeal with the Summary Court constituted as the Employment Tribunal	
(a) where the appellant's annual earnings in the last tax year are less than £15,000.00	Nil
(b) where the appellant's annual earnings in the last tax year are more than £15,000.00	£165.00
7. Upon the lodging of an application with the Fisheries Disputes Commission	£206.00".

## SCHEDULE 4

*section 7*

### New Schedule A to Companies and Private Partnership Ordinance 1922

#### “SCHEDULE A

(section 4)

<b>Description</b>	<b>Fee (£)</b>
1. Registration of a document by an overseas company	136.00
2. Registration of incorporation of a company	136.00
3. Registration of change of name of a company	63.00
4. Certificate of registration of a company (other than on incorporation)	63.00
5. Registration or cancellation of registration of mortgage, debenture or other charge	104.50
6. Company file search (proportion of hourly rate to be paid for every part hour)	41.80
7. Request for company documents (per company) (plus additional FIG photocopying fee)	10.50
8. Certified copy of any document held on a company file (plus additional FIG photocopying fee)	31.50
9. Filing an annual return; including companies which are not trading	63.00
10. Penalty for the late filing of an annual return	
(a) 3 months or less	108.00
(b) more than 3 months but less than 6 months	272.00
(c) more than 6 months but less than 12 months	539.00
(d) 12 months or more	1,077.00
11. Filing of company accounts	31.50
12. Application for striking off a private company	104.50
13. Registration of new memorandum or articles of association	31.50

- |  |                        |
|--|------------------------|
| 14. Registration of any other deed, documents or forms to be registered by a company (per name and/or form)                            | 10.50                  |
| 15. Penalty for the late notification of a change of director, change of registered office, or change of secretary (more than 14 days) | 63.00                  |
| 16. Photocopy of document where photocopying undertaken as part of registration  | FIG photocopying fee”. |

## SCHEDULE 5

section 8

### New Schedule to Court Fees (Family Proceedings) Rules 1992

#### “SCHEDULE FEES PAYABLE IN FAMILY PROCEEDINGS

1. In the table of fees below, "originating process" includes a petition, writ, originating summons or other process commencing proceedings.

2. The following table of fees has effect:

#### TABLE

#### PART I COMMENCEMENT PROCEEDINGS

<b>Fee number</b>	<b>Amount of fee</b>
1. Issue of originating process (including an application for an injunction or restraining order where that is sought other than as ancillary to other relief)	£309.00
2. On application to make a decree nisi absolute	£46.00
3. On any other application under the Matrimonial Causes Ordinance 1979 -	
(a) by consent	£52.00
(b) other than by consent	£155.00

#### PART 2 PROCEEDINGS UNDER THE CHILDREN ORDINANCE 2014

1. On application for any originating process (excluding financial relief)	£206.00
2. Any application within proceedings (excluding financial relief)	£103.00
3. On application for an order for financial relief -	
(a) by consent	£52.00
(b) other than by consent	£155.00
4. On application to vary or discharge a financial order -	
(a) by consent	£52.00
(b) other than by consent	£155.00

5. On appeal relating to fostering or hosting provisions	£155.00
6. On requesting a parental responsibility order following the completion of a parental responsibility agreement	£52.00
7. On application for a maintenance order to be sent abroad	£52.00
8. On application for variation of an existing financial order from abroad (under reciprocal enforcement legislation or similar)	£155.00

**PART 3  
MISCELLANEOUS**

1. Any other application not otherwise provided for	£20.50
2. On filing notice of appeal	£51.00
3. Copy documents per page	50p
4. Office copy documents per page	£1.00
5. On taxation of costs	5p per £1.00 of profit costs and disbursements allowed".

## SCHEDULE 6

*section 18*

### **New Schedule to Fishery Products (Hygiene)(Fees) Regulations 1998**

#### “SCHEDULE

<b>Description</b>	<b>Fee (£)</b>
1. Application for approval of vessels, establishments and installations (approval under regulation 6 of the Fishery Products (Vessels, Establishments and Installations) Regulations 2014)	665.00
2. Application for variation of approval under regulation 7 of the Fishery Products (Vessels, Establishments and Installations) Regulations 2014	104.00
3. Annual inspection by authorised officer (Schedule 1, Part 5, Division 1, paragraph 1(b) of the Fishery Products (Hygiene) Regulations 2012)	266.00
4. Inspection on transshipment of product (Schedule 1, Part 5, Division 1, paragraph 1(c) of the Fishery Products (Hygiene) Regulations 2012)	177.00
5. Additional charges for inspections under paragraphs 3 or 4 where factory vessel is not in Stanley Harbour:	
(a) vessel in Port William	58.00
(b) vessel in Berkeley Sound	172.00
6. Surcharge for services provided outside normal office hours (for this purpose, normal office hours are 8am to 5pm Monday to Friday, excluding public holidays)	Additional 50% on all charges”.



## SCHEDULE 7

*section 19*

### **New paragraph 1 of Schedule 3 to Harbours Regulations 1944**

(section 9)

#### **“1 Harbour dues**

(a) Private pleasure yacht (under 50 tons)	£71.00
(b) Other vessels:	
Under 15 tons	£71.00
15 tons or more but under 30 tons	£130.00
30 tons or more but under 50 tons	£234.00
50 tons or more but under 800 tons	£353.00
800 tons or more but under 1,000 tons	£460.00
1,000 tons or more but under 1,500 tons	£529.00
1,500 tons or more but under 2,000 tons	£636.00
2,000 tons or more but under 5,000 tons	£777.00
5,000 tons or more but under 7,000 tons	£942.00
7,000 tons or more but under 10,000 tons	£1,412.00
10,000 tons or more but under 15,000 tons	£1,765.00
15,000 tons or more but under 20,000 tons	£2,061.00
20,000 tons or more but under 25,000 tons	£2,355.00
25,000 tons or more but under 30,000 tons	£2,707.00
30,000 tons or more but under 35,000 tons	£3,060.00
35,000 tons or more but under 40,000 tons	£3,413.00
40,000 tons or more but under 50,000 tons	£4,002.00
50,000 tons or more but under 60,000 tons	£4,708.00
60,000 tons or more but under 70,000 tons	£5,178.00
70,000 tons or more but under 80,000 tons	£5,766.00
80,000 tons or more	£6,356.00”.

## SCHEDULE 8

*section 20*

### New Schedule 1 to Land Charges Fees Rules 1997

#### “SCHEDULE 1

(rule 3)

<b>Description</b>	<b>Fee (£)</b>
1. Registration, renewal, rectification or cancellation of entry in register (per name), including issue of certificate	63.00
2. Entry of priority notice (per name)	10.50
3. Inspection of entry (per entry)	10.50
4. Official search of index, including certificate of result	41.00 per name
5. Bankruptcy search, including certificate of result (per name)	10.00
6. Photocopy of any document	FIG photocopy fee”.

## SCHEDULE 9

*section 22*

### New Schedule 2 to Land Ordinance 1949

#### “SCHEDULE 2

(section 9(3))

#### Description

**Fee (£)**

#### PART I

- |    |  |                   |
|----|--|-------------------|
| 1. | Registration of order of the Court under section 9   | 31.50             |
| 2. | Registration of any other deed, instrument or document to be registered against a title in duplicate | 104.50            |
|    | Any copies beyond 2 submitted at the same time, per copy   | 30.00             |
| 3. | Registration of Crown Grant or Crown Lease (including undertaking) (in duplicate)                    | 104.50            |
|    | Any copies beyond 2 submitted at the same time, per copy   | 30.00             |
| 4. | Application for vesting deed under section 11A   | 209.00            |
| 5. | Certified copy deed, instrument or document (plus additional FIG photocopying fee)                   | 31.50             |
| 6. | Certification of registration deed, instrument or document   | 63.00             |
| 7. | Photocopy of any deed, instrument or document, where undertaken as part of registration              | FIG photocopy fee |

#### PART II

(section 45)

- |    |                            |       |
|----|----------------------------|-------|
| 8. | Title search; hourly rate: | 41.80 |
|----|----------------------------|-------|

Includes: Production of register or index for inspection (for each one) and comparing deed with registered deed (proportion of hourly rate to be paid for every part hour, plus additional FIG photocopying fee)”.

**SCHEDULE 10***section 23***New Schedule 3 to Licensing Ordinance 1994****“SCHEDULE 3****COURT FEES PAYABLE IN CONNECTION WITH JUSTICES' LICENCES**

1. On an application for the grant of a new justices' licence (including an application for a transfer)	£72.00
2. On the grant (including a grant on transfer) or renewal of a justices' on-licence (other than a Part V licence or an occasional licence)	£103.00
3. On the grant (including a grant on transfer) or renewal of a Part V licence	£103.00
4. On the grant (including a grant on transfer) or renewal of a justices' off-licence	£103.00
5. On an application for a protection order	£52.00
6. On the grant of an application for a protection order	£62.00
7. On an inspection of the register of licences pursuant to section 25(1)	£10.00
8. On an application for a special hours certificate	£72.00
9. On the grant of a special hours certificate	£103.00
10. On an application for a club registration certificate	Nil
11. On the grant or renewal of a club registration certificate	£82.00
12. On an application for a children's certificate	Nil
13. On the grant or renewal of a children's certificate	£52.00
14. On an application for a Camp exemption order	Nil
15. On the grant of a Camp exemption order	£21.00
16. On an application for an extension of permitted hours	£21.00
17. On the grant of an extension of permitted hours (for every hour or part thereof to which the extension relates)	£15.00
18. On an application for an occasional licence	£21.00
19. On the grant of an occasional licence (for every day or part thereof to which the occasional licence relates)	£26.00 (up to a maximum of £70.00 per licence)
20. On an application for a prohibition order	Nil”.

## SCHEDULE 11

section 25

### New Schedule to Notaries Public Rules 1992

#### “SCHEDULE

1. For every affidavit and exhibit to an affidavit £10.00 for every affidavit and £5.00 for every exhibit thereto
2. Preparing a Note of Protest or other document (including any certificate thereon) £103.00 for every hour engaged therein and proportionately for every part of an hour, with a minimum fee of £50.00
3. Preparing and attesting any notarial act (a) £36.00 if a notarial act in public form;  
(b) £26.00 otherwise (but no fee where Fee 2 is charged)
4. Extending a Protest £103.00
5. Examining any document with the original thereof and certifying it as a true and correct copy (a) if not copied by the notary public, £26.00 plus £5.00 for every page;  
(b) if copied by or under the supervision of the notary public, £26.00 plus 50 pence for every page.
6. Attending to Protest a Bill of Exchange or Promissory Note £103.00 and proportionately for part of an hour thus engaged plus reasonable travelling expenses incurred (if applicable) with a minimum fee of £50.00.
7. Any other notarial act done by a notary public £103.00”.

## SCHEDULE 12

section 26

### New Schedule to Planning (General) Regulations 1991

#### “SCHEDULE

#### Fees for services under the Planning Ordinance

(regulation 8)

<b>TYPE OF APPLICATION</b>	<b>FEE</b>	
1. Application for demolition	Full application	£21.00
2. Mobile home park/temporary accommodation park (excluding proposals for individual mobile homes)	Outline	£49.00
	Reserved matters	£37.00
	Full planning	£74.00
	Building permit	£93.00*
	Joint application	£155.00*
	*Building permit only required if each unit is within 6m of another.	
3. Construction of buildings, structures or erections for use as residential accommodation (excluding mobile homes) - charge per unit	Outline application	£33.00
	Reserved matters application	£25.00
	Full planning	£49.00
	Building permit application	£66.00
	Joint application	£82.00
4. Subdivision of land for residential development	Outline planning	£21.00
	Reserved matters	£21.00
	Full planning	£31.00
5. Application by householder to enlarge, improve or alter an existing dwelling-house	Outline application	£16.00
	Reserved matters application	£12.00
	Full planning	£25.00
	Building permit application	£33.00
	Joint application	£41.00
6. Erection of garage within residential area over 108m <sup>3</sup> (cubic	Outline planning	£21.00
	Reserved matters	£21.00

metres)	Full planning	£31.00
	Building permit	£41.00
	Joint application	£62.00
7. Erection of buildings for non-residential uses (area less than 75sqm).	Outline application	£49.00
	Reserved matters application	£37.00
	Full planning	£74.00
	Building permit application	£99.00
	Joint application	£124.00
8. Erection of buildings for non-residential (area more than 75sqm)	Outline application	£165.00
	Reserved matters application	£124.00
	Full planning	£247.00
	Building permit application	£330.00
	Joint application	£412.00
Mixed Use Proposals	Fee as per component uses	
9. Infrastructure such as drainage, roads & accesses, power and water and laydown areas	Private residential:	
	Outline planning	£25.00
	Reserved matters	£25.00
	Full planning	£49.00
	Building permit	£58.00
	Joint application	£88.00
	Other:	
	Outline planning	£58.00
	Reserved matters	£58.00
	Full planning	£115.00
	Building permit	£129.00
	Joint application	£221.00
10. Siting of containers outside of container parks (other than for private domestic use)	Full planning	£49.00
	Renewal	£57.00
11. For permission to construct or	No fee if for individual dwelling	

maintain a car park

(a) Residential

If for more than one dwelling:

Outline application £21.00

Full/Reserved matters application:

£26.00 where the area of gross car park space does not exceed 40 sq. m;

£31.00 where the area of gross car park space exceeds 40 sq. m but does not exceed 75 sq. m

Where the area of gross car park space exceeds 75 sq. m  
£52 for each 75 sq. m (or part thereof):

(b) Industrial/Commercial

Outline application £77.00

Full / Reserved matters application

£52 where the area of gross car park space does not exceed 75 sq. m

Where the area of gross car park space exceeds 75 sq. m  
£103.00 for each 75 sq. m (or part thereof)

12. Operations connected with exploratory drilling for appraisal, extraction or export of oil or natural gas

£413.00 per 0.1 ha or the site

Maximum £30,240

13. For permission to place or assemble equipment in any part of any marine water for the purpose of fish farming

£103.00 per application

14. For permission to engage in winning and working of minerals (excluding peat & calcified seaweed)

£208.00 per 0.1 ha of site (or part thereof)

Maximum £30,240

15. For permission to engage in winning and working of peat & calcified seaweed

£52.00 per application

16. Change of use of a building for use as one or more dwelling-houses

£82.00 per each additional dwelling-house to be created by the development

17. For permission to use, dispose of waste/storage of minerals

(a) use of land for disposal of refuse or waste materials or for the deposit of material remaining £52.00 per application



	after minerals have been extracted from land.	
	(b) the use of land for the storage of minerals in the open.	£52.00 per application
18. For permission for any other change of use or building works	(a) Where the end use is residential or incidental to residential	£31.00
	Building permit	£31.00
	Joint application	£52.00
	(b) Where the end use is commercial/industrial	£62.00
	Building permit	£58.00
	Joint application	£103.00
19. Application to vary or remove a condition on an existing permission (or renew a permission)		£31.00
20. Planning searches		£21 per search”.

## SCHEDULE 13

*section 29*

### New Schedules 1, 2 and 3 to Post Office Order 2006

#### “SCHEDULE 1

#### Airmail Rates to all Countries

##### Letter

(a) first 20g	78p
(b) each additional 10g	26p

##### Small packet & printed paper

(a) first 20g	£1.26
(b) each additional	14p

##### Postcard

68p

##### Aerogramme

68p

##### Illustrated aerogramme

79p

#### SCHEDULE 2

#### Surface Mail

##### Letter

(a) first 20g	53p
(b) up to 100g	99p
(c) each additional 50g	36p

##### Postcard

42p

##### Parcel to UK

(a) first 1kg	£12.57
(b) each additional 1kg	£5.20
(c) maximum weight 30kg	£163.41

## SCHEDULE 3

### **Inland Mail**

#### Letter

(a) first 20g	32p
(b) up to 100g	49p
(c) each additional 100g	15p

#### Small packet and printed paper

(a) first 70g	27p
(b) each additional 50g	7p".

## SCHEDULE 14

*section 31*

### New Schedule 2 to Registration Regulations 1949

#### “SCHEDULE 2 Registrar General’s and Registrar’s Fees

<b>Description</b>	<b>Fee (£)</b>
1. Certified copy of birth, death or marriage certificate (further copies requested at the same time, per copy)	10.50 1.00
2. Search of registers, including registers of births, deaths and marriages (proportion of hourly rate to be paid for every part hour plus additional photocopying fee)	41.80
3. Registration birth	10.50
4. Certified copy of instrument	31.50
5. Registration of a deed poll (in duplicate) Any copies beyond 2 submitted at the same time, per copy	63.00 10.50
6. Registration of a will	10.50
7. Photocopy of document per A4 page	FIG photocopying fee
8. Photocopy of document per A3 page	FIG photocopying fee”.

## SCHEDULE 15

section 36

### New article 1 of Schedule 2 to Stanley Airport Regulations 1978

#### “SCHEDULE 2 AIRCRAFT LANDING, PARKING, AND NAVIGATION CHARGES

1. The following charges are payable in relation to aircraft using Stanley Airport by reference to the aircraft's maximum authorised take-off weight (in metric tonnes):

##### *Landing Charges*

- (a) £22.61 per 0.5 tonne (or part of a 0.5 tonne unit)
- (b) landing outside operating hours (which are 08.00 to 16.00), additional charge of 75% of normal landing charge.

##### *Parking Charges*

Parking charges are payable after the first two hours at the following rates for every complete twenty four hour period (commencing after the end of the first two hours):

- (a) 5 tonnes or less:
  - £1.48 per 0.5 tonne (or part of a 0.5 tonne unit)
- (b) 10 tonnes or less, but more than 5 tonnes:
  - £25.13
- (c) more than 10 tonnes:
  - £25.13 plus £1.19 per 0.5 tonne (or part of a 0.5 tonne unit)

##### *Navigation Charges*

£33.37 per hour (or part of an hour) is payable when radio services are provided out of normal office hours (which are 08.00 to 16.00)”.

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## OBJECTS AND REASONS

The Finance Bill 2019 will provide for new and amended allowances, benefits, charges, contributions and fees with effect from 1 July 2019 (except where otherwise specified). Most fees and charges levied by the Falkland Islands Government in various legislative instruments have been raised by 3% in line with the decision of the Executive Council. Reasonable rounding off is allowed.

The Bill validates certain charges and fees that were made contrary to legislation either because the charge does not exist in legislation or that the departments charged an amount different from the one in legislation. Fees and charges for services were changed by some departments without changing the legislation which authorises the fees or charges. Where the amount collected is higher than what is in legislation, a validation of those charges is proposed. Where charges or fees are not reflected in legislation at all, proposed amendments have been included to the relevant legislation so as to authorise the fees.

The clauses of the Bill provide as follows:

***Clause 3: Administration of Estates Rules 1949***

Schedule 1 to the Bill reproduced here, indicating the changes in fees replaces Schedule 2 to the Rules.

### **New Schedule 2 to Administration of Estates Rules 1949**

#### SCHEDULE 2

(section 3)

The following fees are payable in respect of the non-contentious items:

<b>Item</b>	<b>Fee</b>
1. On application for a grant of probate, letters of administration or for resealing a grant of probate or letters of administration-	
(a) net estate is £5,000 or less	no fee (no change)
(b) net estate exceeds £5,000	£150.00 increased to £155.00
2. For the entry or withdrawal of a caveat	£20.00 increased to £21.00
3. For a search for any document	£10.00 (no change)
4. For a copy of all or part of any document	28p per page (no change)
5. Standard copy fee for sealed /verified copy of any documents	
For the first copy	£10.00 (no change)
For every subsequent copy of the same document if supplied at the same time	28p (no change)

6. For pursuing and settling citations, advertisements, oaths, affidavits or other documents-

- |  |                                |
|--|--------------------------------|
| (a) For any one document settled   | £20.00 increased to<br>£21.00  |
| (b) For any number of additional documents in the same case at the same time | £20.00 increased to<br>£21.00. |

**Clause 4: Air Navigation (Fees) Regulations 2009**

This clause amends the Air Navigation (Fees) Regulations 2009 by omitting the Schedule to those Regulations and replacing it with the contents of Schedule 2 to this Bill. The current and new amounts are shown in the reproduced Schedule 2 to the Bill below.

**New Schedule to Air Navigation (Fees) Regulations 2009**  
(first figure is current charge and second figure is the proposed amount)

**SCHEDULE**

**PART 1**  
***Personnel Licensing***

<b>Description</b>	<b>Fee (£)</b>
1. Certificate of Validity of a Flight Crew Licence	
(a) issue	88.50 to 91.00
(b) renewal	50.50 to 52.00
2. Flight Information Service Office Licence	
(a) initial issue	105.00 to 108.00
(b) validation of a UK licence	88.50 to 91.00
(c) examinations	
(i) radiotelephony examination	55.00 to 57.00
(ii) air law and procedures examination	65.00 to 67.00
(iii) meteorology and navigation examination	65.00 to 67.00
(iv) resit of examination paper (paper only)	35.00 to 36.00
(d) competency check	50.50 to 52.00

**PART 2**  
***Aerodromes***

<b>Description</b>	<b>Fee (£)</b>
1. aerodrome certificate	
(a) issue	1,130.00 to 1164.50

(b) amendment	754.00 to 777.00
---------------	------------------

**PART 3**  
*Carriage of Dangerous Goods by Air*

<b>Description</b>	<b>Fee (£)</b>
1. Dangerous goods approval	
(a) issue	184.00 to 190.00
(b) amendment	92.00 to 95.00
(c) validation of an approval issued by a recognised competent regulatory authority	88.50 to 91.00
(d) approval of training programme	92.00 to 95.00
2. Dangerous goods exemption	
(a) issue	202.50 to 208.50
(b) amendment	92.00 to 95.00

**PART 4**  
*Registration of Aircraft*

<b>Description</b>	<b>Fee (£)</b>
1. Certificate of registration on an aircraft	302.00 to 311.00
2. Reservation of registration mark	75.00 to 77.00
3. Reservation of a specific out-of-sequence registration mark	150.00 to 154.50
4. Temporary transfer of an aircraft to the register	Half the cost of a certificate of registration
5. Title search of the register in respect of an aircraft	113.00 to 116.00
6. Cancellation of a certificate of registration	75.00 to 77.00
7. De-registration advice to foreign Regulatory Authority or Removal of an Aircraft from the Register upon export	75.00 to 77.00

**PART 5**  
*Aircraft Operations*

1. Air Operator's Certificate (AOC)	
(a) Issue of AOC	
(i) Aircraft not exceeding 2 tonnes	£1,990 to £2,050.00
(ii) Aircraft exceeding 2 tonnes, but not exceeding 15 tonnes	£3,106.00 to £3,199.00
(iii) Aircraft exceeding 15 tonnes	£4,448.00 to



		£4,581.00
(b)	Annual charge for an AOC (for each aircraft type named on the certificate)	
	(i) Aircraft not exceeding 2 tonnes	£980.00 to £1010.00
	(ii) Aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£2,450.00 to £2,500.00
	(iii) Aircraft exceeding 15 tonnes	£1,960.00 to £2,020.00
(c)	Inclusion of additional aircraft types in the AOC	
	(i) Aircraft not exceeding 2 tonnes	£1,169.00 to £1,204.00
	(ii) Aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£1,779.00 to £1,832.00
	(iii) Aircraft exceeding 15 tonnes	£1,998.00 to £2,058.00
(d)	Variation of an AOC	
	(i) Variation in the operating region	£491.00 to £506.00
	(ii) Permission to operate a specified route outside of the operating region specified in the certificate.	£340.00 to £350.00
	(iii) Change in the company or trading name where the legal entity is unchanged	£88.00 to £91.00

## 2. Article 134 Approval (Part 125 Aircraft)

(a)	Issue of an Article 134 Approval	
	(i) Aircraft not exceeding 2 tonnes	£1,169.00 to £1,204.00
	(ii) Aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£1,779.00 to £1,832.00
	(iii) Aircraft exceeding 15 tonnes	£1,998.00 to £2,058.00
(b)	Annual charge for Article 134 Approval (Part 125 aircraft)	
	(i) Aircraft not exceeding 2 tonnes	£701.00 to £722.00
	(ii) Aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£1,068.00 to £1,100.00
	(iii) Aircraft exceeding 15 tonnes	£1,198.00 to £1,234.00
(c)	Inclusion of additional aircraft types for Article 134 Approval	

(i)	Aircraft not exceeding 2 tonnes	£468.00 to £482.00
(ii)	Aircraft exceeding 2 tonnes but not exceeding 15 tonnes	£712.00 to £733.00
(iii)	Aircraft exceeding 15 tonnes	£794.00 to £818.00
<b>3. Operations Manual</b>		
(a)	Approval of changes to Minimum Equipment List	£270.00 to £278.00
(b)	Approval of minor change to Minimum Equipment List	£110.00 to £113.00
(c)	Approval of changes to Part D (Training)	£270.00 to £278.00
(d)	Approval of minor changes to Part D (Training)	£110 to £113.00
(e)	Approval of changes to Fatigue Management Scheme	£270.00 to £278.00
(f)	Approval of minor changes to Fatigue Management Scheme	£110.00 to £113.00
<b>4. Authorisation of Flight Examiners</b>		£150.00 to £155.00

**PART 6**  
***Airworthiness***

1. Certificate of Airworthiness

(a)	Aircraft not exceeding 2,730kg	£184.00 to £190.00
(b)	Aircraft exceeding 2,730kg but not exceeding 5,700kg	£980.00 to £1,010.00
(c)	Aircraft exceeding 5,700kg but not exceeding 30,000kg	£980 to £1,010.00 plus £71.00 to £73.00 per 500kg (or part thereof) exceeding 5,700kg up to a maximum of £4,104.00 to £4,587.00

2. Certification Notes (Modifications Approvals) £186 to £192.00

3. Approval of a Maintenance Programme

(a)	Initial Issue	£716.00 to £737.00
(b)	Amendment	£285.00 to £294.00

4. Maintenance Control Manual Approval

(a)	Initial Issue	£716.00 to £737.00
(b)	Amendment	£285.00 to £294.00

5. Part 145 Approval

(a)	Option 1	
	(i) Initial	£716.00 to £737.00
	(ii) Renewal	£358.00 to £369.00
(b)	Option 2	
	(i) Initial	£1,432.00 to £1,475.00
	(ii) Renewal	£716.00 to £737.00

6. Part 39 Approval

(a)	Option 1	
	(i) Initial	£716.00 to £737.00
	(ii) Renewal	£358 to £369.00
(b)	Option 2	
	(i) Initial	£1,432.00 to £1,475.00
	(ii) Renewal	£716.00 to £737.00
	7. Noise Certificate	£146.00 to £150.00
	8. Permits to Fly:	
(a)	Permit to fly	£250.00 to £260.00
(b)	Permit to fly for test	£275.00 to £280.00
	9. Type Acceptance Certificate	£375.00 to £386.00
	10. OTAR Supplement Approval/Acceptance	
(a)	Initial	£450.00 to £460.00
(b)	Amendment	£184.00 to £190.00
	11. OTAR Maintenance Organisation Exposition Approval/Acceptance	
(a)	Initial	£716.00 to £737.00
(b)	Amendment	£285.00 to £294.00

**PART 7**  
***Fees not elsewhere specified***

1.	Issue of a copy of any document issued under the Air Navigation (Overseas Territories) Order 2013	£37.50 to £39.00
2.	Charges for services performed outside of the Falkland Islands	Actual costs incurred
3.	A Certificate issued in respect of any part of the Air Navigation (Overseas Territories) Order 2013:	
(a)	Permission	£178.50 to £180.00

		or £50.00 to £52.00 per 3- month period
(b)	Permit	£178.50 to £180.00 or £50.00 to £52.00 per 3- month period
(c)	Approval	£178.50 to £180.00 or £50.00 to £52.00 per 3- month period
(d)	Authorisation	£178.50 to £180.00 or £50.00 to £52.00 per 3- month period
(e)	Deviation	£178.50 to £180.00 or £50.00 to £52.00 per 3- month period
(f)	Exemption	£202.50 to £208.50 or £60.00 to £62.00 per 3- month period
(g)	Validation	£88.50 to £91.00 or £25.00 to £26.00 per 3- month period

4. Seasonal Foreign Operator Permit for aircraft registered in a foreign country to take on board or discharge passengers or cargo in the Falkland Islands for valuable consideration:

(a)	In the case of scheduled journeys to be provided over a period not exceeding six months	
	(i) For aircraft with twenty seats or less, or in the case of a cargo aircraft with a certificated maximum take-off weight not exceeding 5,700kg	£325.00 to £335.00
	(ii) For aircraft with more than twenty seats, or in the case of a cargo aircraft with a certificated maximum take-off weight greater than 5,700kg	£810.00 to £835.00

Note: Fees shall not be charged to aircraft operators:

- (a) Conducting flights in aircraft registered in the UK or any other Overseas Territories
- (b) Conducting flights for the purpose of medical evacuation
- (c) Conducting private flights
- (d) Conducting one-off or short-notice flights that do not require the issuance of a Seasonal Permit.

**Clause 5: Banking Regulations Order 1989**

The Banking Licence is increased from £10,000 to £11,000 in line with an Executive Council decision of 2010 (166/10).

**Clause 6: Civil Cases (Fees) Rules 1992**

This clause replaces Schedules 1 and 2 of the Civil Cases (Fees) Rules. The new Schedules 1 and 2 are in Schedule 3 to the Bill and reproduced below to indicate the old and new fees.

**SCHEDULE 3**

*section 6*

**New Schedules 1 and 2 to the Civil Cases (Fees) Rules 1992**

**SCHEDULE 1**

**FEES PAYABLE IN SUPREME COURT**

1. The following notes have effect in relation to the table of fees appearing below:

(a) "originating process" includes a writ commencing an action, originating summons, petition in bankruptcy, petition for winding up a company or other body corporate and an application for leave to apply for judicial review;

(b) For purposes of the table an application of any kind is made:

(i) when a document of any kind requesting the court to entertain that application is delivered to the court office, and not when the application is heard by the court; and

(ii) in relation to any other matter (such as, for example, a writ of execution or sale pursuant to such a writ) specified in part 2 of the table, the relevant fee is payable on the delivery to the court office of a document of any kind requesting the issue of the process and not when that process is issued.

## TABLE

### PART 1 COMMENCEMENT PROCEEDINGS

<b>Fee number</b>	<b>Amount of fee</b>
1. Issue of originating process	£300.00 to £309.00
2. Application for an injunction ancillary to any cause of action	£150.00 to £155.00
3.(a) On the making of a general application-	
(i) on notice	£150.00 to £155
(ii) by consent/ without notice	£50.00 to £52
(b) On filing a counter claim	The same fee as if the remedy sought were the subject of separate proceedings

### PART 2 ENFORCEMENT PROCEEDINGS

4. Upon issuing enforcement action following an earlier judgment	£300.00 to £309.00
5. Sale under a writ of execution-	
(a) Removing or taking steps to remove goods to a place of deposit	Reasonable expenses incurred as determined by the Court
(b) for the sale of goods, including all necessary catalogues, commissions and other matters	Reasonable expenses incurred as determined by the Court

### PART 3 MISCELLANEOUS

6. Service by the court of any summons or other document-	
(a) if served by post	No fee
(b) request for personal service by the Court of any summons or other document	
(i) East Falkland	£70.00 to £72.00
(ii) West Falkland and other islands fee and plus reasonable travel and subsistence costs as determined by the Court	£70.00 to £72.00

7. On filing a notice of appeal from any Court or tribunal from which an appeal lies to the Supreme Court ( <i>other than in relation to appeals of prohibition orders under the Licensing Ordinance or orders of the Workmen's Compensation Commission for which there is no fee</i> )	£150.00 to £155.00
8. Copy documents per A4 page	28p (no change)
9. On taxation of costs by the Registrar	
(a) where the party is legally aided	Nil
(b) where the party is not legally aided	5p per £1.00 of profit costs and disbursements allowed (no change)
10. On issue of a costs certificate	£10.00 (no change)
11. On appeal of taxation by the Registrar	£200.00 to £206.00
12. On deposing an affidavit or affirmation before an officer of the court	£7.50 plus £3.50 for each exhibit (no change)
13. Upon lodging an appeal for judicial review -	
(a) upon seeking first permission	£150.00 to £155.00
(b) upon granting of permission	£300.00 to £309.00
14. Upon requesting a certificate of satisfaction	£10.00 (no change)
15. Upon the making of a Constitutional reference	£500.00 to £515.00

## SCHEDULE 2

### FEES PAYABLE IN THE MAGISTRATE'S COURT AND THE SUMMARY COURT

1. Except as provided in the table below the fees prescribed in Schedule 1 apply to the equivalent steps or items in civil proceedings in the Magistrate's Court or in the Summary Court.
2. For purposes of paragraph 1 the following table has effect:

#### TABLE

1. On the issuing of proceedings for the recovery of a sum of money or delivery of goods	£70.00 to £72.00
2. On the filing of a counterclaim, on the amount or value (if any)	£70.00 to £72.00
3. Upon issuing enforcement action following an earlier judgment	£70.00 to £72.00
4. Service by the court of any summons or other document -	
(a) if served by post	Nil
(b) request for personal service by the Court of any summons or	



other document	
(i) East Falkland	£70.00 to £72.00
(ii) West Falkland and other islands	£70.00 to £72.00 plus reasonable travel and subsistence costs as determined by the Court
5. On requesting a certificate of satisfaction	£10.00 (no change)
6. Upon the lodging of an appeal with the Summary Court constituted as the Employment Tribunal	
(a) where the appellant's annual earnings in the last tax year are less than £15, 000.00	Nil
(b) where the appellant's annual earnings in the last tax year are more than £15, 000.00	£160.00 to £165.00
7. Upon the lodging of an application with the Fisheries Disputes Commission	£200.00 to £206.00.

***Clause 7: Companies and Private Partnership Ordinance and other Companies***

Schedule A to the Companies and Private Partnership Ordinance 1922 is replaced by new Schedule A appearing in Schedule 4 to the Bill reproduced here showing changes in fees. Further section 242A(2) of the Companies Act 1985 in its application to the Falkland Islands is amended by increasing the fees as shown after Schedule 4.

**SCHEDULE 4**

*section 7*

**New Schedule A to Companies and Private Partnership Ordinance 1922**

**SCHEDULE A**

(section 4)

<b>Description</b>	<b>Fee (£)</b>
1. Registration of a document by an overseas company	132.00 to 136.00
2. Registration of incorporation of a company	132.00 to 136.00
3. Registration of change of name of a company	61.00 to 63.00
4. Certificate of registration of a company (other than on incorporation)	61.00 to 63.00
5. Registration or cancellation of registration of mortgage, debenture or other charge	101.50 to 104.50
6. Company file search (proportion of hourly rate to be paid for every part hour)	40.60 to 41.80

7. Request for company documents (per company) (plus additional FIG photocopying fee)	10.20 to 10.50
8. Certified copy of any document held on a company file (plus additional FIG photocopying fee)	30.50 to 31.50
9. Filing an annual return; including companies which are not trading	61.00 to 63.00
10. Penalty for the late filing of an annual return	
(a) 3 months or less	105.00 to 108.00
(b) more than 3 months but less than 6 months	264.00 to 272.00
(c) more than 6 months but less than 12 months	523.00 to 539.00
(d) 12 months or more	1,046.00 1,077.00
11. Filing of company accounts	30.50 to 31.50
12. Application for striking off a private company	101.50 to 104.50
13. Registration of new memorandum or articles of association	30.50 to 31.50
14. Registration of any other deed, documents or forms to be registered by a company (per name and/or form)	10.20 to 10.50
15. Penalty for the late notification of a change of director, change of registered office, or change of secretary (more than 14 days)	61.00 to 63.00
16. Photocopy of document where photocopying undertaken as part of registration	FIG photocopying fee.

Amendments to section 242A of the Companies Act 1985 in its application to the Falkland Islands made by clause 11 to the Bill are as follows:

<b>Length of period</b>	<b>Public company</b>	<b>Private company</b>
Not more than 3 months	£508.00 to £523.00	£105.00 to £108.00
More than 3 months but not more than 6 months	£1,046.00 £1,077.00	£264.00 to £272
More than 6 months but not more than 12 months	£2,090.00 to £2,150	£523.00 to £539
More than 12 months	£5,230.00 to £5,390	£1046.00 to £1,077.

**Clause 8: Court Fees (Family Proceedings) Rules 1992**

The Schedule to the Rules, which sets out the various court fees, is replaced by the contents of Schedule 5 to the Bill. The Schedule reproduced below indicates the current figures and the proposed amounts.

**SCHEDULE 5**

*section 8*

**New Schedule to Court Fees (Family Proceedings) Rules 1992**

**SCHEDULE  
FEES PAYABLE IN FAMILY PROCEEDINGS**

1. In the table of fees below, "originating process" includes a petition, writ, originating summons or other process commencing proceedings.

2. The following table of fees has effect:

**TABLE**

**PART I  
COMMENCEMENT PROCEEDINGS**

<b>Fee number</b>	<b>Amount of fee</b>
1. Issue of originating process (including an application for an injunction or restraining order where that is sought other than as ancillary to other relief)	£300.00 to £309.00
2. On application to make a decree nisi absolute	£45.00 to £46.00
3. On any other application under the Matrimonial Causes Ordinance:	
(a) by consent	£50.00 to £52.00
(b) other than by consent	£150 to £155.00

**PART 2  
PROCEEDINGS UNDER THE CHILDREN ORDINANCE**

1. On application for any originating process (excluding financial relief)	£200 to £206.00
2. Any application within proceedings (excluding financial relief)	£100.00 to £103.00
3. On application for an order for financial relief -	
(a) by consent	£50.00 to £52.00
(b) other than by consent	£150.00 to £155.00
4. On application to vary or discharge a financial order-	
(a) by consent	£50.00 to £52.00

(b) other than by consent	£150.00 to £155.00
5. On appeal relating to fostering or hosting provisions	£150.00 to £155.00
6. On requesting a parental responsibility order following the completion of a parental responsibility agreement	£50.00 to £52.00
7. On application for a maintenance order to be sent abroad	£50.00 to £52.00
8. On application for variation of an existing financial order from abroad (under reciprocal enforcement legislation or similar)	£150.00 to £155.00

### PART 3 MISCELLANEOUS

1. Any other application not otherwise provided for	(no change) £20.50
2. On filing notice of appeal	(no change) £51.00
3. Copy documents per page	(no change) 50p
4. Office copy documents per page	(no change) £1.00
5. On taxation of costs	(no change) 5p per £1.00 of profit costs and disbursements allowed.

#### ***Clause 9: Cruise Ships Ordinance 1998***

With effect from 1 July 2020 passenger tax to be paid in respect of every passenger aboard a vessel increases from £25.00 to £26.00.

A consequential amendment is made to section 6(a) which allows the Governor to substitute the amount referred to in section 3(1). Section 6(a) states the amount as “£10.00” but over the years that amount has changed. Clause 9(1)(b) of the Bill will remove reference to a specific amount.

#### ***Clause 10: Customs Fees Regulations 2006***

Below is table of changes made to the customs fees also showing the current charge.

1. Hourly rate which is the basis for service charges (normal working hours)	£41.30 increased to £42.50
2. Hourly rate which is the basis for service charges (outside normal working hours)	£61.95 increased to £63.75
3. Where services are provided Vessel less than 50 tons	£27.20 increased to £28.00
4. Entrance/clearance at declared port Vessel 50 tons or more	£54.40 increased to £56.00
5. Entrance/clearance at undeclared port	£134.90 increased to £138.95

Vessel less than 50 tons

6. Entrance/clearance at undeclared port £269.80 increased to £277.90  
Vessel 50 tons or more

7. Where services are provided without attendance upon the vessel concerned -

- charge within normal hours increased from £82.60 to £85.00
- charge outside normal hours of duty increased from £123.90 to £127.50.

***Clause 11: Customs (Import Prohibitions)(Fees)Regulations 2009***

The following is a table showing the current charges and the proposed fees.

1. Importation of animal	£128.90 increased to £132.80
2. Importation of animal – poultry/exotic pet (single)	£32.80 increased to £33.80
3. Importation of animal – poultry/exotic pet (annual)	£65.50 reduced to £67.50
4. Inspection and treatment on arrival	£11.10 increased to £11.40
5. Clearance from port of arrival – (per importer)	£116.00 increased to £119.50
6. Inspection following house quarantine (per animal)	£11.10 increased to £11.40
7. Animal products import permit:	
Commercial – single importation	£16.00 increased to £16.50
Commercial – annual	£128.90 increased to £132.80
Individual (non-commercial)	£4.10 (no change)
8. Inspection of shearing gear/equipment	£39.90 increased to £41.10.

***Clause 12: Dogs Rules 1949***

Dog licence (pets) £32.20 increased to £33.20

***Clause 13: Electricity Supply Regulations 1969***

This clause increases the fee of £50.00 charged in terms of regulation 9A to £309.00. Over the years the fee has been increased without changing the legislation hence the need for validation of the amounts collected.

***Clause 14: Embarkation Tax Regulations 1999***

Embarkation fee £25.00 increased to £26.00 (with effect 1 July 2020)

***Clause 15: Family Allowances Ordinance 1960***

Family Allowance £75.00 increased to £77.00

***Clause 16: Firearms and Ammunition Ordinance 1987***

Issue of replacement licence £7.25 increased to £7.60

(The police have been charging an amount higher than prescribed in legislation, hence the validation).

**Clause 17: Firearms and Ammunition (Fees) Regulations Order**

1. Import licence (currently not in legislation)	£19.60
2. Export licence (currently not in legislation)	£19.60
3. Application to register as a firearms holder or as an licensed dealer, exporter or importer	£19.00 increased to £19.60
4. Firearms and ammunition dealer's licence	£69.00 increased to £71.10
5. Ammunition dealer's licence	£19.00 increased to £19.60
6. Firearms licence	£38.00 increased to £39.10

(The police have been charging for import and export licences without legislation and these items have now been inserted and previous charges validated.)

**Clause 18: Fishery Products**

1. Application fee for approval	£638.20 increased to £665.00
2. Application fee for variation of approval	£100.00 increased to £104.00
3. Annual inspection	£255.00 increased to £266.00
4. Inspection on transhipment	£170.80 increased to £177.00
5. Additional charges for inspection under paragraphs 3 or 4 where factory vessel is not in Stanley Harbour -	
(a) vessel in Port William	£55.30 increased to £58.00
(b) vessel in Berkeley Sound	£165.70 increased to £172.00
6. Surcharge for services provided outside office hours	additional 50% on all charges – normal no change

(The fees being charged by the department are out of sync with the legislation, hence the validation.)

**Clause 19: Harbours Regulations 1944**

Below is a reproduction of harbour dues indicating the changes made.

1. Harbour Dues

(a) Private pleasure yacht (under 50 tons)	£69.00 increased to £71.00
(b) Other vessels: Under 15 tons	£69.00 increased to £71.00

15 tons or more but under 30 tons	£126.00 increased to £130.00
30 tons or more but under 50 tons	£227.00 increased to £234.00
50 tons or more but under 800 tons	£343.00 increased to £353.00
800 tons or more but under 1,000 tons	£447.00 increased to £460.00
1,000 tons or more but under 1,500 tons	£514.00 increased to £529.00
1,500 tons or more but under 2,000 tons	£617.00 increased to £636.00
2,000 tons or more but under 5,000 tons	£754.00 increased to £777.00
5,000 tons or more but under 7,000 tons	£915.00 increased to £942.00
7,000 tons or more but under 10,000 tons	£1,371.00 increased to £1,412.00
10,000 tons or more but under 15,000 tons	£1,714.00 increased to £1,765.00
15,000 tons or more but under 20,000 tons	£2,001.00 increased to £2,061.00
20,000 tons or more but under 25,000 tons	£2,286.00 increased to £2,355.00
25,000 tons or more but under 30,000 tons	£2,628.00 increased to £2,707.00
30,000 tons or more but under 35,000 tons	£2,971.00 increased to £3,060.00
35,000 tons or more but under 40,000 tons	£3,314.00 increased to £3,413.00
40,000 tons or more but under 50,000 tons	£3,885.00 increased to £4,002.00
50,000 tons or more but under 60,000 tons	£4,571.00 increased to £4,708.00
60,000 tons or more but under 70,000 tons	£5,027.00 increased to £5,178.00
70,000 tons or more but under 80,000 tons	£5,598.00 increased to £5,766.00
80,000 tons or more	£6,171.00 increased to £6,356.00

**Clause 20: Land Charges Fees Rules**

Below are the changes made to the land charges:

1. Registration, renewal, rectification or cancellation of entry in register (per name), including issue of certificate	£61.00 increased to £63.00
2. Entry of priority notice (per name)	£10.20 increased to £10.50
3. Inspection of entry (per entry)	£10.20 increased to £10.50
4. Official search of index, including certificate of result (per name)	£40.00 increased to £41.00
5. Bankruptcy search of index, including certificate of result	£10.00 (per name) (no change)
6. Photocopy of document (new charge)	FIG photocopying fee

**Clause 21: Land (Non-Residents) (Fees) Regulations 2007**

1. Basic application	£120.00 increased to £124.00
2. Retrospective or other non-basic application	£250.00 increased to £258.00

**Clause 22: Land Ordinance 1949**

1. Registration of order of the Court	£30.50 increased to £31.50
2. Registration of any other deed, instrument or document to be registered against the title (in duplicate)	£101.50 increased to £104.50
Copies beyond 2 (new charge)	£30.00

3. Registration of Crown Grant or Crown Lease (including undertaking) (in duplicate) Copies beyond 2 (new charge)	£101.50 increased to £104.50 £30.00
4. Application for vesting deed (section 11A)	£203.00 increased to £209.00
5. Certified copy deed, instrument or document (plus additional FIG photocopying fee)	£30.50 increased to £31.50
6. Certification of registration of deed, instrument or document	£61.00 increased to £63.00
7. Photocopy of any deed, instrument or document, where undertaken as part of registration	FIG photocopying fee
8. Title search; hourly rate Includes: Production of register or index for inspection (for each one) and comparing deed with registered deed (proportion of hourly rate to be paid for every part hour, plus additional FIG photocopying fee.	£40.60 increased to £41.80

***Clause 23: Licensing Ordinance 1994***

1. On an application for the grant of a new justices' licence (including an application for a transfer)	£70.00	Increased to £72.00
2. On the grant (including a grant on transfer) or renewal of a justices' on-licence (other than a Part V licence or an occasional licence)	£100.00	Increased to £103.00
3. On the grant (including a grant on transfer) or renewal of a Part V licence	£100.00	Increased to £103.00
4. On the grant (including a grant on transfer) or renewal of a justices' off-licence	£100.00	Increased to £103.00
5. On an application for a protection order	£50.00	Increased to £52.00
6. On the grant of an application for a protection order	£60.00	Increased to £62.00
7. On an inspection of the register of licences pursuant to section 25(1)	£10.00	No change
8. On an application for a special hours certificate	£70.00	Increased to £72.00
9. On the grant of a special hours certificate	£100.00	Increased to £103.00
10. On an application for a club registration certificate	Nil	No change



11. On the grant or renewal of a club registration certificate	£80.00	Increased to £82.00
12. On an application for a children's certificate	Nil	No change
13. On the grant or renewal of a children's certificate	£50.00	Increased to £52.00
14. On an application for a Camp exemption order	Nil	No change
15. On the grant of a Camp exemption order	£20.00	Increased to £21.00
16. On an application for an extension of permitted hours	£20.00	Increased to £21.00
17. On the grant of an extension of permitted hours (for every hour or part thereof to which the extension relates)	£15.00	No change
18. On an application for an occasional licence	£20.00	Increased to £21.00
19. On the grant of an occasional licence (for every day or part thereof to which the occasional licence relates)	£25.00 (up to a maximum of £70.00 per licence)	Increased to £26.00 (up to a maximum of £70.00 per licence)
20. On an application for a prohibition order	Nil	No change

**Clause 24: Minimum Wage Ordinance**

With effect from 1 January 2020, the minimum wage will increase from £6.67 to £7.03.

**Clause 25: Notaries Public Rules**

1. For every affidavit and exhibit to an affidavit	£10.00 for every affidavit and £5.00 for every exhibit thereto (no change)
2. Preparing a Note of Protest or other document (including any certificate thereon)	£100.00 increased to £103.00 for every hour engaged therein and proportionately for every part of an hour, with a minimum fee of £50.00
3. Preparing and attesting any notarial act	(a) £35.00 increased to £36.00 if a notarial act in public form;  (b) £ 25.00 increased to £26.00 otherwise (but no fee where Fee 2 is charged)
4. Extending a Protest	£100 increased to £103.00

- |    |   |  |
|----|---|--|
| 5. | Examining any document with the original thereof and certifying it as a true and correct copy | (a) if not copied by the notary public, £25.00 increased to £26.00 plus £5.00 for every page;  |
|    |   | (b) if copied by or under the supervision of the notary public, £25.00 increased to £26.00 plus 50 pence for every page.   |
| 6. | Attending to Protest a Bill of Exchange or Promissory Note                                    | £100.00 increased to £103.00 and proportionately for part of an hour thus engaged plus reasonable travelling expenses incurred (if applicable) with a minimum fee of £50.00. |
| 7. | Any other notarial act done by a notary public  | £100.00 increased to £103.00.  |

***Clause 26: Planning (General) Regulations 1991***

**Fees for services under the Planning Ordinance**

(regulation 8)

<b>TYPE OF APPLICATION</b>	<b>FEE</b>	
1. Application for demolition	Full application	£20.00 increased to £21.00
2. Mobile home park/temporary accommodation park (excluding proposals for individual mobile homes)	Outline	£48.00 increased to £49.00
	Reserved matters	£36.00 increased to £37.00
	Full planning	£72.00 increased to £74.00
	Building permit	£90.00 increased to £93.00*
	Joint application	£150.00 increased to £155.00*

\*Building permit only required if each unit is within 6m of another.

3. Construction of buildings, structures or erections for use as residential accommodation (excluding Mobile Homes) - charge per unit	Outline application	£32.00 increased to £33.00
	Reserved matters application	£24.00 increased to £25.00
	Full planning	£48.00 increased to £49.00
	Building permit application	£64.00 increased to £66.00
	Joint application	£80.00 increased to £82.00
4. Subdivision of land for residential development	Outline planning	£20.00 increased to £21.00
	Reserved matters	£20.00 increased to £21.00
	Full planning	£30.00 increased to £31.00
5. Application by householder to enlarge, improve or alter an existing dwelling-house	Outline application	£16.00 (no change)
	Reserved matters application	£12.00(no change)
	Full planning	£24.00 increased to £25.00
	Building permit application	£32.00 increased to £33.00
	Joint application	£40.00 increased to £41.00
6. Erection of garage within residential area over 108m <sup>3</sup> (cubic metres)	Outline planning	£20.00 increased to £21.00

	Reserved matters	£20.00 increased to £21.00
	Full planning	£30.00 increased to £31.00
	Building permit	£40.00 increased to £41.00
	Joint application	£60.00 increased to £62.00
7. Erection of buildings for non-residential uses (area less than 75sqm).	Outline application	£48.00 increased to £49.00
	Reserved matters application	£36.00 increased to £37.00
	Full planning	£72.00 increased to £74.00
	Building permit application	£96.00 increased to £99.00
	Joint application	£120.00 increased to £124.00
8. Erection of buildings for non-residential (area more than 75sqm)	Outline application	£160.00 increased to £165.00
	Reserved matters application	£120.00 increased to £124.00
	Full planning	£240.00 increased to £247.00
	Building permit application	£320.00 increased to £330.00
	Joint application	£400.00 increased to

£412.00

Mixed Use Proposals	Fee as per component uses	
9. Infrastructure such as drainage, roads & accesses, power and water and laydown areas	Private residential:	
	Outline planning	£24.00 increased to £25.00
	Reserved matters	£24.00 increased to £25.00
	Full planning	£48.00 increased to £49.00
	Building permit	£56.00 increased to £58.00
	Joint application	£85 increased to £88.00
	Other: Outline planning	£56.00 increased to £58.00
	Reserved matters	£56.00 increased to £58.00
	Full planning	£112.00 increased to £115.00
	Building permit	£125.00 increased to £129.00
	Joint application	£215.00 increased to £221.00
10. Siting of containers outside of container parks (other than for private domestic use)	Full planning	£48.00 increased to £49.00
	Renewal	£55.00 increased to £57.00

11. For permission to construct or maintain a car park	No fee if for individual dwelling	
(a) Residential	If for more than one dwelling:	
	Outline application	£20.00 increased to £21.00
	Full/Reserved matters application:	
	£25.00 increased to £26.00 where the area of gross car park space does not exceed 40 sq. m;	
	£30.00 increased to £31.00 where the area of gross car park space exceeds 40 sq. m but does not exceed 75 sq. m	
(b) Industrial/Commercial	Where the area of gross car park space exceeds 75 sq. m £50.00 increased to £52 for each 75 sq. m (or part thereof):	
	Outline application	£75.00 increased to £77.00
	Full / Reserved matters application	
	£50 increased to £52 where the area of gross car park space does not exceed 75 sq. m	
	Where the area of gross car park space exceeds 75 sq. m £100.00 increased to £103.00 for each 75 sq. m (or part thereof)	
12. Operations connected with exploratory drilling for appraisal, extraction or export of oil or natural gas	£401.00 increased to £413.00 per 0.1 ha or the site	
	Maximum	£30,240 (no change)
13. For permission to place or assemble equipment in any part of any marine water for the purpose of fish farming	£100.00 increased to £103.00 per application	
14. For permission to engage in winning and working of minerals (excluding peat & calcified seaweed)	£202.00 increased to £208.00 per 0.1 ha of site (or part thereof)	
	Maximum	£30,240 (no change)
15. For permission to engage in winning and working of peat & calcified seaweed	£50.00 increased to £52.00 per application	

16. Change of use of a building for use as one or more dwelling-houses	£80.00 increased to £82.00 per each additional dwelling-house to be created by the development
17. For permission to use, dispose of waste/storage of minerals	
(a) use of land for disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land.	£50.00 increased to £52.00 per application
(b) the use of land for the storage of minerals in the open.	£50.00 increased to £52.00 per application
18. For permission for other change of use Making of a material change in the use of a building or land or in the use of equipment placed or assembled in marine waters	
	(a) Where the end use is residential or incidental to residential
	£31.00 from £30.00
	Building permit
	£31.00 from £30.00
	Joint application
	£52.00 from £50.00
	(b) Where the end use is commercial/industrial
	£62.00 from £60.00
	Building permit
	£58.00 from £56.00
	Joint application
	£103.00 from £100.00
19. Application to vary or remove a condition on an existing permission (or renew a permission)	£31.00 from £30.00
20. Planning searches	£21 per search from £20.00.

***Clause 27: Plant Importation Regulations 1947***

1. Permit for private importation	£4.10 increased to £4.20
2. Permit for annual commercial importation	£128.90 increased to £132.80
3. Permit for single commercial importation	£15.60 increased to £16.10

**Clause 28: Police Ordinance 2000**

£25 is increased to £30.10 for production of criminal or other records.

(The Police have been charging an amount that is not provided in legislation, hence the need for validation.).

**Clause 29: Post Office Order 2006**

The following rates will replace the charges in the Post Office Order and the old rates are also shown:-

Airmail Rates to all Countries:

Letter

- |                         |                      |
|-------------------------|----------------------|
| (a) first 20g           | 76p increased to 78p |
| (b) each additional 10g | 25p increased to 26p |

Small packet & printed paper

- |                     |                          |
|---------------------|--------------------------|
| (a) first 20g       | £1.22 increased to £1.26 |
| (b) each additional | 14p – no change          |

Postcard

66p increased to 68p

Aerogramme

66p increased to 68p

Illustrated Aerogramme

77p increased to 79p

Surface Mail:

Letter

- |                         |                      |
|-------------------------|----------------------|
| (a) first 20g           | 51p increased to 53p |
| (b) up to 100g          | 96p increased to 99p |
| (c) each additional 50g | 35p increased to 36p |

Postcard

41p increased to 42p

Parcel to UK

- |                         |                            |
|-------------------------|----------------------------|
| (a) first 1kg           | £12.20 increased to £12.57 |
| (b) each additional 1kg | £5.05 increased to £5.20   |



(c) maximum weight 30kg £158.65 increased to £163.41

Inland Mail:

Letter

(a) first 20g 31p increased to 32p  
(b) up to 100g 48p increased to 49p  
(c) each additional 100g 15p – no change

Small packet and printed paper

(a) first 70g 26p increased to 27p  
(b) each additional 50g 7p – no change

***Clause 30: Registration of Marriages Regulations 1999***

Regulation 18 of the Registration of Marriages Regulations is amended to reflect the following indicating the new and old fees:

(a) on giving notice of marriage £60.00 increased to £62.00  
(b) on grant of Registrar General's licence £60.00 increased to £62.00  
(c) for solemnization of a marriage by a Registrar £30.50 increased to £31.00  
(d) for attendance by the Registrar at the solemnisation of a marriage by a person who is not a minister of religion £30.50 increased to £31.00  
(e) any absence exceeding one hour by a Registrar from the Registrar's usual address for either of the purposes mentioned at (c) and (d) £101.50 increased to £104.50 (plus the reasonable cost of travel and any necessary overnight accommodation)  
(d) on application for a special licence £203.00 increased to £209.00

The Registrar General has been charging more fees that is stipulated in legislation, hence the need for validation.

***Clause 31: Registration Regulations 1949***

1. Certified copy of entry of birth, death or marriage certificate (further copies requested at same time £1.00, new) £10.20 increased to £10.50  
2. Search of register of births, deaths or marriages within ten years (per name per register)(proportion of hourly rate to be paid for every part hour plus additional photocopying fee) £40.60 increased to £41.80

3. Registration of birth	£10.20 increased to £10.50
4. Certified copy of instrument	£30.50 increased to £31.50
5. Registration of a deed poll in duplicate Any copies beyond 2 submitted at the same time	£60.00 increased to £61.00 £10.50
6. Registration of a will	£10.20 increased to £10.50
7. Photocopy of document per A4 page	FIG photocopying fee
8. Photocopy of document per A3 page	FIG photocopying fee

**Clause 32: Registration of UK Patents Ordinance 1930**

1. Registration of new patent	£132.00 increased to £135.00
2. Renewal of registration of patent	£101.50 increased to £104.50
3. Subsequent renewals	for each renewal, £61.00 increased to £63.00
4. Patent holder's registration of his or her change of name or address	£101.50 increased to £104.50
5. Patent file search (new charge)	£41.80

A new section 7C is inserted into the Ordinance to enable the patent file charge.

**Clause 33: Retirement Pensions (Prescribed Rates) Regulations 1996**

1. Weekly retirement pension	£156.00 increased to £161.00
2. Married couple's supplement (weekly)	£88.43 increased to £91.08
3. Employee rate	£16.75 increased to £17.75
4. Self-employed or retired person	£33.50 increased to £35.50
5. Relevant MLA	£16.75 increased to £17.75
6. Employers	£16.75 increased to £17.75
7. Weekly rate by Office of Legislative Assembly	£16.75 increased to £17.75
8. Voluntary contribution weekly rates for residents	£33.50 increased to £35.50
9. Assisted contributions	£33.50 increased to £35.50
10. Earnings limit	£266.80 increased to £281.20.

The amendments in 3 to 10 come into force on 1 January 2020.

***Clauses 34 and 35: Road Traffic Ordinance and Road Traffic Provisional Regulations***

1. Replacement licence on endorsement	£11.75 increased to £12.10
2. Registration of vehicle	£44.00 increased to £45.30
3. Change of ownership	£22.00 increased to £22.70
4. Replacement of vehicle registration certificate	£12.10 (currently non statutory)
5. Duty motor vehicle not exceeding 500kgs	£52.25 increased to £53.90
6. Duty motor vehicle exceeding 500kg	£120.50 increased to £124.20
7. Duty motor vehicle exceeding 3400kg	£185.50 increased to £191.10
8. Registration of vehicle	£22.00 increased to £45.70

A new regulation 2A is inserted into the Road Traffic (Provisional) Regulations to allow charges for replacement of vehicle registration certificate. This charge is currently imposed without legislative authority.

Further, the legislation provides one fee for registration of a vehicle and for change of ownership. The Police have been charging a higher fee for registration contrary to legislation, hence the validation and amendment to regulation 2(5) of the Regulations Order.

***Clause 36: Stanley Airport Regulations***

**AIRCRAFT LANDING, PARKING, AND NAVIGATION CHARGES**

1. The following charges are payable in relation to aircraft using Stanley Airport by reference to the aircraft's maximum authorised take-off weight (in metric tonnes):

*Landing Charges*

(a) £21.95 is increased to £22.61 per 0.5 tonne (or part of a 0.5 tonne unit)

(b) New item inserted: Landing outside operating hours (which are 08.00 to 16.00), additional charge of 75% of normal landing charge

*Parking Charges*

Parking charges are payable after the first two hours at the following rates for every complete twenty four hour period (commencing after the end of the first two hours):

(a) 5 tonnes or less:

£1.45 is increased to £1.48 per 0.5 tonne (or part of a 0.5 tonne unit)

(b) 10 tonnes or less, but more than 5 tonnes:

£24.40 is increased to £25.13

(c) more than 10 tonnes:

£24.40 is increased to £25.13 plus £1.17 increased to £1.19 per 0.5 tonne (or part of a 0.5 tonne unit)

#### *Navigation Charges*

£32.40 is increased to £33.37 per hour (or part of an hour) is payable when radio services are provided out of normal office hours (which are 08.00 to 16.00).

#### ***Clause 37: Trespass Ordinance 1904***

Amendments to the Ordinance which are currently in the Commons Ordinance relating to grazing of animals are incorporated in the Finance Bill. The Commons Ordinance has not yet commenced:

(a) pound fees increases from “25p” to “£36.00” for first 24 hours; and

(b) “13p” increases to “£18.00” for every subsequent period of 24 hours.

The Schedule is replaced with a Schedule which is similar to that contained in the Commons Ordinance 2017 (which has not yet been brought into force). The Schedule indicating the changed amounts and the current charges is reproduced below.

### **SCHEDULE Fees**

**Winter grazing is limited to the number of animals that can be maintained on the grass available.**

#### **Grazing seasons**

#### **Fees (per animal)**

**Summer:** 1 October to 31 May

£24.00 increased to £24.60

**Winter:** 1 June to 30 September

£12.00 increased to £12.30

**Annual Fee:** (1 June – 31 May)

£36.00 increased to £36.90

Animals may, by request, be grazed on the Common for a maximum of 10 days or less at the rate of £1.00 per day.

Animals grazing on the Common for more than 10 days will be charged the full rate.

#### ***Clause 38: Vehicle Licence Labels Regulations 1998***

The charge for replacement labels is increased from £6.60 to £6.80.

## **Motion Number 9 of 2019 by The Honourable Financial Secretary**

It is proposed that the Legislative Assembly, under section 113 of the Customs Ordinance 2003 makes a Resolution —

(a) to increase customs import duties payable on alcoholic beverages and tobacco products as follows—

on beer, cider, Perry etc from 36p to 37p per litre;  
on wines from 88p to 91p per litre;  
on fortified wines from £1.06 to £1.09 per litre;  
on spirituous beverages from £7.20 to £7.42 per litre;  
on spirits from £13.43 to £13.83 per litre;  
on cigars from £381.00 to £400.05 per kilo;  
on cigarettes from £410.39 to £430.91 per kilo;  
on tobacco from £250.52 to £275.57 per kilo; and

(b) to amend the Customs Order 1948 to reflect the increases; and

(c) for the increases to come into force on 5 June 2019.

**Proposed by:** The Honourable Financial Secretary

**Seconded by:** The Honourable Roger Spink

**LEGISLATIVE ASSEMBLY**

**TUESDAY 4 JUNE 2019**

**MOTION FOR ADJOURNMENT**

**DEPUTY CLERK** "Motion for Adjournment"

**CHIEF EXECUTIVE** Mr Speaker I beg to move that this House stands adjourned sine die"

(Honourable Members may speak to the Motion)

After last Honourable Members has spoken: -

**MR SPEAKER** "The House stands adjourned accordingly". Mr Speaker then departs.