

**LEGISLATIVE ASSEMBLY**

**OF THE**

**FALKLAND ISLANDS**



**ORDER PAPER**

**09.00 AM**

**THURSDAY 12 DECEMBER 2019**

**IN THE CHAMBER OF COMMERCE**

**LEGISLATIVE ASSEMBLY**

**THURSDAY 12 DECEMBER 2019**

**IN THE CHAMBER OF COMMERCE**

**ORDER PAPER**

**09.00**

1. Prayers
2. Confirmation of the Record of the Legislative Assembly held on 31 October 2019
3. Papers to be Laid on the Table by the Honourable Chief Executive
4. Motions
5. Order of the Day: Bills
6. Motion for Adjournment

**LEGISLATIVE ASSEMBLY**

**THURSDAY 12 DECEMBER 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.

- Fishery Products (Designations) (Amendment) (No 2) Order 2019
- Fishing, Transshipment and Export (Licence Fees etc) Regulations 2019
- Communications (Radiocommunications Licensing Procedures) Regulations 2019
- Communications (Radiocommunications Exemption) Regulations 2019
- Communications (Fees) Regulations 2019

## 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 Teslyn Barkman** Mr Speaker, under Standing Order Section 41 (3) I move that the Fishery Products (Designations) (Amendment) (No 2) Order 2019 and Fishing, Transhipment and Export (Licence Fees etc) Regulations 2019 be noted.

----- Explanation -----

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

**Hon Ian Hansen** Mr Speaker I second the Motion

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

**Mr Speaker** Honourable Members, the Motion is that Fishery Products (Designations) (Amendment) (No 2) Order 2019 and Fishing, Transhipment and Export (Licence Fees etc) Regulations 2019 are noted.

**Hon Roger Spink** Mr Speaker, under Standing Order Section 41 (3) I move that the

- Communications (Radiocommunications Licensing Procedures) Regulations 2019
- Communications (Radiocommunications Exemption) Regulations 2019
- Communications (Fees) Regulations 2019

are noted.

----- Explanation -----

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

**Hon Roger Edwards** Mr Speaker I second the Motion

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

**Mr Speaker** Honourable Members, the Motion is that the

- Communications (Radiocommunications Licensing Procedures) Regulations 2019

- Communications (Radiocommunications Exemption) Regulations 2019
- Communications (Fees) Regulations 2019

are noted.

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## SUBSIDIARY LEGISLATION

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### **Fishery Products (Designations)(Amendment)(No 2) Order 2019**

S.R. & O. No.: 24 of 2019

*Made: 17 October 2019*

*Published: 11 November 2019*

*Coming into force: on publication*

I make this Order under section 35 of the Fishery Products Ordinance 2006 without consulting the Executive Council because, in my judgement, the matter is too unimportant.

#### **1. Title**

This Order is the Fishery Products (Designations) (Amendment) (No 2) Order 2019.

#### **2. Commencement**

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

#### **3. Fishery Products (Designations) Order 2014 amended**

The Fishery Products (Designations) Order 2014 (No 10 of 2014) is amended in Schedule 1 by omitting the vessel names and approval numbers —

“Golden Touza	1009”;
“Paradanta Primero	1026”;
“Kalatxori	1028”;
“Tronio	1037”.

Made 17 October 2019

N. J. Phillips C.B.E.,  
*Governor.*

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#### EXPLANATORY NOTE *(not forming part of the order)*

This Order removes the fishing vessels “Golden Touza”, “Paradanta Primero” and “Kalatxori” from the Fishery Products (Designations) Order 2014, which has the effect of removing designation of the vessels under the Fishery Products Ordinance 2006.

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## SUBSIDIARY LEGISLATION

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### **Fishing, Transshipment and Export (Licence Fees etc) Regulations 2019**

S. R. & O. No.: 25 of 2019

#### ARRANGEMENT OF PROVISIONS

##### Regulation

1. Title
2. Commencement
3. Interpretation
4. *Illex* fishing licences - applications and fees
5. *Illex* fishing licences - payment and discounts
6. *Illex* fishing licences - refund of fees
7. *Illex* fishing- scientific permits
8. Transshipment and export licences
9. Transshipment and export licence fees

##### Schedule 1 - *Illex* Fishery fees

Part A - Fee formula

Part B - Payment periods and proportion of fee payable

Part C – Discounts

##### Schedule 2 - 2020 *Illex* Fishing Licence Refund Policy

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## SUBSIDIARY LEGISLATION

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### **Fishing, Transhipment and Export (Licence Fees etc) Regulations 2019**

S. R. & No.: 25 of 2019

*Made: 7 November 2019*

*Published: 11 November 2019*

*Coming into force: 1 January 2020*

I make the following regulations under sections 41, 42, 46, 223(1), (2)(b) (p) and (y) of the Fisheries (Conservation and Management) Ordinance 2005 on the advice of Executive Council.

#### **1. Title**

These regulations are the Fishing, Transhipment and Export (Licence Fees etc) Regulations 2019.

#### **2. Commencement**

These regulations come into force on 1 January 2020 and cease to have effect on 31 December 2020.

#### **3. Interpretation**

In these regulations —

“**adjusted catch**” has the meaning given in paragraph 2 of Schedule 2;

“**Director**” means the Director of Fisheries;

“**export**” has the same meaning as under the Ordinance;

“**FIPASS**” means the Falkland Interim Port and Storage System as defined under the Falkland Interim Port and Storage System Ordinance 1989;

“***Illex* fishing season**” means the period between 15 February and 15 June (inclusive);

“**fishing waters**” has the same meaning as under the Ordinance;

“**Licence Allocation Policy**” means the policy relating to *Illex* fishing licences set by Executive Council from time to time;

“**refund policy**” means the policy referred to in regulation 6;

“**the Ordinance**” means the Fisheries (Conservation and Management) Ordinance 2005; and

“**tranship**” means to tranship fish in the fishing waters.



#### **4. *Illex* fishing licences - applications and fees**

- (1) Applications for fishing licences in respect of the *Illex* fishery are made to the Director and must reach the Director before 7 November 2019 or such earlier date as may be set by the Director.
- (2) The Director is not bound to consider an application received after the date specified in subregulation (1).
- (3) The fee payable for an *Illex* fishing licence is determined by using the formula set out in Part A of Schedule 1.
- (4) The periods within which the licence fees are payable and the proportions in which the fees are to be paid in each period are specified in Part B of Schedule 1.
- (5) When issuing fishing licences to which these regulations apply, the Director must be guided by the Licence Allocation Policy.

#### **5. *Illex* fishing licences - payment and discounts**

- (1) Subject to this regulation, the fee for an *Illex* fishing licence must be paid no later than 30 June 2020.
- (2) If the fee for an *illex* fishing licence is not received by 31 January 2020, it must be guaranteed by a letter of credit (or equivalent arrangement approved by the Director).
- (3) A letter of credit under subregulation (1) must have an expiry date of 31 August 2020.
- (4) Payments for *Illex* fishing licences are eligible for a discount set out in Part C of Schedule 1 provided that the payment is made by the relevant date. (for example in order to receive a 6% early payment discount on the full fee (100%) the entire fee must be received by Falkland Islands Government by 31 January 2020).
- (5) A vessel history discount may be claimed in accordance with Part C of Schedule 1.

#### **6. *Illex* fishing licences - refund of fees**

- (1) The Director, in consultation with the Financial Secretary, may pay a refund in respect of *Illex* fishing licences in accordance with the refund policy set out in Schedule 2.
- (2) In any assessment for a refund the Director must take into account —
  - (a) the average catch in any fishing season;
  - (b) the average catch value in any fishing season;
  - (c) the full season catch taken by all licensed vessels;
  - (d) the full high seas catches taken by all licensed vessels; and
  - (e) any other relevant factors.

(3) If the average catch is 1000 tonnes or more, no refund is paid as shown in column A of the table in Schedule 2.

(4) If the average catch is less than 1000 tonnes, and if after taking into account the catch value this results in an adjusted catch of less than 1500 tonnes, a refund will be paid as indicated in column B of the table set out in Schedule 2.

#### **7. *Illex* fishing- scientific permits**

(1) The Director may issue such number of scientific permits as may be appropriate to verify the presence of *Illex* in any fishing waters.

(2) The Director must specify in each permit issued the expiry date for the permit.

(3) The fee payable for a permit is such fee as the Director may determine in each case.

#### **8. Transshipment and export licences**

(1) A licence issued by the Director under section 46 of the Ordinance may authorise transshipment or export or both.

(2) A licence is valid for such period or periods as stated in it, and the period or periods of validity may be extended by the Director.

(3) A licence is valid only in respect of transshipment in such areas of the fishing waters as are stated in it.

(4) A licence may be stated to be valid only for so long as the licenced vessel remains continuously in the area or areas of the fishing waters to which the licence relates.

#### **9. Transshipment and export licence fees**

(1) No licence fee is payable in respect of a transshipment or export licence if the licence is issued only in respect of any of the following matters —

(a) transshipment or export by a fishing vessel holding a fishing licence which permits the vessel to fish in the fishing waters at the time of the transshipment;

(b) transshipment or export by a Falkland Islands fishing vessel;

(c) transshipment by a vessel transshipping at FIPASS, provided that the transshipment involves cargo crossing the dock.

(2) The owner, charterer or operator of a vessel not exempted under sub-regulation (1) must pay a fee of £1,750 in respect of a licence issued under section 46 of the Ordinance.

## SCHEDULE 1 - *ILLEX* FISHERY FEES

(regulations 4 and 5)

### PART A - Fee Formula

#### Jigging Vessels:

$$\text{Fee (£)} = \text{£}0.442 * (\text{GT} * (\text{S} + 1.5\text{D})) + 118240$$

GT = Gross Tonnage

S = Number of Single Jigging Machines

D = Number of Double Jigging Machines

#### Trawling Vessels:

$$\text{Fee (£)} = (4.480 * \text{GT}) + 128595$$

GT = Gross Tonnage

### PART B - Payment Periods and Proportion of Fee Payable

Payment Period	Proportion of Fee %
15 February – 15 March	5%
16 March – 15 May	85%
16 May – 15 June	10%
Total	100%

Payment periods apply only if —

- (a) A minimum time period of 90% is purchased; and
- (b) A 10% deposit is paid before **25 January 2020**.

## **PART C - Discounts**

### 1. Discounts are as follows:

6% for payment by 31 January 2020

5% for payment by 31 May 2020 \*

4% for payment by 30 June 2020 \*

\*Payments not made by these dates must be guaranteed by a letter of credit or equivalent arrangement approved by the Director.

### 2. Vessel History Discount is as follows:

A discount of 1% per year is available to a vessel for any season fished by that vessel in the last 10 years and the maximum discount is 10%.

## SCHEDULE 2 - 2020 *ILLEX* FISHING LICENCE REFUND POLICY

*(regulation 6)*

### 1. General principles

A refund —

- (a) is paid in the event of a poor season (a poor season is a season where the actual catch is less than 1000 tonnes or where the ‘adjusted catch’ is less than 1500 tonnes);
- (b) is assessed by taking into account the average catch;
- (c) will be based on catch using volume and value; and
- (d) is paid in accordance with the following table.

Catch (MT)	Column A Percentage Refund based on catch volume only. For use where average catch ≥ 1000 tonnes	Column B Percentage Refund using catch volume and value. For use where average catch < 1000 tonnes
> 1500	No refund	0%
1500 – 1250	No refund	10%
1249 – 1000	No refund	25%
999 – 750	40%	40%
749 – 500	50%	50%
499 – 250	70%	70%
< 250	90%	90%

### 2. Catch Value

A refund is to be linked to catch and catch value. The base price used to calculate the figures in the table in paragraph 1 is \$936 per tonne (whole *Illex*). If the 2020 *Illex* price is higher than the current base rate this will be factored into the refund calculation. In any case where the average *Illex* price is above \$936 the calculation will be as follows:

$$(Average Price \$ / \$ 936) * Average Catch = Revised average catch for refund.$$

For example if the 2020 *Illex* price is \$3000 and the average catch is 400 tonnes the calculation will be:

$$(\$3000 / \$936) = 3.2$$

*Average catch (400 tonnes) \* 3.2 = 1280 tonnes (This is the adjusted catch figure used for the refund calculation in column B of the table above).*

The adjustment will only be made if the price is above \$936. Price information will be collected from available sources.

### **3. Full Season equivalent catch**

The catch total used for a refund will take account of full season catches (15 February – 15 June). If the average catch of vessels fishing for 100% of the season exceeds 1000 tonnes there will be no refund for any vessels; including those which have fished for 90% of the season only and whose catches may be less than 1000 tonnes.

### **4. High Seas Catches**

The calculation of catch rates and totals in relation to a refund will take account of high seas catches taken by licensed vessels during 15 February – 15 June. Owners/operators of licensed vessels wishing to access a refund must provide catch reports for any days spent fishing on the high seas during the period of validity of their Falkland Islands fishing licence.

Owner/operators who elect not to report high seas catches as required under this paragraph may still be eligible for a refund but it is likely to be at a reduced rate compared to the refund policy calculation set out in these regulations (to be determined by the Director according to the relevant circumstances).

### **5. Monitoring of Catch Levels**

The Director will be the ultimate arbiter of catch levels and reserves the right to weight the assessment in favour of verified information. To give effect to this paragraph, vessels may need to undergo additional inspections.

Determination of any refund will be calculated on the basis of average vessel catch and not on an individual vessel basis.

A refund will only apply to vessels which comply with the requirements of catch monitoring which are covered by mandatory requirements in the Ordinance such as:

Full and reliable catch reporting

Other fishery monitoring reports (Fishcom/end Transshipment logs)

Embarkation of an observer if required

Sufficient notice of intention to leave fishing zones to allow for inspection.

## **6. Eligibility to claim a refund**

Subject to this paragraph, a refund may only be paid in respect of fishing vessels which report high seas catches during the fishing season (15 February – 15 June) and conduct transshipment operations in Falkland Islands ports and harbours.

Vessels which do not satisfy the criteria set out in this paragraph will not ordinarily be eligible for a refund.

In exceptional circumstances, if it is determined that a vessel which has not complied should receive a refund, that refund will be at a reduced rate (to be determined by the Director according to the relevant circumstances).

Made 7 November 2019

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

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EXPLANATORY NOTE  
*(not forming part of these regulations)*

The regulations give effect to approval by the Executive Council to increase Illex fishing licences by 5% and transshipment and export licences by 3% (paper 143/19). These regulations also update and rearrange provisions in the current Fishing, Transshipment and Export (Licence Fees etc) 2018. A new regulation 5 is inserted to provide for payment and discounts in the substantive provisions of the regulations and not in a schedule.

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## SUBSIDIARY LEGISLATION

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### **Communications (Radiocommunications Licensing Procedures) Regulations 2019**

**(No. 26 OF 2019)**

#### ARRANGEMENT OF PROVISIONS

##### Regulation

1. Title
2. Commencement
3. Interpretation
4. Requirements that must be met for grant of a licence
5. Time limits for dealing with grant of licences
6. Temporary licences
7. Requirement to apply for a new licence
8. Procedures for refusal of licence
9. Renewal of licences
10. Revalidation of indeterminate duration licences



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## SUBSIDIARY LEGISLATION

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### Communications (Radiocommunications Licensing Procedures) Regulations 2019

(No. 26 OF 2019)

*(Made: 7 November 2019)*  
*(Published: 11 November 2019)*  
*(Coming into force: in accordance with regulation 2)*

I make these Regulations under section 55D(2) of the Communications Ordinance 2017 on the advice of Executive Council.

#### 1. Title

These Regulations are the Communications (Radiocommunications Licensing Procedures) Regulations 2019.

#### 2. Commencement

These Regulations come into force on a day specified by the Governor by notice published in the *Gazette*.

#### 3. Interpretation

In these Regulations —

“**amateur**” means a duly authorised person interested in radio technique solely with a personal aim and without pecuniary interest,

“**amateur radio licence**” means a licence to establish or use a station for radiocommunications and to keep, install or use radiocommunications apparatus that is issued to an amateur for the purpose of carrying out self-training, intercommunication, or technical investigations.

“**licence**” means a radiocommunications licence granted under section 55A of the Ordinance,

“**Falkland Islands Frequency Allocation Table**” means the table of frequencies published by the Regulator under section 54 of the Ordinance.

#### 4. Requirements that must be met for grant of a licence

(1) An applicant for a licence to do any of the activities specified in section 55 of the Ordinance must —

- (a) satisfy any threshold conditions specified by the Regulator for grant of a licence;

- (b) complete the application form prescribed by the Regulator for the class of licence being applied for;
- (c) supply any information reasonably required by the Regulator as evidence that subparagraph (a) is met.

(2) An application for a licence must be made within such time limits as the Regulator may specify and in any event —

- (a) in the case of an application to use the electro-magnetic spectrum, at least 4 weeks before the applicant needs to use the spectrum applied for;
- (b) in the case of an application to renew a radiocommunication station licence for aviation or maritime purposes, at least 10 working days before expiry of the current licence; and
- (c) in the case of an application for an amateur radio licence, at least 6 working days before a call sign is required.

## **5. Time limits for dealing with grant of licences**

(1) The Regulator must make a decision on an application for a licence, notify the applicant and, where the conditions in section 16 of the Ordinance are met, publish the decision —

- (a) in the case of any licence relating to radio frequencies allocated for particular radiocommunications for use in the Falkland Islands Frequency Allocation Table, not more than 6 weeks after the day of receipt of the application; and
- (b) in any other case, as soon as possible after the day of the receipt of the application.

(2) The Regulator may request an applicant to provide additional information before an application for a licence can be determined.

(3) Where the Regulator requests additional information from an applicant —

- (a) the Regulator must make the request in writing, specifying what information is required;
- (b) the applicant has 1 month from receipt of the Regulator's request to supply the requested information; and
- (c) if the applicant does not supply the additional information before the end of 1 month, the application will be treated as having lapsed and the applicant must re-apply for a licence.

(4) If the Regulator requests additional information in relation to an application falling within sub-regulation (1)(a), the 6 week period for determining the application is suspended from the date the Regulator requests information until either —

- (a) the date the information is supplied; or
- (b) the application lapses under sub-regulation (3)(c).

## **6. Temporary licences**

- (1) The Regulator may specify that certain categories of licence may be granted on a temporary basis.
- (2) For each category of licence that may be granted on a temporary basis, the Regulator must specify —
  - (a) the maximum duration of temporary licence that may be granted;
  - (b) whether the temporary licence is capable of being renewed and if so, on what grounds;
  - (c) any threshold conditions that must be met for the grant of a temporary licence;
  - (d) the form of any application for the temporary licence; and
  - (e) the time frame within which an application must be made.
- (3) A temporary licence is not convertible into a full licence.

## **7. Requirement to apply for a new licence**

- (1) Unless Regulation 9 applies, a radiocommunications licence is not renewable and a person who wishes to continue doing any of the activities specified in section 55 of the Ordinance must apply for a new radiocommunications licence before expiry of their existing licence.
- (2) An application for a new licence on expiry of an existing licence must comply with all the requirements of these Regulations.

## **8. Procedures for refusal of licence**

- (1) Where the Regulator considers that any of the grounds specified in section 55D(3) for refusal of a licence (including a temporary licence) are met, the Regulator may refuse the application for a licence.
- (2) Before refusing an application for a licence, the Regulator must —
  - (a) send the applicant a notice stating the Regulator's intention to refuse the application for a licence and the Regulator's reasons for refusal; and
  - (b) give the applicant a reasonable period of not less than 7 days to make representations to the Regulator.
- (3) The Regulator must consider any representations made by the applicant and after doing so must give the applicant a notice stating either —
  - (a) that the Regulator intends to refuse the application for a licence and stating the Regulator's reasons for doing so, which may include additional reasons arising from the applicant's representations;

- (b) that the Regulator requires further information to determine the application and (if the information is to be obtained from the applicant) specifying a date by which the information must be provided; or
- (c) that the Regulator is satisfied that all relevant conditions for granting the category of licence applied for are met and that the application will be granted.

(4) An applicant for a licence whose application is refused by the Regulator has a right of appeal under Part 14 of the Ordinance.

## **9. Renewal of licences**

(1) A licence (except for a temporary licence) may be renewed at the end of its term if —

- (a) no amendment to the allocation of spectrum is required; and
- (b) the licensee's continuing use of the allocated spectrum is —
  - (i) in accordance with the Falkland Islands Frequency Allocation Table; and
  - (ii) meets the electronic communications objectives.

(2) A licence may also be renewed if the terms and conditions of the licence provide that the licence may be renewed.

(3) The Regulator may prescribe —

- (a) the form in which a request for renewal of licence must be made; and
- (b) the time frame within which a request for renewal must be made.

(4) This regulation does not prevent a licensee applying for a new licence to replace an existing licence.

## **10. Revalidation of indeterminate duration licences**

(1) This regulation applies where a licence is granted on terms that —

- (a) do not specify an end date or duration of the licence and/or;
- (b) specify that the licence may be terminated on notice by the Regulator.

(2) The Regulator may direct that any licence or category of licences falling within sub-regulation (1) must be re-validated if licence-holders wish to continue to carry on the activities permitted by their licence.

(3) Any direction given by the Regulator under sub-regulation (2) must —

- (a) be both sent to all affected licence holders and published in whatever way the Regulator considers most likely to bring it to affected licence holders' attention;
- (b) specify the process licence holders must follow to re-validate their licences; and

(c) allow a reasonable period, which must not be shorter than 1 month, for licence holders to re-validate their licences.

(4) Any licence that is not re-validated in accordance with a direction from the Regulator under sub-regulation (2) is deemed to be terminated with effect from the day after the last day the revalidation period was open and —

(a) the former licence holder must not carry on any of the activities that were permitted under the terminated licence; and

(b) must apply for a new licence if they wish to carry on those activities.

Made 7 November 2019

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

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EXPLANATORY NOTE

*(not forming part of these Regulations)*

Section 55D(2) of the Communications Ordinance 2017 empowers the Governor in council to make regulations under that Ordinance.

These Regulations are made in accordance with section 55D(2) of the Communications Ordinance 2017 and provide for the following:

*Regulations 1 to 3* set out preliminary matters of title, commencement and interpretation.

*Regulation 4* sets out the requirements that must be met by an applicant for a radiocommunications licence under Part 6 of the Communications Ordinance 2017 and provides for the Regulator to specify such matters as the application form, threshold conditions and time limits for making an application.

*Regulation 5* sets out the time limits applicable to the Regulator in considering a licence application and the Regulator's ability to request further information from a licence applicant.

*Regulation 6* enables the Regulator to grant temporary licences and to specify the relevant conditions and procedures applicable to temporary licences.

*Regulation 7* sets out that radiocommunications licences are not renewable unless regulation 9 applies.

*Regulation 8* sets out the procedures the Regulator must follow when proposing to refuse an application for a licence, including a temporary licence.

*Regulation 9* sets out the circumstances in which a radiocommunications licence may be renewed and provides for the Regulator to specify the appropriate procedures for renewal.

*Regulation 10* provides for the Regulator to direct that indeterminate duration licences may be subject to a revalidation process.

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## SUBSIDIARY LEGISLATION

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### **Communications (Radiocommunications Exemption) Regulations 2019**

**(No. 27 OF 2019)**

#### ARRANGEMENT OF PROVISIONS

##### Regulation

1. Title
2. Commencement
3. Interpretation
4. Exemption
5. Terms, provisions and limitations
6. Technical requirements

Schedule 1 – General frequency band exemption

Schedule 2 – Mobile user equipment

Schedule 3 – Mobile communication services on board ships

Schedule 4 – Broadcast receivers

Schedule 5 – Cordless telephones

Schedule 6 – Short range devices

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## SUBSIDIARY LEGISLATION

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### Communications (Radiocommunications Exemption) Regulations 2019

(No. 27 OF 2019)

(Made: 7 November 2019)  
(Published: 11 November 2019)  
(Coming into force: in accordance with regulation 2)

I make these Regulations under sections 61B and 61C of the Communications Ordinance 2017 on the advice of Executive Council.

#### 1. Title

These Regulations are the Communications (Radiocommunications Exemption) Regulations 2019.


#### 2. Commencement

These Regulations come into force on a day specified by the Governor by notice published in the *Gazette*.

#### 3. Interpretation


In these Regulations —

“**apparatus**” means radiocommunications apparatus or apparatus designed or adapted for use in connection with radiocommunications apparatus;

“**CE marking**” means the mark  confirming that the apparatus complies with all EU legislation applicable to the apparatus;

“**dBm**” means decibels of power referenced to one milliWatt;

“**ETSI**” means the European Telecommunications Standards Institute;

“**FCC mark**” means the mark  certifying that the electromagnetic interference from the apparatus is under limits approved by the Federal Communications Commission;

“**kHz**” means kilohertz;

“**MHz**” means megahertz; and

“**relevant apparatus**” means the prescribed apparatus as defined in Schedules 1 to 6.



#### **4. Exemption**

(1) Subject to regulation 5, the keeping, establishment, installation and use of the relevant apparatus is exempt from the provisions of section 55 of the Ordinance.

(2) The exemption in sub-regulation (1) does not apply to relevant apparatus which is established, installed or used to provide or to be capable of providing a link between —

- (a) radiocommunications apparatus;
- (b) electronic communications networks; or
- (c) between radiocommunications apparatus and electronic communications networks,

by means of which an electronic communications service is provided by way of business to another person.

#### **5. Terms, provisions and limitations**

(1) The exemption provided in regulation 4(1) is subject to the terms, provisions and limitations that —

- (a) the relevant apparatus does not cause or contribute to any harmful interference to any radiocommunications; and
- (b) unless otherwise stated in the applicable Schedule, the use of the relevant apparatus is terrestrial use only.

(2) The exemption is also subject to any additional terms, provisions and limitations specified in the Schedules in respect of the relevant apparatus.

#### **6. Technical requirements**

(1) The Regulator may specify additional technical requirements to be met by any type or category of apparatus seeking to use an exemption from the licensing requirement.

(2) Any technical requirements specified by the Regulator must be met in addition to the requirements set out in the relevant Schedules.

## SCHEDULE 1 - GENERAL FREQUENCY BAND EXEMPTION

1. This Schedule provides a general exemption for apparatus operating within the frequencies prescribed in paragraph 3.
2. Where relevant apparatus is within the scope of this Schedule and any other Schedule to these Regulations, the establishment, installation or use of that apparatus is only exempt if the requirements of all other applicable Schedules are met.
3. The frequencies prescribed for the purposes of paragraph 1 are —

Frequency	Typical Use	Power	Spectrum access and mitigation requirements	Modulation / minimum occupied bandwidth	Reference ETSI standards
13.56 MHz	Radio frequency identification; biometric passports and contactless smart cards	60 dB $\mu$ A/m @ 10 metres			EN 300 330
27.60125-27.99125 MHz	CB radio	4 W	Simplex	10 kHz channelling	EN 300 135
433.05-434.79 MHz	Low power device band / model control	1 mW / 10 mW		25 kHz channelling	EN 300 220
865-868 MHz	Radio frequency identification	2W e.r.p.		Max. B/W $\leq$ 200 kHz	EN 302 208
863-868 MHz	Low power wide area networks	25 mW e.i.r.p.	$\leq$ 10% duty cycle for network access $\leq$ 20% otherwise polite spectrum access	B/W > 600 kHz $\leq$ 1 MHz	EN 304 220
2400-2483.5 MHz	Wi-Fi, wideband data transmissions systems, RLANs, Bluetooth	100 mW e.i.r.p.  Max. e.i.r.p. density 10 mW/MHz for wideband modulation	Sharing mechanism (e.g. LBT and DAA) must be implemented		EN 300 328
5150-5250MHz 5250-5350 MHz	Wireless access systems and radio local area networks (includes HiperLAN)	25 mW peak  0.1 mW average			EN 302 372

5470-5725 MHz	Indoor only Wireless access systems and Radio Local Area Networks (includes HiperLAN)	Max mean e.i.r.p. of 200 mW  Max men e.i.r.p. density of 10 mW/MHz in any 1 MHz band	Sharing mechanisms DFS and TPC must be implemented		EN 301 893
5725-5850 MHz	ISM band	Indoor up to 200 mW  Outdoor up to 25 W			EN 301 893
57-71 GHz	WiGig	40 dBm e.i.r.p. 23 dBm/MHz e.i.r.p. density Max tx power 27 dBm  For fixed outdoor installations: 55 dBm e.i.r.p. 38 dBm/MHz e.i.r.p. density Tx antenna gain $\geq 30$ dBi	Sharing mechanism must be implemented		EN 302 217 ECC Recommendation (09)01

4. Apparatus must carry either the CE marking or the FCC mark.

5. Apparatus manufactured either —

- (a) before the application of the FCC mark to the type of apparatus; or
- (b) before the application of the CE marking to the type of apparatus

may be operated without a license in the frequency bands specified in paragraph 3 of this Schedule provided that the apparatus does not cause any harmful interference.

6. If there is evidence that apparatus established, installed or used in reliance on paragraph 5 has caused or is causing harmful interference, the Regulator may (in addition to any enforcement action under section 13 of the Ordinance), direct that the establishment, installation or use of the apparatus is no longer to be treated as licence exempt.

## SCHEDULE 2 - MOBILE USER EQUIPMENT

### PART 1 – INTRODUCTORY

1. In this Schedule —

“**prescribed apparatus**” means user equipment as defined below and as described in the standards referred to in Part 3 of this Schedule;

“**relevant network**” means an electronic communications network consisting exclusively of stations established and used under and in accordance with a licence, which has been granted under section 55A of the Ordinance; and

“**user equipment**” means a mobile station for radiocommunications designed or adapted —

- (a) to be connected by radiocommunications to one or more relevant networks; and
- (b) to be used solely for the purpose of sending and receiving messages conveyed by a relevant network by means of radiocommunications.

2. The prescribed apparatus is subject to and must comply with the standards specified in Part 3 of this Schedule.

### PART 2 - PRESCRIBED APPARATUS

3. Mobile user equipment is exempt from the licence requirement in section 55A of the Ordinance provided that the condition in paragraph 4 is met.

4. The condition referred to in paragraph 3 is that the mobile user equipment is operating under the control of terrestrial networks, capable of providing electronic communications services in the frequency bands, or parts of the frequency bands, listed below and licensed under section 55A of the Ordinance:

<b>Downlink frequencies</b>	<b>Uplink frequencies</b>
791 – 821 MHz	832 – 862 MHz
925 – 960 MHz	880 – 915 MHz
1830 – 1880 MHz	1735 – 1785 MHz

### PART 3 - STANDARDS FOR PRESCRIBED APPARATUS

4. Prescribed apparatus must comply with the following standards published by ETSI —

- (a) EN 301 511 for GSM,

(b) EN 301 908 for IMT.

### SCHEDULE 3 - MOBILE COMMUNICATION SERVICES ON BOARD SHIPS

1. In this Schedule —

“**baseline**” has the meaning given in paragraph 3(2)(b);

“**dB*i***” means decibels of power referenced to the gain of an isotrope antenna;

“**GSM system**” means an electronic communications network that complies with the GSM standard EN 301 511 published by ETSI;

“**mobile communication services on board ships**” means electronic communications services provided to enable persons on board a ship to communicate via public communication networks using a GSM system without establishing direct connections with land-based mobile networks;

“**ship base transceiver station**” means a mobile pico-cell located on a ship supporting GSM services in the 900 MHz band or in the 1800 MHz band;

“**the 900 MHz band**” means the 880-915 MHz frequency band (for the uplink from the apparatus to the ship base transceiver station) and the 925-960 MHz frequency band (for the downlink from the ship base transceiver station to the apparatus); and

“**the 1800 MHz band**” means the 1710-1785 MHz frequency band (for the uplink from the apparatus to the ship base transceiver station) and the 1805-1880 MHz frequency band (for the downlink from the ship base transceiver station to the apparatus).

2. Subject to the terms, provisions and limitations in paragraph 3 being met, the, keeping, installation or use of any apparatus on board a ship which is —

(a) registered in the Falkland Islands, and

(b) within the limits of the Falkland Islands and its territorial waters, or for the time being, beyond the Falkland Islands and its territorial waters;

is exempt from the provisions of section 55 of the Ordinance.

3.(1) The apparatus must operate in the 900 MHz band and the 1800 MHz band.

(2) The apparatus must only be used —

(a) for mobile communication services on board ships; and

(b) when the ship is two nautical miles or more from the baseline for measuring the breadth of the territorial waters under the United Nations Convention on the Law of the Sea (“**baseline**”).

(3) When controlled by a ship base transceiver station, the apparatus must operate with a maximum radiated output power which is no greater than —

- (a) 5 dBm in the 900 MHz band; and
  - (b) 0 dBm in the 1800 MHz band.
- (4) The apparatus must connect directly to a ship base transceiver station which —
- (a) only used indoor antennas between two and twelve nautical miles from the baseline; and
  - (b) operates such that there is a maximum power density in external areas of the ship of -80 dBm per 200 kHz with reference to a 0 dBi measurement antenna gain.
- (5) The apparatus must form part of a GSM system which mitigates interference using the techniques in paragraph (6) or other techniques which provide at least an equivalent mitigation of interference.
- (6) The techniques referred to in paragraph (5) are —
- (a) the receiver sensitivity and disconnection threshold (as described in the GSM standards TS 144 008 and TS 144 018 published by ETSI) of the apparatus when used on board a ship is —
    - (i) between two and three nautical miles from the baseline equal to or higher than -70 dBm per 200 kHz; and
    - (ii) between three and twelve nautical miles from the baseline equal to or higher than -75 dBm per 200 kHz;
  - (b) discontinuous transmission (as described in the GSM standard TS 144 018 published by ETSI) is activated in the uplink from the apparatus to the ship base transceiver station; and
  - (c) the timing advance (as described in the GSM standard TS 144 018 published by ETSI) is set to the minimum.
- (7) The apparatus must not cause or contribute to undue interference to any radiocommunications.

## SCHEDULE 4 - BROADCAST RECEIVERS

1. In this Schedule —

“**authorised decoder**” means a decoder supplied by a person providing a satellite broadcast reception service licensed under the Broadcasting Ordinance 2004;

“**decoder**” means any apparatus which is designed or adapted to enable an encrypted transmission to be decoded; and

“**satellite broadcast reception service**” means the provision within the Falkland Islands for payment of apparatus (including decoders) enabling the person to whom the apparatus is provided to receive in an intelligible form programmes transmitted or relayed via satellite in an encrypted form.

2. Subject to paragraph 3, the keeping, installation or use of an authorised decoder is exempt from the provisions of section 55 of the Ordinance;

3. The keeping, installation or use of a decoder is not exempt if the decoder is used for receiving broadcasts from any broadcasting station which has not been licensed to transmit those broadcasts by the government of any country or territory.

4. A decoder must not be used to improperly divulge the purport of any message communication, or signal sent or proposed to be sent by radiocommunications.



## **SCHEDULE 5 - CORDLESS TELEPHONES**

1. In this Schedule, “**MPT 1322**” means the United Kingdom Department of Trade and Industry Performance Specification MPT 1322.
2. The following are exempt from the provisions of section 55 of the Ordinance —
  - (a) analogue cordless telephones that are private and self-provided and meet the criteria set out in paragraph 2 of this Schedule; and
  - (b) digital cordless telephones that are private and self-provided and meet the criteria set out in paragraph 3 of this Schedule.
3. The criteria for analogue cordless telephones are —
  - (a) the apparatus consists of a fixed part that operates in the frequency band 31.025 – 31.325 MHz;
  - (b) the apparatus consists of one or more portable parts that operate in the frequency band 39.925 – 40.225 MHz; and
  - (c) the apparatus complies with MPT 1322
4. The criteria for digital cordless telephones are:
  - (a) the apparatus consists of a fixed part and one or more portable parts; and
  - (b) the apparatus is of either —
    - (i) the DECT type, being digital cordless radio communications equipment that operates in the frequency band 1880 – 1900 MHz, with a maximum transmitter power of 250 mW and complies with EN 301 406 published by ETSI; or
    - (ii) the CT2-CAI type, being digital cordless radiocommunications equipment that operates in the frequency band 864.1 – 868.1 MHz with a maximum transmitter power of 10 mW and complies with ETS 300 131 published by ETSI.

## SCHEDULE 6 - SHORT RANGE DEVICES

### PART 1 - MEDICAL IMPLANTS AND PERIPHERALS (Taken from ERC 70-03, ANNEX 12)

1. In this Part —

“**LBT**” means Listen Before Talk; and

“**AFA**” means Adaptive Frequency Agility.

2. Devices operating within the parameters of the table below and which comply with the standards set out in paragraph 3 are exempt from the provisions of section 55 of the Ordinance.

Frequency	Application	Power / Magnetic Field	Spectrum access and mitigation requirements	Modulation / minimum occupied bandwidth
9 – 315 kHz	Ultra low power active medical implants using inductive loops for telemetry	30 dB $\mu$ A/m at 10m	$\leq$ 10% duty cycle	-
30 – 37.5 MHz	Ultra low power medical membrane for blood pressure measurement	1 mW e.r.p.	$\leq$ 10% duty cycle	-
2483.5 – 2500 MHz	Low power active medical implants and associated peripherals	10 dBm e.i.r.p.	LBT + AFA and $\leq$ 10% duty cycle	1 MHz

3. The standards that devices must comply with for the purposes of this Part are ETSI standards—

- (a) EN 302 195 for devices operating in the 9-315 kHz frequency;
- (b) EN 302 510 for devices operating in the 30-37.5 MHz frequency; and
- (c) EN 301 559 for devices operating in the 2483.5-2500 MHz frequency.

### PART 2 - MEDICAL DATA ACQUISITION (Taken from ERC 70-03, ANNEX 13)

#### *Scope of this Part*

4. “**Medical data acquisition applications**” cover transmission of non-voice data to and from non-implantable medical devices for the purpose of monitoring, diagnosing and treating patients in healthcare facilities or patient’s home, as prescribed by duly authorised healthcare professionals, including:

- (a) Ultra-Low Power Wireless Medical Capsule Endoscopy (ULP-WMCE) application designed for use in medical doctor-patient scenarios with the aim of acquiring images of human digestive tract; and
- (b) Medical Body Area Network System (MBANS) for low-power wireless networking of a plurality of body-worn sensors and/or actuators as well as of a hub device placed on/around the human body.

5. Devices operating within the parameters of the table below and which comply with the standards set out in paragraph 3 are exempt from the provisions of section 55 of the Ordinance.

<b>Frequency</b>	<b>Application</b>	<b>Power / Magnetic Field</b>	<b>Spectrum access and mitigation requirements</b>	<b>Modulation / minimum occupied bandwidth</b>
430 – 440 MHz	ULP-WMCE	-50 dBm/100 kHz max e.r.p. density but not exceeding a total power of -40 dBm /10 MHz	None	≤10 MHz
2483.5 – 2500 MHz	MBANs indoor within healthcare facilities	1 mW e.i.r.p.	Spectrum sharing mechanisms and ≤10 % duty cycle	≤3 MHz
2483.5 – 2500 MHz	MBANs indoor within healthcare facilities	10 mW e.i.r.p.	Spectrum sharing mechanisms and ≤2 % duty cycle	≤3 MHz

6. The standards that devices must comply with for the purposes of this Part are ETSI standards—

- (a) EN 303 520 for devices operating in the 430-440 MHz frequency,
- (b) EN 303 203 for devices operating in the 2483.5-2500 MHz frequency.

7. MBANS equipment must implement a spectrum access mechanism as described in the applicable harmonised European standard EN 303 203 or an equivalent spectrum access mechanism.

8. The modulation bandwidth for MBANS must not exceed 3 MHz.

### **PART 3 - OTHER SHORT RANGE DEVICES**

9. This Part applies to short range devices that do not fall within Parts 1 or 2 of this Schedule.

10. Short range devices falling within this Part are exempt from the provisions of section 55 of the Ordinance if —

- (a) they are of a type described in a Schedule to ERC Recommendation 70-03;
- (b) they meet the regulatory parameters and any harmonised standards specified for the type of device in the applicable Schedule to ERC Recommendation 70-03; and

- (c) they meet any additional technical parameters specified for the type of device in ERC Recommendation 70-03 or adopted by the Regulator.

11. Where a short range device is of a type that is not covered by ERC Recommendation 70-03—

- (a) the Regulator’s approval in advance is required before the device may be used; and
- (b) any approval given by the Regulator may be subject to conditions, including the duration of the approval.

Made 7 November 2019

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

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EXPLANATORY NOTE  
*(not forming part of these Regulations)*

These Regulations are made in accordance with sections 61B and 61C of the Communications Ordinance 2017 and provide for the following:

*Regulations 1 and 2* set out preliminary matters of title and commencement.

*Regulation 3* sets out definitions that apply throughout the Regulations

*Regulation 4* provides that the apparatus defined in the Schedules to these Regulations is exempt from the requirement for a radiocommunications licence under section 55 of the Ordinance, unless the apparatus is being used to provide an electronic communications service by way of business.

*Regulation 5* provides that the exemption in *Regulation 4* is subject to the requirement that no harmful interference is caused, that the apparatus is terrestrial only, and that the requirements of the Schedules are met.

*Regulation 6* gives the Regulation the power to specify any further interface requirements for apparatus and requires that apparatus must also meet any specified interface requirements to benefit from the exemption.

*Schedule 1* provides a general exemption for apparatus operating in the specified frequencies subject to the apparatus being marked with either the CE or FCC mark.

*Schedule 2* exempts mobile phones from needing a radiocommunications licence

*Schedule 3* provides an exemption for mobile communication services on board ships

*Schedule 4* exempts decoders used to receive satellite television services licensed under the Broadcasting Ordinance.

*Schedule 5* exempts cordless telephones.

*Schedule 6* provides an exemption for a variety of short range devices specified in the schedule, and also exempts devices covered in ERC Recommendation 70-03.

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**SUBSIDIARY LEGISLATION**

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**Communications (Fees) Regulations 2019**

**(No. 28 OF 2019)**

ARRANGEMENT OF PROVISIONS

Regulation

1. Title
2. Commencement
3. Interpretation
4. General provisions
5. Fees for radiocommunications licences

Schedule - Fees for radiocommunications licences

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## SUBSIDIARY LEGISLATION

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### Communications (Fees) Regulations 2019

(No. 28 OF 2019)

(Made: 7 November 2019)  
(Published: 11 November 2019)  
(Coming into force: in accordance with regulation 2)

I make these Regulations under section 74 of the Communications Ordinance 2017 on the advice of Executive Council.

#### 1. Title

These Regulations are the Communications (Fees) Regulations 2019.

#### 2. Commencement

These Regulations come into force on a day specified by the Governor by notice published in the *Gazette*.

#### 3. Interpretation

In these Regulations —

“**2 metre licence**” means a licence to keep, install or use a 2 metre radio transceiver in the 144-148 MHz band;

“**amateur**” means a duly authorised person interested in radio technique solely with a personal aim and without pecuniary interest;

“**amateur radio licence**” means a licence to establish or use a station for radiocommunications and to keep, install or use radiocommunications apparatus that is issued to an amateur for the purpose of carrying out self-training, intercommunication, or technical investigations;

“**exclusive licensee**” means the person who holds an exclusive licence granted under section 62 of the Ordinance;

“**non-pleasure vessel**” means a vessel registered in the Falkland Islands and used wholly or partly for trading purposes or for profit or for which the owner or user receives some payment in cash or in kind other than as a contribution to direct expenses;

“**pleasure vessel**” means a vessel registered in the Falkland Islands that is used solely for recreational purposes and not for trade or profit, and in respect of which the owner or user receives no payment in cash or in kind from any person other than as a contribution to the direct

expenses, such as fuel, mooring fees etc, involved in the operation of the vessel during a voyage or excursion;

“**self-provided**” means provision of apparatus and services other than from or through the exclusive licensee;

“**ship station licence**” means a licence to keep, install or use radiocommunications apparatus on board a pleasure vessel or a non-pleasure vessel;

“**temporary amateur radio licence**” means an amateur radio licence issued for a period of 6 months to a visitor;

“**VSAT**” means a very small aperture terminal;

“**VSAT licence**” means a licence granted under s55A to a person to use self-provided VSAT apparatus to establish and use their own radiocommunications station for conveying messages, sound or visual images; and

“**visitor**” means any person who —

- (a) does not have Falkland Islands status, or hold a permanent residence permit;
- (b) has leave to enter the Falklands Islands (whether under a visitor’s permit or a work permit) or a right to enter under section 9 of the Immigration Ordinance 1999 and;
- (c) the duration of either
  - (i) the leave to enter; or
  - (ii) in the case of a person entering under section 9 of the Immigration Ordinance 1999, the duration of the posting which the person and any dependents on that person are entering to fill,

is six months or less.

#### **4. General Provisions**

The Communications Regulator may —

- (a) require payment of the relevant fee on application for, or in advance of the issue of a licence;
- (b) if an application is withdrawn or refused, retain any fee required to cover the cost of the services undertaken before the application is withdrawn or refused, and return any balance of fee remaining; and
- (c) charge any additional costs incurred for services undertaken in connection with any application if the cost of the services exceed the fees paid in accordance with the Schedule to these Regulations.



## **5. Fees for radiocommunications licences**

The fees for application, renewal or variation of a radiocommunications licence issued under section 55A of the Ordinance are those set out in the Schedule.

## SCHEDULE - FEES FOR RADIOCOMMUNICATION LICENCES

*regulation 5*

The fee specified below for each activity in relation to each category of radiocommunications licence is payable to the Regulator:

<b>2 metre licence</b>	
<i>Issue</i>	<i>£20</i>
<i>Revalidation</i>	<i>Nil</i>
<b>Full Amateur radio licence</b>	
<i>Issue</i>	<i>£20</i>
<i>Revalidation</i>	<i>Nil</i>
<b>Temporary Amateur radio licence</b>	
<i>Issue</i>	<i>£20</i>
<b>Ship station licence</b>	
<i>Non-pleasure vessel (12 months)</i>	<i>£25</i>
<i>Pleasure vessel (12 months)</i>	<i>£25</i>
<b>VSAT licence</b>	
<i>Every 12 months from date of issue</i>	<i>£5,400</i>
<b>Innovation and Research Spectrum Licence</b>	
<i>Issue</i>	<i>£150</i>
<i>Renewal</i>	<i>£150</i>
<b>Demonstration and Trial Spectrum Licence</b>	
<i>Issue</i>	<i>£150</i>
<i>Renewal</i>	<i>£150</i>
<b>Any other radiocommunications licence not separately specified in this Schedule</b>	
<i>Issue</i>	<i>Nil</i>
<i>Renewal</i>	<i>Nil</i>

Made 7 November 2019

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

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EXPLANATORY NOTE  
(not forming part of these Regulations)

These Regulations are made in accordance with section 74 of the Communications Ordinance 2017 and provide for the following:

*Regulations 1 and 2* set out preliminary matters of title and commencement.

*Regulation 3* sets out definitions that apply throughout the Regulations.

*Regulation 4* specifies the general powers of the Regulator to require payment of fees on application, to retain a proportion of fees paid to cover costs where an application is withdrawn and to charge for the additional costs incurred if services provided exceed the amount of fees specified.

*Regulation 5* states that the fees applicable for radiocommunications licences are those set out in the Schedule to the Regulations.

The *Schedule* specifies fees for named categories of radiocommunications licence and clarifies that no fee is payable for licences that do not fall within a named category.

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**LEGISLATIVE ASSEMBLY**

**ORDER PAPER**

**THURSDAY 12 DECEMBER 2019**

**MOTIONS**

**Motion Number 13 of 2019 by The Honourable Chief Executive**

That this House notes and accepts the progress report on the Islands Plan to date.

Proposed: The Honourable Chief Executive

Seconded: The Honourable Roger Spink

**LEGISLATIVE ASSEMBLY**

**ORDER PAPER**

**THURSDAY 12 DECEMBER 2019**

**Order of the Day Bills:**

- Supplementary Appropriation (2019/2020) (No 3) 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 (2019/2020) (No 3) Bill 2019, this Bill has not been gazetted and we go to the first reading.**
- 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 (2019/2020) (No 3) Bill 2019**
- FINANCIAL SECRETARY** Mr Speaker, this Bill.....  
I beg to move that the 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 and Honourable Member wish to speak to this Motion?  
  
If no debate then the short procedure to be followed  
  
No objection, the Bill will be read a second time"
- CLERK** **Supplementary Appropriation (2019/2020) (No 3) Bill 2019**
- MR SPEAKER** "There is no debate"  
  
Is there any objection to dealing with this Bill by the short procedure?

No Objection

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

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

**CLERK**

**Supplementary Appropriation (2019/2020) (No 3) Bill 2019**

**Supplementary Appropriation (2019-2020) (No. 3) 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 (2019-2020) (NO. 3) 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 £1,210,500 for the financial year ending 30 June 2020.

BE IT ENACTED by the Legislature of the Falkland Islands—

**1. Title**

This Ordinance is the Supplementary Appropriation (2019-2020) (No. 3) Ordinance 2019.

**2. Commencement**

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

**3. Appropriation**

(1) The additional amount of £1,210,500 is appropriated from the Consolidated Fund for the financial year ending 30 June 2020.

(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. 3 of 2019-2020, 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>	<b>£</b>
	<b>Operating Budget</b>		
0110	Development & Commercial Services	521,000	
0350	Public Works	36,500	
	<b>Total Operating Budget</b>	<b>557,500</b>	
0999	<b>Fund Transfer and Transfer Payments</b>	<b>653,000</b>	
	<b>Total Schedule</b>	<b>1,210,500</b>	

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### OBJECTS AND REASONS

The Bill authorises:-

(a) supplementary appropriation of £1,210,500 for the financial year ending 30 June 2020; 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**

**ORDER PAPER**

**THURSDAY 12 DECEMBER 2019**

**PROCEDURE FOR THE MOTION FOR ADJOURNMENT**

<b>CLERK</b>	“Motion for Adjournment”
<b>THE CHIEF EXECUTIVE</b>	“Mr Speaker I beg to move that House stands adjourned sine die.”  Honourable Members may speak to the Motion.
<b>Mr Speaker</b>	“The House stands adjourned accordingly.” Mr Speaker then departs