

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

NIGEL JAMES PHILLIPS C.B.E.,
Commissioner.

VISITORS (AMENDMENT) ORDINANCE 2019

(No: 4 of 2019)

(assented to: 17 October 2019)
(commencement: on publication)
(published: 21 October 2019)

AN ORDINANCE

To amend the Visitors Ordinance 1992.

ENACTED by the Commissioner for South Georgia and South Sandwich Islands —

1. Title

This Ordinance is the Visitors (Amendment) Ordinance 2019.

2. Commencement

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

3. Amendment of Visitors Ordinance

This Ordinance amends the Visitors Ordinance 1992.

4. Section 2 amended — Interpretation

Section 2 is amended by inserting the following definitions in alphabetical order —

““**commencement of visit**” means the time when a visit commences as determined in guidance;

“**guidance**” means guidance issued by the Commissioner under section 5A;”.

5. Section 3 omitted and replaced — Passenger landing fees

Section 3 is omitted and replaced with —

“3. Passenger landing fees

“(1) Subject to this section, there must be paid in respect of every visitor to South Georgia who is 16 years and above at the commencement of the visit, a passenger landing fee in such sum as may be prescribed by notice made by the Commissioner and published in the *Gazette*.

(2) A notice under subsection (1) may provide that a landing fee is calculated by reference to—

- (a) a fixed minimum amount;
- (b) variable sums depending on the duration of the visit; or
- (c) both.

(3) For purposes of calculating a landing fee —

- (a) a day means a period of 24 hours starting from midnight; and
- (b) part of a day will be treated as a full day.

(4) Fees are not payable where a visitor stays additional days for reasons beyond their control (force majeure).

(5) The currencies of the United Kingdom and of the Falkland Islands are approved currencies for purposes of payment of a passenger landing fee.

(6) Payment of landing fees in the equivalent to the relevant sum in another currency approved by the Commissioner by notice published in the *Gazette* must be accepted.”.

6. Section 4 amended — Payment of passenger landing fees

Section 4 is amended —

(a) by omitting subsection (3) and replacing it with —

“(3) Unless otherwise approved by the Commissioner, passenger landing fees must be paid at a time as provided in guidance.”

(b) by adding the following subsections after subsection (3) —

“(4) Guidance may provide for —

- (a) payment of all or part of a landing fee in advance or on landing depending on the nature of the visit or the transport used to make the visit; and
- (b) the method of payment of the landing fees.

(5) The Commissioner may refund a visitor or vessel operator whose visit ends prematurely for reasons beyond their control (force majeure).”.

7. New section 5A inserted — Guidance

The following section is inserted immediately after section 5 —

“5A. Commissioner to issue guidance

(1) The Commissioner may issue guidance generally under this Ordinance.

(2) Guidance issued under subsection (1) may commence with effect from a past date and must be published on the Government’s website.”.

8. Section 6 omitted and replaced — Regulations

Section 6 is omitted and replaced with —

“6. Regulations

The Commissioner may make regulations for giving effect to this Ordinance or for any matters that may be prescribed or require regulations to be made under the Ordinance and in particular for —

(a) the passenger landing fee payable by a visitor; and

(b) an additional passenger landing fee payable on extension of a visit.”.

9. Validation of passenger landing fee

Any passenger landing fee that was charged —

(a) under the Visitors Ordinance 1992, Notification of amount of passenger landing fee Notices published before the commencement of this Visitors (Amendment) Ordinance 2019 is hereby validated as if the fee was authorised under the Ordinance; and

(b) before the Passenger Landing Fee Notice 2019 was made is hereby validated as if it was authorised under that notice.

Enacted 17 October 2019

N. J. PHILLIPS C.B.E.,
Commissioner.