



# FALKLAND ISLANDS GAZETTE

## Supplement

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The following are published in this Supplement —

**Law Revision and Publication Ordinance 2017 (Amendment) Order 2022 (SR&O No 21 of 2022);**

**Supplementary Appropriation (2022-2023) Ordinance 2022 (No 15 of 2022);**

**Falkland Islands Status (Amendment) Ordinance 2022 (No 16 of 2022);**

**Animal Health Matters Ordinance 2022 (No 17 of 2022); and**

**Animal Health (Definitions Extended and Duties of Keepers of Poultry) Order 2022 (SR&O No 22 of 2022).**

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## **SUBSIDIARY LEGISLATION**

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### **Law Revision and Publication Ordinance 2017 (Amendment) Order 2022**

**(No. 21 OF 2022)**

#### **ARRANGEMENT OF PROVISIONS**

##### **Regulation**

1. Title
2. Commencement
3. Amendment of Schedule 1 of the Law Revision and Publication Ordinance 2017

##### **Schedule**

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## SUBSIDIARY LEGISLATION

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### **Law Revision and Publication Ordinance 2017 (Amendment) Order 2022**

*(made: 10 October 2022)*

*(commencement: on publication)*

*(published: 12 October 2022)*

I make this Order under section 25(8)(b) of the Law Revision and Publication Ordinance 2017 to give effect to a recommendation of the Statute Law Commissioner approved by the Legislative Assembly.

#### **1. Title**

This Order is the Law Revision and Publication Ordinance 2017 (Amendment) Order 2022.

#### **2. Commencement**

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

#### **3. Amendment of Schedule 1 to the Law Revision and Publication Ordinance 2017**

Schedule 1 to the Law Revision and Publication Ordinance 2017 (UK enactments which apply to Falkland Islands) is amended in accordance with the Schedule to this Order.

## SCHEDULE

### Amendment of Part 1 of Schedule 1 - Primary Legislation

1. In Part 1 of Schedule 1 replace the entry for the Act listed in column 1 of the table below —

<i>Column 1</i>		<i>Column 2</i>	<i>Column 3</i>
<i>Act</i>		<i>Provisions applying to the Falkland Islands</i>	<i>Exclusions, modifications and other qualifications</i>
Births and Deaths Registration Act	1953	Whole Act <b>except</b> sections 1, 2, 6, 15 to 21, and 35 to 38	<p>1. The Act applies subject to section 4 of the Registration Ordinance 1949.</p> <p>2. The Act applies as if the Births and Deaths Registration (Electronic Communications and Electronic Storage) Order 2021 (SI 2021/1231) had never been made.</p>

### Amendment of Part 2 of Schedule 1 - Secondary Legislation

2. In Part 2 of Schedule 1 replace the entry for the instrument listed in column 1 of the table below—

<i>Column 1</i>		<i>Column 2</i>	<i>Column 3</i>
<i>Instrument</i>		<i>Provisions applying to the Falkland Islands</i>	<i>Exclusions, modifications and other qualifications</i>
Registration of Births and Deaths Regulations (SI 1987/2088)	1987	Whole Regulations	<p>1. The Regulations are subject to section 4 of the Registration Ordinance 1949.</p> <p>2. The Regulations apply as if the Registration of Births and Deaths (Amendment) (England and Wales) Regulations 2021 (SI 2021/1436) had never been made.</p>
Merchant Shipping (Survey and Certification) Regulations (SI 2015/508)	2015	Whole Regulations	1. Subject to paragraph 2, the Regulations are subject to the modifications specified in Schedule 2 of the Merchant Shipping (Adoption of Legislation) Ordinance 1992.

			2. The Regulations apply as if the Merchant Shipping (High Speed Offshore Service Craft) Regulations 2022 (SI 2022/41) had never been made.
Merchant Shipping (Entry into Dangerous Spaces) Regulations (SI 1988/1638)	1988	Whole Regulations	The Regulations continue in force as if the Merchant Shipping and Fishing Vessels (Entry into Enclosed Spaces) Regulations 2022 (SI 2022/96) had never been made.
Merchant Shipping (Fees) Regulations (SI 2018/1104)	2018	Whole Regulations	<p>1. Subject to paragraph 2, the Regulations are subject to the modifications specified in Schedule 2 of the Merchant Shipping (Adoption of Legislation) Ordinance 1992.</p> <p>2. The Regulations apply as if the following instruments had never been made:</p> <p>(a) the Merchant Shipping (Work in Fishing Convention) (Consequential Provisions) Regulations 2018 (SI 2018/1109);</p> <p>(b) the Merchant Shipping and Fishing Vessels (Entry into Enclosed Spaces) Regulations 2022 (SI 2022/96).</p>

Made 10 October 2022

A. M. BLAKE C.M.G.,  
Governor.

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EXPLANATORY NOTE  
(not forming part of this Order)

This Order amends Schedule 1 of the Law Revision and Publication Ordinance 2017 to reflect the recommendations of the Statute Law Commissioner made to the Legislative Assembly in the report considered by the Assembly in September 2022.

**CHARLES III**



**FALKLAND ISLANDS**

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ALISON MARY BLAKE C.M.G.,  
*Governor.*

**Supplementary Appropriation (2022-2023) Ordinance 2022**

**(No. 15 OF 2022)**

**ARRANGEMENT OF PROVISIONS**

**Section**

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

**Schedule**

# CHARLES III



## FALKLAND ISLANDS

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ALISON MARY BLAKE C.M.G.,  
*Governor.*

### **Supplementary Appropriation (2022-2023) Ordinance 2022**

*(assented to: 10 October 2022)*  
*(commencement: on publication)*  
*(published: 12 October 2022)*

#### AN ORDINANCE

To authorise the appropriation from the Consolidated Fund of the additional amount of £812,972 for the financial year ending 30 June 2023.

ENACTED by the Legislature of the Falkland Islands —

#### **1. Title**

This Ordinance is the Supplementary Appropriation (2022-2023) Ordinance 2022.

#### **2. Commencement**

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

#### **3. Appropriation**

(1) The additional amount of £812,972 is appropriated from the Consolidated Fund for the financial year ending 30 June 2023.

(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 votes 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 a Contingencies Warrant, the amount withdrawn must be replaced from the amount appropriated under section 3.

#### SCHEDULE

*section 3*

Number	Head of Service of Government	Amount £
<b>Operating Budget</b>		
0110	Development & Commercial Services	60,000
0120	Human Resources	58,988
0250	Education	49,908
0410	Natural Resources	146,983
0550	Emergency Services	62,622
0600	Executive Management	181,100
0615	Policy Unit	157,264
0620	Mineral Resources	6,900
<b>Total Operating Budget</b>		<b>723,765</b>
0999	<b>Fund Transfer and Transfer Payments</b>	<b>89,207</b>
<b>Total Schedule</b>		<b>812,972</b>

Passed by the Legislature of the Falkland Islands on 29 September 2022.

CHERIE YVONNE CLIFFORD,  
*Clerk of the Legislative Assembly.*

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Assembly and is found by me to be a true and correctly printed copy of the said Bill.

CHERIE YVONNE CLIFFORD,  
*Clerk of the Legislative Assembly.*



**CHARLES III**



**FALKLAND ISLANDS**

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ALISON MARY BLAKE C.M.G.,  
*Governor.*

**Falkland Islands Status (Amendment) Ordinance 2022**

**(ORDINANCE No. 16 OF 2022)**

**ARRANGEMENT OF PROVISIONS**

Section

**PART 1 - INTRODUCTORY**

1. Title
2. Commencement
3. Repeal and revocation

**PART 2 - AMENDMENT OF FALKLAND ISLANDS STATUS ORDINANCE 1998**

4. Amendment of Falkland Islands Status Ordinance 1998
5. Section 2 amended - Interpretation
6. Section 3 amended - Applications for the grant of Falkland Islands status
7. Section 5 amended - Revocation of Falkland Islands status
8. Section 7 amended - Regulations
9. New section 7A inserted

**CHARLES III**



**FALKLAND ISLANDS**

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ALISON MARY BLAKE C.M.G.,  
*Governor.*

**Falkland Islands Status (Amendment) Ordinance 2022**

*(assented to: 10 October 2022)*  
*(commencement: in accordance with section 2)*  
*(published: 12 October 2022)*

**AN ORDINANCE**

To amend the Falkland Islands Status Ordinance 1998.

ENACTED by the Legislature of the Falkland Islands —

**PART 1 - INTRODUCTORY**

**1. Title**

This Ordinance is the Falkland Islands Status (Amendment) Ordinance 2022.

**2. Commencement**

This Ordinance comes into force on a date to be determined by the Governor by publication of a notice in the *Gazette*.

**3. Repeal and revocation**

- (1) The Falkland Islands Status (Amendment) Ordinance 2017 is repealed.
- (2) The Falkland Islands Status (Form of Application) Regulations 1999 are revoked.

## PART 2 - AMENDMENT OF FALKLAND ISLANDS STATUS ORDINANCE 1998

### 4. Amendment of Falkland Islands Status Ordinance 1998

This Part amends the Falkland Islands Status Ordinance 1998.

### 5. Section 2 amended - Interpretation

In section 2 —

- (a) insert after the definition of “the new Constitution” —

“**permanent residence permit**” has the same meaning as in section 2(1) of the Immigration Ordinance 1999;” and

- (b) replace the definition of “**qualified person**” with —

“**qualified person**” means a person who is a British citizen, a British overseas territories citizen or a British Overseas citizen and either —

- (a) holds a permanent resident permit and has been ordinarily resident in the Falkland Islands for at least 7 years immediately before the date of application under section 3; or
- (b) meets the following criteria —
  - (i) the person held Falkland Islands status under section 17(5)(b)(ii) or 17(5)(d) of the former Constitution;
  - (ii) the person does not hold Falkland Islands status under the new Constitution because their domicile changed before the commencement of the new Constitution (so the person did not acquire Falkland Islands status under section 22(5)(a) of the new Constitution); and
  - (iii) the person is present and ordinarily resident in the Falkland Islands on the date of application under section 3;”.

### 6. Section 3 amended - Applications for the grant of Falkland Islands status

In section 3 —

- (a) replace subsection (2)(b) with —

“(b) by notice in writing to the applicant reject the application because the applicant does not appear to the Principal Immigration Officer to be a qualified person.”;

- (b) insert after subsection (2) —

“(2A) A notice given under subsection (2)(b) must state the reasons why the applicant does not appear to the Principal Immigration Officer to be a qualified person.”;

- (c) replace subsection (3) with —

“(3) Subsection (3A) applies for the purposes of this section, but is without prejudice to any other basis on which a person may be regarded as having been ordinarily resident in the Falkland Islands during the relevant period.”;

(d) after subsection (3) insert —

“(3A) A person must be regarded as having been ordinarily resident in the Falkland Islands for the seven years immediately preceding their application if the person —

- (a) has been physically present in the Falkland Islands for the whole of the first 180 days of the first of the seven years;
- (b) has not been absent from the Falkland Islands for more than 90 days in aggregate in any one of the seven years; and
- (c) has not been absent from the Falkland Islands for more than 630 days in aggregate during the seven years.”; and

(e) omit subsection (4).

## **7. Section 5 amended – Revocation of Falkland Islands status**

In section 5(3) —

(a) replace paragraph (b) with —

“(b) that since the grant to the person concerned of Falkland Islands status, the person has been convicted by a court in any country of an offence which the person has been sentenced to immediate imprisonment or deprivation of liberty of 12 months or more;” and

(b) replace paragraph (d) with —

“(d) that the person is no longer a British citizen, a British overseas territories citizen or a British Overseas citizen.”.

## **8. Section 7 amended – Regulations**

Replace section 7 with —

### **“7. Regulations**

The Governor may by regulation provide for fees to be payable in connection with —

- (a) an application for Falkland Islands status;
- (b) inspection of the register maintained under section 4B; and
- (c) a Falkland Islands status ceremony.”.

## **9. New section 7A inserted**

After section 7 insert —

**“7A. Forms**

- (1) The Principal Immigration Officer may specify an application form to be used under this Ordinance, and may issue directions for its use.
- (2) The Principal Immigration Officer must publish any specified form online and make paper copies freely available to the public.”.

Passed by the Legislature of the Falkland Islands on 29 September 2022.

CHERIE YVONNE CLIFFORD,  
*Clerk of the Legislative Assembly.*

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Assembly and is found by me to be a true and correctly printed copy of the said Bill.

CHERIE YVONNE CLIFFORD,  
*Clerk of the Legislative Assembly.*

**CHARLES III**



**FALKLAND ISLANDS**

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ALISON MARY BLAKE C.M.G.,  
*Governor.*

**Animal Health Matters Ordinance 2022**

**(ORDINANCE No. 17 OF 2022)**

**ARRANGEMENT OF PROVISIONS**

Section

1. Title and commencement
2. Amendment of Animal Health Ordinance 1998
3. Amendment of Stanley Common Ordinance 1999
4. Consequential amendment

# CHARLES III



## FALKLAND ISLANDS

ALISON MARY BLAKE C.M.G.,  
*Governor.*

### **Animal Health Matters Ordinance 2022**

*(assented to: 10 October 2022)*  
*(commencement: on publication)*  
*(published: 12 October 2022)*

#### AN ORDINANCE

To amend the Animal Health Ordinance 1998 and the Stanley Common Ordinance 1999.

ENACTED by the Legislature of the Falkland Islands —

#### **1. Title and commencement**

This Ordinance is the Animal Health Matters Ordinance 2022 and comes into force on publication in the *Gazette*.

#### **2. Amendment of Animal Health Ordinance 1998**

- (1) This section amends the Animal Health Ordinance 1998.
- (2) In Schedule 1 (application of Animal Health Act 1981) —
  - (a) under the heading “Extent of application”, after “3(4)” insert “, 4(1)” and after “14” insert “, 15(3)”.
  - (b) under the heading “Modifications” —
    - (i) after paragraph 6 insert —

“6A. In section 15(1)(b) replace “a constable of the police force for the police area in which the animal is so affected” with “a member of the veterinary service of the Government.”.

- (ii) in paragraph 11(a) replace “subsections (1) to (6)” with “subsections (1) to (5)”.
- (iii) omit paragraph 16;
- (iv) in paragraph 19 replace “section 79” with “section 79(1)”; and
- (v) omit paragraph 20.

### **3. Amendment of Stanley Common Ordinance 1999**

- (1) This section amends the Stanley Common Ordinance 1999.
- (2) After section 10 insert —

#### **“10A. Restrictions imposed under the Animal Health Act 1981**

(1) In addition to any restrictions on public access imposed under section 10, public access is subject to any restrictions or requirements imposed by or under the Animal Health Act 1981 (as it applies in the Falkland Islands) for the purpose of —

- (a) preventing or controlling the transmission of disease in animals or poultry, or
- (b) reducing the risk to human health from any disease of, or organism carried in, animals or poultry.

(2) In this section, “**animals**”, “**disease**” and “**poultry**” have the same meaning as in the Animal Health Act 1981.”.

### **4. Consequential amendment**

- (1) This section amends the Law Revision and Publication Ordinance 2017.
- (2) In Schedule 1 Part 1 (primary legislation), in the entry for the Animal Health Act 1981, replace column 2 with —

“Whole Act **except** sections 2, 3(1), 3(4), 4(1), 5, 10(6), 12, 13(2) to (4), 14, 15(3), 15(6), 21(3), 21(10), 22(7), 33, 34(6), 36A to 36M, 38(2), 40 to 59, 60(1), 63(8), 74, 75(2), 76, 79(4), 80 to 82, 85, 86, 90 to 96, 97(2), 97(3), and Schedules 1 and 4 to 6”.

Passed by the Legislature of the Falkland Islands on 29 September 2022.

CHERIE YVONNE CLIFFORD,  
*Clerk of the Legislative Assembly.*



This printed impression has been carefully compared by me with the Bill which has passed the Legislative Assembly and is found by me to be a true and correctly printed copy of the said Bill.

CHERIE YVONNE CLIFFORD,  
*Clerk of the Legislative Assembly.*

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## **SUBSIDIARY LEGISLATION**

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### **Animal Health (Definitions Extended and Duties of Keepers of Poultry) Order 2022**

**(No. 22 OF 2022)**

#### **ARRANGEMENT OF PROVISIONS**

##### **Article**

1. Title and commencement
2. Interpretation
3. Definitions of “animal” and “poultry” extended
4. Definition of “disease” extended
5. Duties of keepers of poultry affected by disease

Schedule - List of diseases

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## SUBSIDIARY LEGISLATION

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### **Animal Health (Definitions Extended and Duties of Keepers of Poultry) Order 2022**

(made: 10 October 2022)

(commencement: on publication)

(published: 12 October 2022)

I make this Order under sections 15(5), 87(2) and (5) and 88(2) and (4) of the Animal Health Act 1981 (as applied by the Law Revision and Publication Ordinance 2017), on the advice of Executive Council.

#### **1. Title and commencement**

This Order is the Animal Health (Definitions Extended and Duties of Keepers of Poultry) Order 2022 and comes into force on publication in the *Gazette*.

#### **2. Interpretation**

In this Order “**the Act**” means the Animal Health Act 1981.

#### **3. Definitions of “animal” and “poultry” extended**

For the purposes of the Act in its application to disease, the definition of —

- (a) “**animals**” in section 87(1) of the Act extends to include all four-footed beasts; and
- (b) “**poultry**” in section 87(4) of the Act extends to include all birds.

#### **4. Definition of “disease” extended**

(1) The definition of “disease” in section 88(1) of the Act is extended to comprise the diseases listed in Part 1 of the Schedule.

(2) The definition of “disease” in section 88(3) of the Act is extended to comprise the diseases listed in Part 2 of the Schedule.

#### **5. Duties of keepers of poultry affected by disease**

(1) Persons having in their charge or possession any poultry affected with disease must —

- (a) as far as practicable keep such poultry separate from poultry not so affected; and
- (b) with all practicable speed give notice of the fact of the poultry being so affected to a member of the veterinary service of the Government.

(2) For the purposes of section 15(7) of the Act, “animal” includes poultry.

## SCHEDULE - LIST OF DISEASES

article 4

### Part 1 - Diseases of animals

#### *Multiple Species Diseases*

Anthrax	Japanese encephalitis
Crimean Congo Haemorrhagic Fever	Johne's Disease
Heartwater	Mycobacterium tuberculosis
Infection with <i>Trypanosoma brucei</i> , <i>congolense</i> , <i>simiae</i> , <i>vivax</i> or <i>evansi</i>	Q Fever Rabies and European bat lyssavirus
Aujesky's disease	Rift Valley fever
Blue tongue	Infection with <i>Trichinella spp</i>
Infection with <i>Brucella abortus</i> , <i>melitensis</i> , <i>ovis</i> or <i>suis</i>	Screwworm (old world and new world)
Infection with <i>Echinococcus granulosus</i> or <i>mulilocularis</i>	Tularemia
Epizootic haemorrhagic disease	Vesicular Stomatitis
	Warble fly
	West Nile Virus

#### *Cattle diseases*

Bovine anaplasmosis	Enzootic bovine leucosis
Bovine Babesiosis	Haemorrhagic septicaemia
Bovine genital campylobacteriosis	Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis
Bovine spongiform encephalopathy	Lumpy skin disease
Bovine viral diarrhoea	Theileriosis
Contagious bovine pleuropneumonia	Trichomonosis
Cysticercus bovis	

#### *Diseases of sheep and goats*

Caprine arthritis/encephalitis	Ovine chlamydiosis (enzootic abortion of ewes)
Contagious agalactica	Peste des petits ruminants
Contagious caprine pleuropneumonia	Salmonellosis ( <i>S. abortus virus</i> )
Maedi-visna	

Nairobi sheep disease	Scrapie Goat pox
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*Equine diseases*

African horse sickness	Equine encephalitis
Contagious equine metritis	Equine infectious anaemia
Dourine	Equine influenza
Epizootic lymphangitis of the horse	Equine piroplasmiasis
Equid herpesvirus 1	Glanders and Farcy
Equine arteritis virus	

*Porcine diseases*

African swine fever	Swine vesicular disease
Nipah virus encephalitis	<i>Taenia solium</i>
Porcine epidemic diarrhoea/transmissible gastroenteritis	Teschen disease
Porcine Reproductive and Respiratory Syndrome virus	

*Other diseases*

Canine distemper	Leishmaniasis
Chronic wasting disease of deer	Myxomatosis
Ebola virus disease	Rabbit Haemorrhagic disease

**Part 2 - Diseases of poultry**

Avian chlamydiosis	Avian mycoplasmosis ( <i>Mycoplasma synoviae</i> )
Avian Influenza of high or low pathogenicity	Duck virus hepatitis
Avian mycoplasmosis ( <i>Mycoplasma gallisepticum</i> )	Infectious bursal disease (Gumboro disease)

A. M. BLAKE C.M.G.,  
Governor.

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EXPLANATORY NOTE  
(not forming part of this Order)

This Order is made under sections 15(5), 87(2) and (5) and 88(2) and (4) of the UK Animal Health Act 1981 (c.22) as it applies in the Falkland Islands under the Law Revision and Publication Ordinance 2017. It comes into force on publication in the *Gazette* (article 1).

Article 2 provides that references to “**the Act**” are interpreted as references to the Animal Health Act 1981.

The Order extends the definitions of “**animals**” and “**poultry**” for the purposes of the Act in its application to disease to include all four-footed beasts and all birds respectively (article 3).

The Order extends the definition of “**disease**” in section 88 of the Act to include the diseases of animals and poultry listed in the *Schedule* (article 4).

The Order imposes a new duty on keepers of poultry to keep diseased birds separate from poultry that are not diseased and to notify the Government veterinary service of any affected birds (article 4). The similar duties that apply to keepers of animals are set out in section 15 of the Animal Health Act 1989. Breach of the duty is an offence under section 15(7) and a person convicted of such an offence is liable on conviction to imprisonment for a term not exceeding 6 months or to a fine up to level 5 (£4000) under section 75 of the Act.

The veterinary service can be contacted at the Department of Agriculture on telephone number 27366.