



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

24 September 2010

The following are published in this Gazette –

Notices 1 – 2;

Prohibited Areas Ordinance 2010 (No 1 of 2010); and

Prohibited Areas Order 2010 (No 1 of 2010).

NOTICES

No. 1

14 September 2010

INCOME TAX ORDINANCE 1939

section 90

Notification of income tax assessments

Income tax assessments for the following years of assessment are to be reviewed:-

2010 (2009 income)

Any amounts in excess of 7% of income earned in the Territory (0% for those who were present for less than 6 months) will be remitted, provided that the Commissioner of Taxation is satisfied that the taxpayer concerned has been disadvantaged by the excess.

Any tax assessments that have already been appealed will be considered automatically in this review. Any other taxpayer who consider that they would benefit from this review should notify the Commissioner of Taxation, Stanley, Falkland Islands, within 90 days of this notice.

Dated 14 September 2010

A. E. HUCKLE,
Commissioner.

No. 2

14 September 2010

VISITORS ORDINANCE 1992

section 8

Notification of amount of passenger landing fee

Section 3(1) of the Visitors Ordinance (No 2 of 1992), as amended by the Visitors (Amendment) Ordinance 2005 (No 1 of 2005), provides that a passenger landing fee must be paid for every visitor to South Georgia and the South Sandwich Islands and states that the amount of the fee is to be prescribed by the Commissioner and published in the *Gazette*.

From the date on which this Notice is published in the Gazette until further notice, the amount of the passenger landing fee is £105 in the currency of the United Kingdom.

Dated 14 September 2010

A. E. HUCKLE,
Commissioner.

ELIZABETH II



The Territories of South Georgia
and the South Sandwich Islands

ALAN EDDEN HUCKLE,
Commissioner.

Prohibited Areas Ordinance 2010

(No. 1 of 2010)

ARRANGEMENT OF PROVISIONS

Section

1. Short title
2. Commencement
3. Prohibited Area Order

ELIZABETH II



**The Territories of South Georgia
and the South Sandwich Islands**

ALAN EDDEN HUCKLE,
Commissioner.

PROHIBITED AREAS ORDINANCE 2010

(No. 1 of 2010)

(assented to: 14 September 2010)
(commencement: on publication)
(published: 24 September 2010)

AN ORDINANCE

To enable the Commissioner by Order to declare any area in the Territories and the territorial sea of the Territories specified in it to be an area into which subject to this Ordinance entry by any person without the Commissioner's permission is prohibited, and to create offences in relation to such areas and things within them

ENACTED by the Commissioner of South Georgia and the South Sandwich Islands as follows—

1. Short title

This is the Prohibited Areas Ordinance 2010.

2. Commencement

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

3. Prohibited Area Order

(1) The Commissioner may by Order declare—

(a) any area of land in the Territories;

(b) any area of land or sea lying to the landward of the outer limit of the territorial sea and which is covered by water at all times or at any stage of any tide;

and which is described in the Order to be or to be part of an area (a “Prohibited Area”)—

(i) the entry into which by any person by any means; and

(ii) from which the taking or removal by any person of any thing,

except as provided by this Ordinance or with the permission of the Commissioner is an offence.

(2) The Commissioner may only exercise the power conferred by subsection (1) in respect of an area in relation to which he is satisfied it is necessary to do either or both of the following—

(a) to protect persons from danger to their health or safety; or

(b) to protect the heritage value of the area.

(3) Nothing in subsection (1) shall apply so as to render it an offence for a person aboard any vessel to enter any area of sea due to stress of weather or by reason of force majeure.

(4) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding £50,000 or to imprisonment for a term not exceeding 12 months or both.

(5) This section has effect in addition to any other provision of law enabling the Commissioner to prohibit or restrict entry into any area.

Made 14th September 2010

A. E. Huckle,
Commissioner.

SUBSIDIARY LEGISLATION

HEALTH AND SAFETY AND ENVIRONMENT

Prohibited Areas Order 2010

S. R. & O. No. 1 of 2010

Made: 14 September 2010

Published: 24 September 2010

Coming into force: on publication

IN EXERCISE of my powers under section 2(1) of the Prohibited Areas Ordinance 2010 (No 1 of 2010) and being satisfied as required by section 2(2) of that Ordinance that it is necessary to do so to protect persons from danger to their health and safety and to protect the heritage of the areas to which the Order relates, I make the following Order—

1. Citation and commencement

This is the Prohibited Areas Order 2010 and comes into force on the publication in the *Gazette*.

2. Interpretation

(1) In this Order —

“the principal Ordinance” means the Prohibited Areas Ordinance 2010;

“the Husvik Whaling Station Prohibited Area” means that area of land and sea surrounding the Husvik whaling station, which is identified and delineated by a grey line on the plan marked Plan No. 1 attached to this Order;

“the Leith Whaling Station Prohibited Area” means that area of land and sea surrounding the Leith whaling station which is identified and delineated by a grey line on the plan marked Plan No. 2 attached to this Order; and

“the Prince Olaf Whaling Station Prohibited Area” means that area of land and sea surrounding the Prince Olaf whaling station which is identified and delineated by a grey line on the plan marked Plan No. 3 attached to this Order.

“the Stromness Whaling Station Prohibited Area” means that area of land and sea surrounding the Stromness whaling station which is identified and delineated by a grey line on the plan marked Plan No. 4 attached to this Order.

(2) The plans attached to this Order form part of this Order.

3. Prohibited Areas

The Husvik Whaling Station Prohibited Area, the Prince Olaf Whaling Station Prohibited Area, the Leith Whaling Station Prohibited Area and the Stromness Whaling Station Prohibited Area are declared under section 2(1) of the principal Ordinance to be Prohibited Areas.

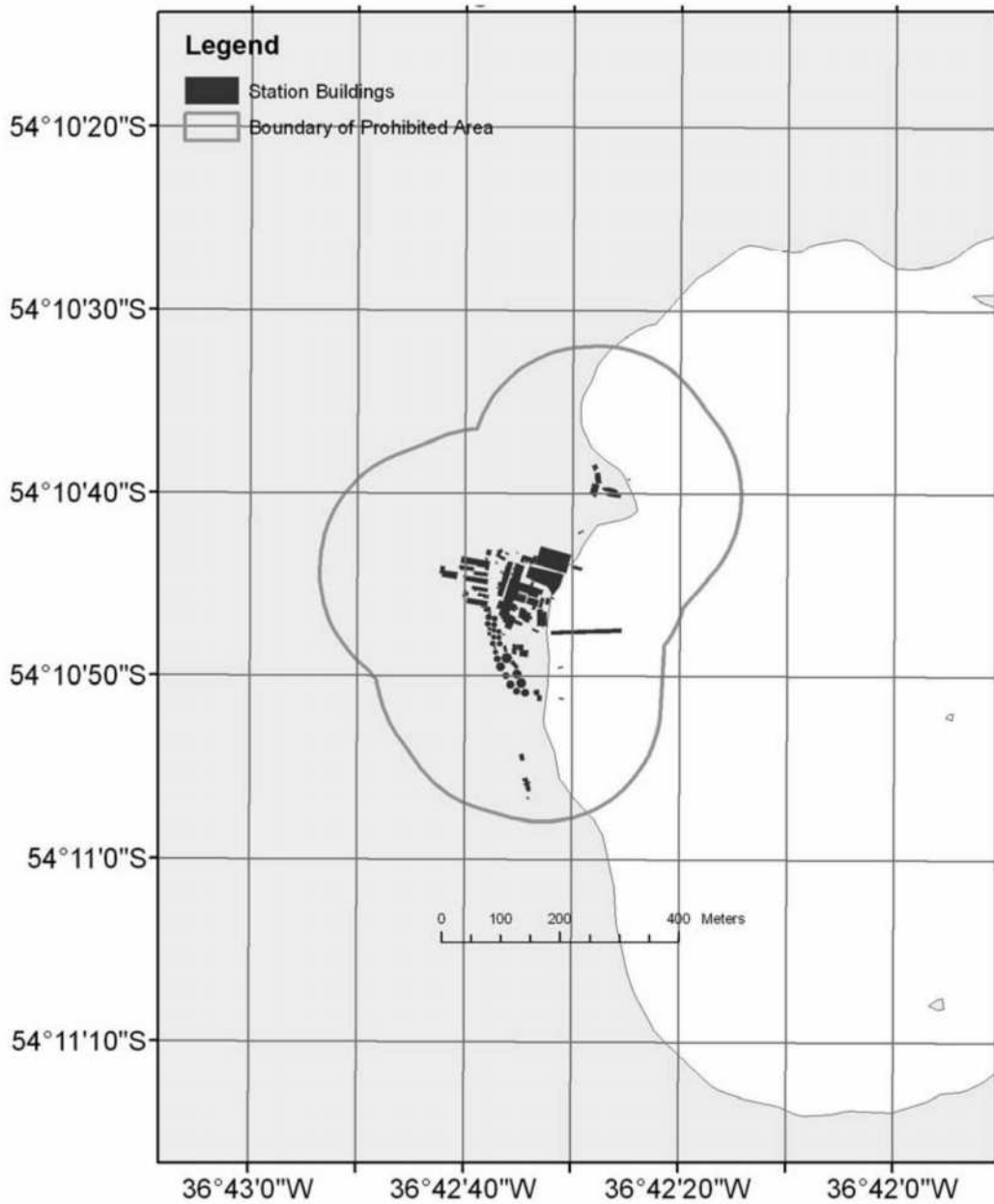
Made 14th September 2010

A. E. Huckle,
Commissioner.

EXPLANATORY NOTE
(not forming part of the Order)

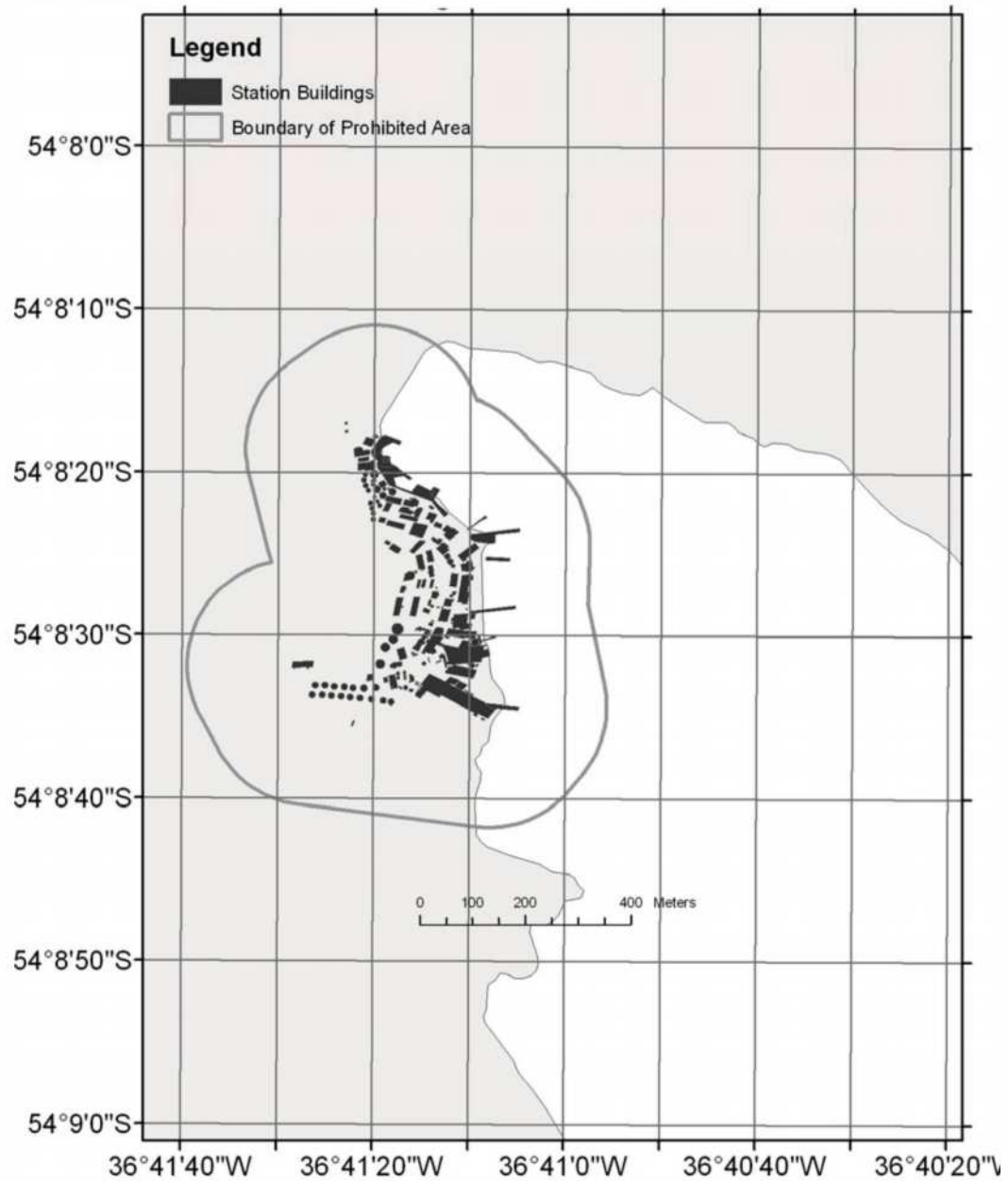
This Order constitutes areas of land and sea surrounding the Husvik, Leith, Prince Olaf and Stromness Whaling Stations in South Georgia as prohibited areas under the Prohibited Areas Ordinance 2010, thus prohibiting entry into those areas except with the permission of the Commissioner or, in the case of vessels, entry into the sea within such an area due to stress of weather or by reason of force majeure.

Husvik Whaling Station Prohibited Area

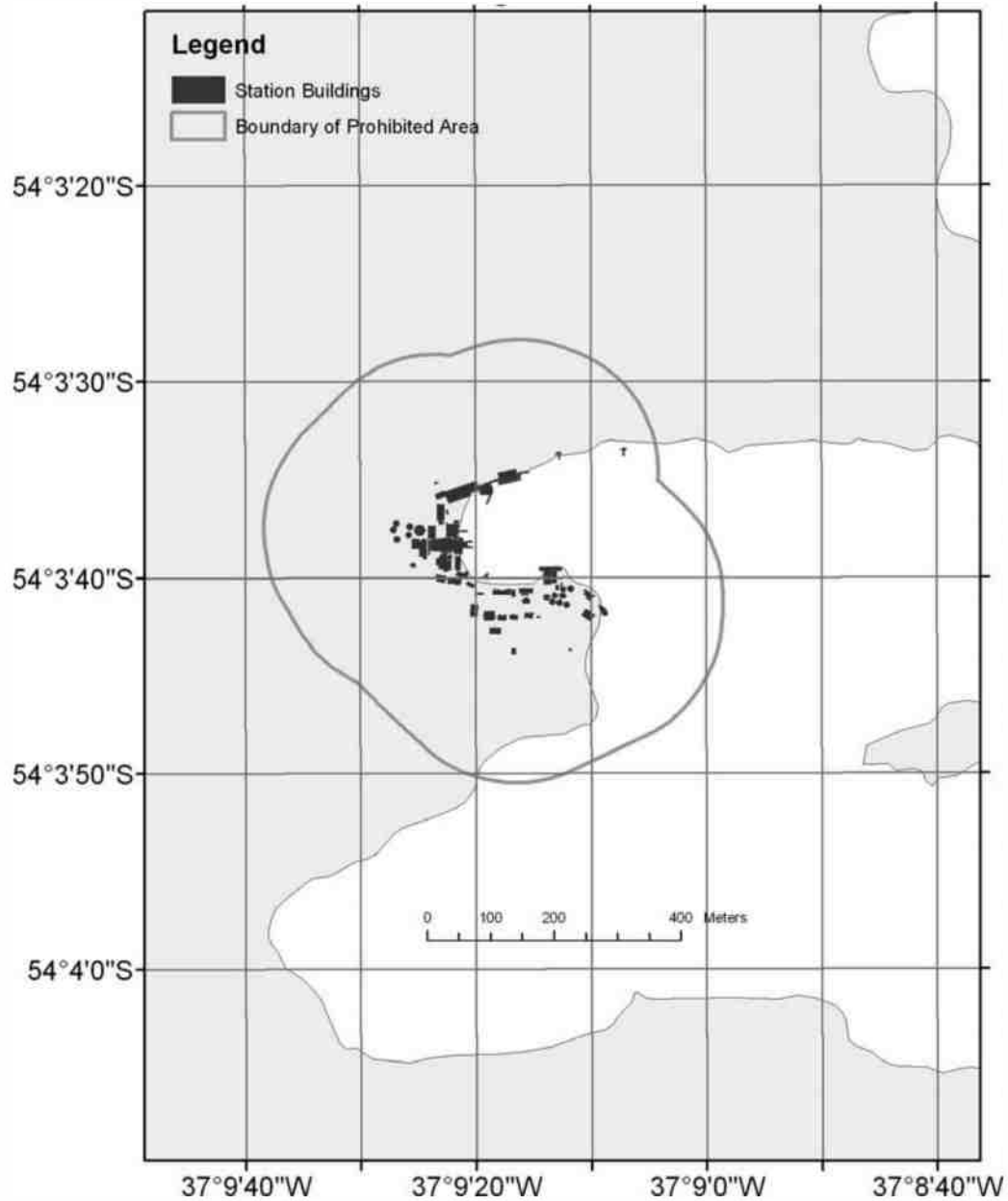


Plan No. 2

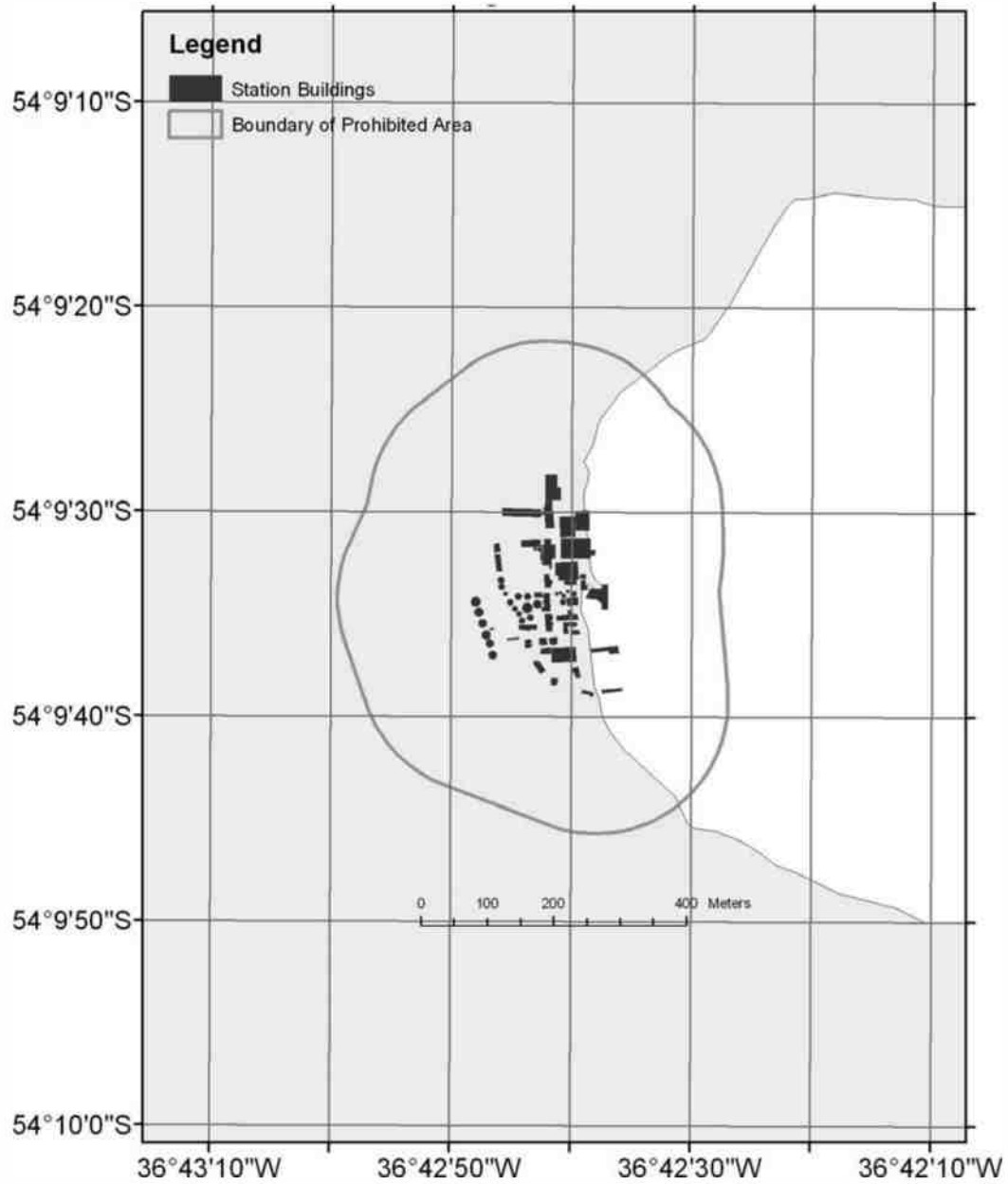
Leith Whaling Station Prohibited Area



Prince Olaf Whaling Station Prohibited Area



Stromness Whaling Station Prohibited Area



Published by the Attorney General's Chambers, Cable Cottage, Stanley, Falkland Islands.
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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

9 September 2011

The following are published in this Gazette –

Notices 1 to 7;

Wildlife and Protected Areas Ordinance 2011 (No 1 of 2011);

Appropriation (2011) Ordinance 2011 (No 2 of 2011);

Appropriation (1998-2010) Ordinance 2011 (No 3 of 2011);

Postal Services Ordinance 2011 (No 4 of 2011);

Customs (Fees) Regulations 2011 (SR&O No 1 of 2011);

Harbours (Fees) Regulations 2011 (SR&O No 2 of 2011);

Commemorative Coins (2007-2011) Order 2011 (SR&O No 3 of 2011); and

Harbours (Fees)(Amendment) Regulations 2011 (SR&O No 4 of 2011).

NOTICES

No. 1

28 March 2011

South Georgia and South Sandwich Islands Order 1985 *section 7*

Appointment of Attorney General

1. Section 7 of the South Georgia and South Sandwich Islands Order 1985 permits the Commissioner to constitute offices for the Territory.

2. In exercise of my powers under section 7 of the South Georgia and the South Sandwich Islands Order, and given the office of Attorney General for South Georgia and the South Sandwich Islands has been constituted, I appoint Mark David Lewis to be Attorney General for South Georgia and the South Sandwich Islands.

3. This appointment has effect from 28 March 2011 and continues in effect until the completion of Mark David Lewis' contract of employment with the Falkland Islands Government.

Dated 28 March 2011

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 2

28 March 2011

South Georgia and South Sandwich Islands **Order 1985** *section 7*

Appointment of Acting Attorney General

1. Section 7 of the South Georgia and the South Sandwich Islands Order 1985 permits the Commissioner to constitute offices for the Territory and to make appointments to any office so constituted.

2. In exercise of my powers under section 7 of the South Georgia and the South Sandwich Islands Order 1985, and given the office of Attorney General for South Georgia and the South Sandwich Islands has been constituted, I appoint Rosalind Catriona Cheek to be Acting Attorney General for the purpose of carrying out the duties of the Attorney General at any time when the post is vacant, or the substantive holder of the post is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

3. This appointment has effect from the date given below, and continues in effect whilst Rosalind Catriona Cheek holds office as the Principal Crown Counsel of the Falkland Islands Government, unless terminated sooner.

Dated 28 March 2011

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 3

31 May 2011

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:-

2011 No 748 – The Tunisia (Restrictive Measures) (Overseas Territories) Order 2011;

2011 No 750 – The Terrorist Asset-Freezing etc. Act 2010 (Overseas Territories) Order 2011.

Dated 31 May 2011

B. I. STEEN,
for Attorney General.

No. 4

22 August 2011

Fisheries (Conservation and Management) **Ordinance 2000** *section 4*

Appointment of Fisheries Protection Officers

In exercise of the powers under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, the following persons are appointed Fisheries Protection Officers:-

Kristofer Jon Askey
Dean Edward Cook
Kenneth Whittaker

for the period 22 August 2011 to 31 July 2012

Dated 22 August 2011

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 5

25 August 2011

Income Tax Ordinance 1939 *section 90*

Notification of income tax assessments

Income tax assessments for the following years of assessment are to be reviewed:-

2011 (2010 income)
2012 (2011 income)

Any amounts in excess of 7% of income earned in the Territory (0% for those who were present for less than 6 months) will be remitted, provided that the Commissioner of Taxation is satisfied that the taxpayer concerned has been disadvantaged by the excess.

Any tax assessments that have already been appealed will be considered automatically in this review. Any other taxpayers who consider that they would benefit from this review should notify the Commissioner of Taxation, Stanley, Falkland Islands, within 90 days of this notice.

Dated 25 August 2011

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 6

25 August 2011

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:-

2011 No 1080 – The Libya (Restrictive Measures) (Overseas Territories) Order 2011;

2011 No 1678 – The Syria (Restrictive Measures) (Overseas Territories) Order 2011; and

2011 No 1679 – The Egypt (Restrictive Measures) (Overseas Territories) Order 2011.

Dated 25 August 2011

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 7

29 August 2011

Visitors Ordinance 1992 *section 8*

Notification of amount of passenger landing fee

Section 3(1) of the Visitors Ordinance (No 2 of 1992), as amended by the Visitors (Amendment) Ordinance 2005 (No 1 of 2005), provides that a passenger landing fee must be paid for every visitor to South Georgia and the South Sandwich Islands and states that the amount of the fee is to be prescribed by the Commissioner and published in the *Gazette*.

The following passenger landing fees, in the currency of the United Kingdom, must be paid:-

(a) for a short visit (one lasting less than 72 hours), the amount of the passenger landing fee is £105.

(b) for an extended visit (one lasting 72 hours or more), the amount of the passenger landing fee is £155.

(c) The extended visit passenger landing fee (£155) is valid for one calendar month from the start of the visit. If the visitor remains in the Territory, a further passenger landing fee must be paid as if a new visit had started when the previous fee expired.

These apply from when this Notice is published in the *Gazette* and they are also to be treated as having applied from 1 July 2010.

Dated 29 August 2011

R. P. NYE,
Acting Commissioner.

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

WILDLIFE AND PROTECTED AREAS ORDINANCE 2011

(No 1 of 2011)

ARRANGEMENT OF PROVISIONS

**PART I
PRELIMINARY**

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3. Application
4. Ordinance to bind the Crown
5. Interpretation and general

**PART II
PROTECTION OF WILDLIFE**

Protection of wild birds and mammals

6. Protection of wild birds and mammals
7. Supplementary to section 6

Protection of other native fauna

8. Protection of native invertebrates

Protection of native plants

9. Protection of native plants

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10. Unlawful possession of live or dead wildlife
11. Introduction of non-native species

12. Prohibition of certain methods of killing wild birds or mammals
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ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

WILDLIFE AND PROTECTED AREAS ORDINANCE 2011

(No 1 of 2011)

(assented to: 31 May 2011)
(commencement: on publication)
(published: 9 September 2011)

AN ORDINANCE

To repeal the Wildlife and Protected Birds Ordinance 1913 and the Falkland Islands Dependencies Conservation Ordinance 1975; to exclude a number of provisions of English law which would otherwise apply in the Territory; to make new provision for the conservation of ecosystems and habitats, to make new provision in relation to the protection of wild birds, mammals, native invertebrates and native plants; to prohibit certain methods of killing wild birds and mammals; to restrict the introduction of non-native species; to make provision for specially protected areas (SPAs) and marine protected areas (MPAs); and for connected purposes.

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

PART I PRELIMINARY

1. Title

This is the Wildlife and Protected Areas Ordinance 2011.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Application

This Ordinance applies throughout the Territory (including the internal waters), the territorial sea and the Maritime Zone.

4. Ordinance to bind the Crown

(1) Subject to subsection (2), this Ordinance and regulations made under it bind the Crown.

(2) No contravention by the Crown of any provision of this Ordinance or of any regulations made under it makes the Crown criminally liable; but the Supreme Court may, on the application of any person appearing to the Court to have an interest, declare unlawful an act or omission by the Crown which constitutes such a contravention.

(3) Despite subsection (2), this Ordinance applies to persons in the public service of the Crown as it applies to other persons.

5. Interpretation and general

(1) In this Ordinance, unless the context otherwise requires —

“authorised person” means a person in the public service of the Crown, a commissioned officer in Her Majesty’s armed forces and any other person appointed in writing by or under the authority of the Commissioner to be an authorised person for the purposes of this Ordinance;

“Commissioner”, in relation to the exercise of any power conferred by this Ordinance upon the Commissioner, includes a public officer to whom the Commissioner has under subsection (4) delegated in writing the exercise of that power;

“contravene” includes failure to comply with and “contravention” has a corresponding meaning;

“injury” includes any disability, disease or infestation and “injure” has a corresponding meaning;

“internal waters” means those parts of the sea which lie to the landward side of the baselines of the territorial sea of the Territory established by article 3 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989;

“living organism” includes a virus;

“marine mammal” means any mammal of the Orders Cetacea (whales, dolphins and porpoises) or Pinnipedia (seals);

“MPA” means a marine protected area designated by an Order under section 18(1);

“Maritime Zone” means the maritime zone for the Territory established by Proclamation No 1 of 1993 of the Territory, that is to say a zone having as its inner boundaries the outer limits of the territorial sea of the Territory and its seaward boundary a line drawn so that each point on the line is 200 nautical miles from the nearest point on the baselines defined;

“native bird” means any member, or egg, of any species of the Class Aves indigenous to the Territory or occurring there seasonally through natural migrations;

“native invertebrate” means any terrestrial, freshwater or marine invertebrate at any stage of its life cycle, indigenous to the Territory;

“native plant” means any terrestrial, freshwater or marine vegetation, including flowering plants, ferns, clubmosses, bryophytes, lichens, fungi and algae indigenous to the Territory and includes such vegetation at any stage of its life cycle and seeds and other propagules of such vegetation;

“non-native” in relation to micro-organisms, means viruses, bacteria and yeasts which are not indigenous to the Territory;

“non-sterile soil” means soil, sand or aggregate which is not free of every living organism;

“occupied building” means a building that is maintained for use by any person or body of persons, corporate or otherwise;

“offence under this Ordinance” includes any offence under any provision of any Order or regulations made under this Ordinance, incitement to commit an offence under this Ordinance, conspiracy to commit an offence under this Ordinance and any attempt to commit an offence under this Ordinance;

“pick” in relation to a plant means gather or pluck any part of the plant without uprooting the plant;

“protected feature”, in relation to an MPA or SPA, means any flora, fauna, habitat or other feature which is sought to be conserved by the order designating the area;

“recreational vessel” means any vessel designed or used for any recreational or sporting purpose (whether or not as part of a commercial enterprise) and includes a yacht;

“seashore” means —

(a) the foreshore, that is to say, land which is covered and uncovered by the ordinary movement of the tide; and

(b) any land, whether or not covered intermittently by water, which is in apparent continuity (determined by reference to the physical characteristics of that land) with the foreshore, as far landward as any natural or artificial break in that continuity;

“SPA” means an area which is a specially protected area designated by an Order under section 16(1);

“uproot”, in relation to a plant, means dig up or otherwise remove the plant from the place in which it is growing;

“vessel” includes a hovercraft, an aircraft capable of landing on water, and any other craft of any kind whatsoever capable of travelling on, in or under water, whether or not self propelled and whether or not capable of carrying any person;

“wild bird” means a native bird or a vagrant species of Class Aves arriving in the Territory without the assistance of man.

(2) Nothing in this Ordinance, except section 12, applies to rats or mice of any species.

(3) Any power under any provision of this Ordinance to make an Order or Regulations includes power by further Order or Regulations as the case may be under that provision to amend or revoke the Order or Regulations.

(4) The Commissioner may by instrument in writing delegate to any named public officer or public officers, subject to such conditions and limitations, if any, as he or she may specify in that instrument, the exercise of any power he or she has under this Ordinance specified in that delegation except that the Commissioner may not delegate his power under section 31 to make regulations.

PART II PROTECTION OF WILDLIFE

Protection of wild birds and mammals

6. Protection of wild birds and mammals

(1) Subject to this Part, and except as permitted under a permit granted under section 21(1), a person commits an offence who intentionally or recklessly —

- (a) kills, injures, captures, handles or molests a wild bird or mammal;
- (b) administers any noxious substance to a wild bird or mammal;
- (c) damages or destroys the breeding site or the nesting place or nest of a native bird;
- (d) takes, destroys or damages an egg of a native bird; or
- (e) disturbs a breeding or moulting wild bird, the dependent young of any native bird, mammal or a concentration of wild birds or mammals.

(2) Subject to this Part, a person commits an offence who —

- (a) uses a vehicle, vessel or aircraft in a manner that disturbs a concentration of wild birds or mammals, or which disturbs any marine mammal of the Order Cetacea;
- (b) uses firearms or explosives in a manner that disturbs any wild birds or mammals; or

(c) does anything that is likely to cause significant damage to the habitat of any wild bird or mammal.

7. Supplementary to section 6

(1) Where a person is charged with an offence in respect of a contravention of section 6(1)(a) of killing, injuring or molesting a wild bird or mammal), it is a defence for him or her to show that the act in question was done for the relief of the suffering of the wild bird or mammal in question.

(2) It is a defence for a person charged with an offence under section 6(1)(a) of capturing or handling a wild bird or mammal if he or she shows that the wild bird or mammal —

(a) was captured or handled by him or her for the purpose of attending to any injury or disease suffered by it and thereafter returned it to the wild without unreasonable delay; and

(b) if it was injured, the injury was not caused by an unlawful act on his or her part.

(3) It is a defence for a person charged with an offence under section 6(1)(b) of administering a noxious substance to a wild bird or mammal to show that the noxious substance was reasonably used by him or her in providing treatment in relation to any injury or disease suffered by the wild bird or mammal.

Protection of other native fauna

8. Protection of native invertebrates

(1) Subject to this Part, and except as permitted under a permit granted under section 21(1), it is an offence for a person intentionally or recklessly —

(a) to do anything that is likely to cause significant damage to the habitat of any native invertebrate; or

(b) to collect any native invertebrate other than from within an occupied building or its immediate surroundings,

but nothing in paragraphs (a) and (b) applies to any damage arising to the habitat of a native invertebrate from anything done in the course of the lawful operation of a vessel.

(2) In any proceedings for an offence under subsection (1), unless in a building or its immediate surroundings, the invertebrate is to be presumed to be a native invertebrate unless the contrary is shown.

Protection of native plants

9. Protection of native plants

(1) Subject to this Part and except as permitted under a permit granted under section 21(1), a person commits an offence who intentionally or recklessly —

- (a) picks, collects, uproots or applies any noxious substance to any native plant; or
- (b) damages or destroys a concentration of native plants in such a manner or to such an extent that their local distribution or abundance will be significantly affected

but nothing in this subsection applies to anything done in the course of the lawful operation of a vessel.

(2) In any proceedings for an offence under subsection (1), the plant is to be presumed to be a native plant unless the contrary is shown.

Other offences in relation to wildlife

10. Unlawful possession of live or dead wildlife

Subject to this Part and except as permitted under a permit granted under section 21(1), a person commits an offence if he or she knowingly has in his or her possession, transports, sells, exchanges or offers for sale or exchange —

- (a) any live or dead wild bird, mammal, native invertebrate or native plant;
- (b) any egg of a native bird; or
- (c) any part of, or anything derived from, such a wild bird, mammal, native invertebrate, egg of a native bird or native plant.

11. Introduction of non-native species

(1) Subject to the provisions of this Part and except as permitted under a permit granted under section 21(1), a person commits an offence who releases or allows to escape into the wild in the Territory any animal or plant of a non-native species.

(2) Subject to the provisions of this Part and except as permitted under a permit granted under section 21(1), a person commits an offence who —

- (a) keeps on board any vessel in the territorial sea or internal waters or lands or permits to alight on land or escape onto land or into the sea any animal of a non-native species;
- (b) plants or distributes in the wild in the Territory seeds or propagules of a non-native plant;
- (c) cultivates in the Territory any non-native plant; or
- (d) except by reason of unavoidable accident or unavoidable natural process, releases or allows any non-native micro-organism to escape in the Territory.

(3) In any proceedings for an offence under any of the preceding subsections, the organism concerned is to be presumed to be non-native unless the contrary is shown.

(4) Subject to subsection (5), it is a defence to a charge of committing an offence under subsection (1) or (2) for the accused to show that he took all reasonable steps and exercised all due diligence to avoid committing the offence.

(5) Where the defence provided by subsection (4) involves an allegation that the commission of the offence was due to the default of another person, the person charged is not, without leave of the court, entitled to rely on the defence unless, within a period ending seven clear days before the hearing, he or she has served on the prosecutor a notice giving such information identifying or assisting in the identification of the other person as was then in his or her possession.

12. Prohibition of certain methods of capturing or killing wild birds or mammals

(1) A person commits an offence who —

(a) traps, snares, electrocutes, mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, shoots with any form of projectile, stuns, dazzles, frightens, asphyxiates, poisons, stupefies or attempts to poison or stupefy any wild bird or mammal;

(b) uses a mechanically propelled vehicle or vessel in immediate pursuit of a wild bird or mammal;

(c) uses any live bird or live marine mammal whatsoever, any sound recording or any live bird or live marine mammal as a decoy for the purpose of killing or capturing any wild bird or marine mammal;

(d) knowingly causes or permits to be done an act which is mentioned in the foregoing provisions of this subsection.

(2) Subsection (1) is subject to subsection (3).

(3) A person does not commit an offence under subsection (1) if —

(a) the activity is undertaken under a permit granted by the Commissioner under section 21(1); or

(b) the activity is the use of traps or poison bait to kill mice or rats for preventative biosecurity reasons.

(4) The Commissioner may, by Order, either generally or in relation to any kind of wild bird or mammal, amend subsection (1) by adding any method of killing or capturing or omitting any such method as is mentioned in that subsection.

(5) In any proceedings for an offence under subsection (1)(a) it is a defence for the accused to show that the article was set in position or used for the purpose of killing or taking, in the interests of public health, fisheries or nature conservation any wild bird or mammal which could lawfully be taken or killed by those means and that he or she took all reasonable precautions to prevent injury to any other wild bird or mammal.

13. Special protection for species and habitats

(1) The Commissioner may by Order under this subsection provide that measures of special protection, specified in the Order (“the measures”) are to be established in respect of any species of animal or plant, terrestrial or aquatic, specified in the Order (and, for the purposes of this section, measures for the protection of the habitat of any species are deemed to be measures for the protection of that species).

(2) All persons must comply with the measures unless excused from doing so by any provision of the Order.

(3) An Order under subsection (1) may make such provision as the Commissioner may think fit as to the preparation, contents, publication, approval, implementation and any other matter relating to or connected with an action plan or action plans in respect of any species afforded special protection by that Order.

(4) An Order under subsection (1) may create such offences as the Commissioner considers necessary or expedient to ensure so far as possible compliance with the measures.

Control of imports, exports and movement of wildlife within the Territory

14. Control of imports, exports and movement of wildlife within the Territory

(1) Except as permitted under a permit granted under section 21(1) or, in relation to the import or export of fish, a licence granted under any legislation of the Territory relating to fishing, a person commits an offence who —

(a) imports into the Territory or exports from the Territory, living or dead, any animal, plant, or any part or thing which is a derivative of any such species;

(b) imports non-sterile soil into the Territory;

(c) intentionally or recklessly transports to or releases at a place within the Territory any thing of a kind mentioned in paragraph (a) or (b) which has been acquired at another place within the Territory;

(d) disposes of any poultry in the Territory; or

(e) disposes of any thing of a kind mentioned in paragraph (a) or (b) without due regard to preventing its establishment or spread in the Territory.

(2) In this section, “poultry” means any bird, or derivative of a bird intended for human consumption.

(3) For the purposes of subsection (1) and (2), “derivative” in relation to a species includes any part of the body living or dead (including any bone, skin, feathers, fur or scales), of a member of that species and any egg, spawn, embryo, gamete, zygote, larva, pupa, seed or spore of a member

of that species but does not include anything which has undergone a manufacturing process and is intended for human consumption as food.

(4) Any wild bird or marine mammal or part of a wild bird or marine mammal taken from the sea within the territorial sea or Maritime Zone is to be deemed not to have been imported into the Territory if it is landed directly in the Territory.

General defences

15. General defences for the purposes of this Part

(1) Where a person is charged with an offence under section 6, 8, 9, 11 or 14 or an Order under section 13 it is a defence to prove that the contravention in question occurred in the course of dealing with an emergency relating to —

(a) the safety of human life;

(b) the safety of any vessel or aircraft of significant value or cargo, equipment or facilities of significant value or importance, or

(c) the protection of the environment.

(2) It is a defence for a person charged with an offence under any provision of section 6, 8, 9, 11 or 14 or an Order under section 13 to show that the act rendered unlawful under that provision was the incidental result of an otherwise lawful operation and could not reasonably have been avoided.

PART III

SPECIALLY PROTECTED AREAS (SPAs) AND MARINE PROTECTED AREAS (MPAs)

Specially protected areas

16. Specially protected areas (SPAs)

(1) If the Commissioner believes that any area of land is in need of a high level of protection to preserve its special values he or she may by Order under this subsection designate that area as a specially protected area (“SPA”).

(2) The Commissioner may designate an area as an SPA if he or she believes that any of the following applies in respect of that area —

(a) the flora, fauna, habitats or other features to be found in the area render it of significant conservation or ecological importance;

(b) it is of significant geological, geomorphological or landscape importance; or

(c) it is of high scientific interest.

(3) The reference in subsection (1) to land includes any land lying directly above mean low water mark.

(4) If an area of land to which an Order relates includes land falling within subsection (3) (“area A”), it may also include land lying below mean low water mark (“area B”) if —

(a) area B adjoins area A, and

(b) any of the conditions set out in subsection (5) is satisfied

(5) The conditions are —

(a) that the flora, fauna, habitat, or other features leading to the designation of area A is or are also present in area B;

(b) that the designation of area A is by reason of any flora, fauna or habitat which are dependent (wholly or in part) on anything which takes place in, or is present in, area B;

(c) that, without the addition of area B, the identification of the boundary of the land to which the Order relates (either in the Order or on the ground for the purposes of exercising functions in relation to it) would be impossible or impracticable.

(6) An Order under subsection (1) must specify —

(a) the boundaries of the area designated;

(b) the flora, fauna, habitat, geological, landscape or other features giving rise to the making of the Order (the protected features);

(c) the conservation objectives for the area,

and may prohibit entry into the area without permission and provide that permission to enter it can only be granted in special circumstances.

(7) Nothing in an Order prohibiting entry into an SPA applies to an authorised person acting in the course of his or her duties.

(8) A person commits an offence who, except as provided by subsection (7), contravenes a provision of an Order which prohibits entry into an SPA without being authorised to enter the SPA by a permit granted under section 21(1).

17. Management plans and regulations in relation to SPAs

(1) The protection and management of an SPA will be achieved by the implementation of a management plan devised in relation to that SPA or a number of SPAs including that SPA.

(2) A management plan is a scheme for —

- (a) conserving, protecting, or preserving, as the case may be, such of the features mentioned in paragraphs (a) to (c) of section 16(2) as have justified the area being designated as an SPA; or
 - (b) as the case may be, restoring them; or
 - (c) both (a) and (b).
- (3) The Commissioner must make regulations to provide for the implementation of the management plan.
- (4) Regulations made under subsection (3) must contain a synopsis of the management plan and may —
- (a) provide for any of the matters mentioned or referred to in subsection (2);
 - (b) prohibit or restrict (either absolutely or subject to exceptions specified in the regulations) entry into or movement within the SPA of vehicles or craft of any kind;
 - (c) prohibit or restrict all or specified activities within the SPA;
 - (d) impose or provide for the imposition of conditions subject to which restricted activities may be undertaken in the SPA;
 - (e) prohibit within the SPA the depositing of rubbish or other wastes and the discharge of noxious or polluting substances;
 - (f) prohibit the bringing into the SPA of any weapon or other device or thing designed or adapted for the purpose of killing, or capturing any wild bird or mammal;
 - (g) prohibit the lighting of any fire, or the smoking of any cigar, cigarette or pipe within the SPA.
- (5) A person commits an offence who contravenes any regulations made under subsection (3).

Marine protected areas

18. Marine protected areas (MPAs)

- (1) Subject to subsection (2), if the Commissioner believes that any area of sea falling within subsection (6) is in need of protection he or she may by Order under this subsection designate that area as a marine protected area (“MPA”).
- (2) The Commissioner may designate an area as an MPA by Order under subsection (1) if he or she believes it is desirable to do so for the purpose of conserving one or more of —
- (a) marine flora or fauna;

(b) any species dependent on the marine environment;

(c) marine habitats or types of marine habitat;

(d) features of scientific interest, including those of geological, geomorphological or oceanographic interest.

(3) The reference in subsection (2)(a) to conserving marine flora or fauna and the reference in subsection (2)(b) to conserving any species dependent on the marine environment includes, in particular, references to conserving any species that is rare or threatened because of —

(a) the limited number of individuals of that species;

(b) the limited number of locations within the Territory, regionally or globally, in which that species is present.

(4) The references in subsection (2)(a), (b) and (c) to conserving marine fauna or flora, species dependent on the marine environment or habitats include references to conserving the diversity of such flora, fauna or habitats, whether or not any or all of them are rare or threatened.

(5) Any reference to conserving a species or habitat includes references to —

(a) assisting in its conservation;

(b) enabling or facilitating its recovery or increase.

(6) An area falls within this subsection if —

(a) it falls entirely within one or more of —

(i) internal waters;

(ii) the seaward limits of the territorial sea;

(iii) the Maritime Zone north of latitude 60 degrees south; and

(b) except so far as is permitted by section 19(5) read with section 19(6), it does not include any area lying above mean high water spring tide.

19. Further provisions as to orders designating MPAs

(1) An Order under section 18(1) must —

(a) identify the boundaries of the area designated;

(b) state the protected feature or features;

- (c) state the conservation objectives for the MPA.
- (2) The boundary of an MPA may be defined by, or by reference to, mean high water spring tide.
- (3) An Order under section 18(1) designating an area falling within 18(6)(a)(i), (ii) or (iii) must designate —
 - (a) an area of land (whether or not covered by water) only; or
 - (b) an area of land together with all or some of the water covering it.
- (4) Section 18(6)(a)(i), (ii) and (iii) include any island, whether or not any part of it lies above mean high water spring tide.
- (5) If an MPA includes an area falling within section 18(6)(a)(i) or (ii) (“area A”), it may also include an area of the seashore lying above mean high water spring tide (“area B”) if —
 - (a) area B adjoins area A, and
 - (b) any of the conditions in subsection (6) are satisfied.
- (6) The conditions are —
 - (a) that the protected feature or features leading to the designation of area A is or are also present in area B;
 - (b) that area A is designated for the purpose of protecting marine flora or fauna, habitat, or species dependent on the marine environment, which are dependent (wholly or in part) on anything which takes place in, or is present in, area B;
 - (c) that, without the inclusion of area B, the identification of the boundary of the MPA (either in the Order designating the area or on the ground for the purpose of exercising functions in relation to it) would be impossible or impracticable.

20. Conservation orders for the protection of MPAs

- (1) The Commissioner may make one or more Orders for the purposes of furthering the objectives of an MPA.
- (2) In this Part “conservation order” means an Order under subsection (1).
- (3) The provision that may be made by a conservation order includes, in particular, provision —
 - (a) prohibiting or restricting entry into, or any movement or activity within, the MPA by persons;

- (b) prohibiting or restricting entry into, or any movement or other activity within the MPA by vessels, including recreational vessels; or where appropriate, vehicles;
- (c) restricting the speed at which any vessel may move in the MPA or in a specified area outside the MPA where that movement might hinder the conservation objectives of the MPA;
- (d) prohibiting or restricting the anchoring of any vessel within the MPA;
- (e) prohibiting or restricting the doing of anything in the MPA which will interfere with the seabed or damage or disturb any object in the MPA,

provided that no provision in a conservation order has effect so as to prevent a vessel having the right of innocent passage or transit passage through the MPA or from doing anything it is entitled to do in the exercise of that right.

(4) The provision that may be made by a conservation order also includes provision prohibiting or restricting entry into, or any movement or other activity on, any part of the seashore that adjoins the MPA by persons or vehicles.

(5) A conservation order may be made subject to specified exceptions.

(6) A conservation order may make different provision for different cases including (in particular) —

- (a) different parts of the MPA;
- (b) different times of the year;
- (c) different means or methods of carrying out any activity.

(7) In this section “specified” means specified in the Order.

(8) Nothing in a conservation order applies to anything done —

- (a) in the interests of the prevention or detection of crime;
- (b) for securing public health; or
- (c) for the purpose of saving human life, securing the safety of any vessel of significant value or of preventing damage to any vessel or cargo (in either case of significant value) from any danger which could not have been foreseen or avoided.

(9) Subject to subsection (8) and to any permit granted to him or her under section 21(1), a person who contravenes a conservation order made under subsection (1) of this section commits an offence.

PART IV PERMITS

21. Permits to do things otherwise prohibited

(1) The Commissioner, may, of his or her own motion or on the application of any person —

(a) grant for a purpose specified in subsection (6) a permit authorising any person who is specified or of a description specified in the permit to do anything specified or of a description specified in the permit that would otherwise constitute a contravention of section 6, 8, 9, 10, 11, 12, 14, or 16, regulations under section 17(3) or of any prohibition or restriction contained in an Order made under section 17(1) or section 20(1);

(b) grant a permit of general effect (that is to say a permit the benefit of which enures (subject to such exceptions as may be specified in the permit) to all persons present in the Territory) to do anything specified in the permit which would otherwise be prohibited by section 14.

(2) Unless the Commissioner is satisfied that the permit is granted for a compelling scientific purpose or that the grant of the permit will not jeopardise the survival of the species concerned or the survival of the local population of that species or is necessary in the interests of public health or safety, he or she must not grant a permit under subsection (1) —

(a) to kill, capture or handle a wild bird, marine mammal or native invertebrate;

(b) to take an egg of a native bird; or

(c) to pick, collect or uproot a native plant.

(3) The Commissioner must not grant a permit under subsection (1) to enter an SPA in relation to which the Order designating it indicates that a permit to enter it will only exceptionally be granted unless the Commissioner is satisfied that the applicant has demonstrated that in the exceptional circumstances disclosed in their application the permit ought to be granted.

(4) The Commissioner may grant a permit under subsection (1) subject to such conditions as he or she thinks fit including —

(a) conditions to be complied with by persons doing anything authorised by the permit; and

(b) conditions requiring the person to whom the permit is granted to provide information to the Commissioner.

(5) The Commissioner may, by notice published in the Gazette, require a fee to be paid on the grant of any permit under subsection (1) and may waive payment of a fee in any particular case.

(6) Subject to subsection (7), the purposes for which a permit may be granted under subsection (1) are —

(a) scientific, research and educational purposes;

(b) conserving wild birds, marine mammals, native invertebrates or native plants or for re-introducing them to the Territory or re-establishing them in particular areas within the Territory;

(c) conserving or restoring, habitats;

(d) preserving public health or public safety;

(e) preventing the spread of disease; and

(f) any other purpose for which the Commissioner believes that a permit may properly, in all the circumstances, be granted.

(7) Permits issued for any of the purposes set out in subsection (6) must be limited so as to ensure, as far as possible, that —

(a) the diversity of native species and the balance of the natural ecological systems of the Territory are maintained;

(b) no more wild birds, marine mammals, native invertebrates or native plants are taken than are necessary for the purpose or purposes for which the permit was granted;

(c) no more wild birds or marine mammals are killed or captured from local populations than can reasonably be expected to be replaced in the following breeding season by natural reproduction.

22. Supplementary to section 21

(1) A permit under section 21(1) which authorises any person to kill or capture any wild bird or mammal must specify the area within which and the methods by which such a wild bird or mammal may be killed or captured and may be granted for a period not exceeding one year specified in the permit.

(2) A person commits an offence who —

(a) contravenes any condition of a permit granted under section 21(1); or

(b) fails without reasonable excuse to produce to an authorised person a permit, or a copy of a permit issued under section 21(1).

23. False statement made to obtain a permit

A person commits an offence who for the purpose of obtaining for themselves or another person the grant of a permit under section 21(1) —

(a) makes a statement or representation, or furnishes any document or information, which he or she knows to be false in a material particular; or

(b) recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular.

24. Permits: applications, production, revocation and suspension

Regulations may make provision —

(a) as to the procedure for making applications for permits under section 21(1);

(b) as to the circumstances in which permits may be required to be produced;

(c) as to the circumstances in which permits are liable to be revoked or suspended by the Commissioner;

(d) as to the notice to be given before permits are revoked or suspended, and as to other procedures to be followed in relation to the revocation or suspension of permits; and

(e) for appeals against the revocation or suspension of permits, and as to the procedure to be followed in relation to such appeals (including provision in accordance with which such procedure is to be determined).

PART V PROVISIONS AS TO OFFENCES AND CONCLUDING PROVISIONS

Provisions in relation to offences

25. Offences by bodies corporate

(1) Where an offence under this Part has been committed by a body corporate and the contravention in question is proved to have occurred with the consent or connivance of, or to be attributable to any neglect on the part of —

(a) a director, manager, secretary or other similar officer of the body corporate, or

(b) any person who was purporting to act in any such capacity,

he or she as well as the body corporate is guilty of that offence and is liable to be proceeded against and punished accordingly.

(2) In subsection (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

26. Institution of proceedings

Proceedings for an offence under this Ordinance may not be instituted except by or with the consent of the Attorney General for the Territory:

Provided that this section does not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, notwithstanding that the necessary consent for institution of proceedings has not been obtained.

27. Power of arrest etc

(1) Regulations may make provision for —

- (a) the arrest anywhere in the Territory of any person suspected of committing an offence under this Ordinance;
- (b) stopping and searching any person suspected of committing any such offence;
- (c) the search without a warrant of any premises, land, vessel, vehicle or aircraft which it is believed may contain any evidence of any such offence;
- (d) the authorisation of persons to exercise the powers referred to in this subsection;
- (e) the conveyance in custody of any person arrested under regulations made by virtue this subsection to any place, whether in the Territory or elsewhere, where he or she can be tried for the offence in question;
- (f) the seizure and detention of any article which may be evidence of an offence under this Ordinance and its conveyance to any place, whether in the Territory or elsewhere, where a person charged with that offence can be tried; and
- (g) securing the attendance, before any court, whether in the Territory or elsewhere, before which a person can be tried for an offence under this Ordinance, of any person required to give evidence or produce documents in proceedings relating to that offence.

28. Trial of offences under this Ordinance

All offences under this Ordinance are to be tried summarily by the Magistrate's Court which, on convicting an offender, has the power, notwithstanding any other law of the Territory, to impose any penalty provided for by section 29.

29. Penalty for offences under this Ordinance

- (1) A person convicted of an offence under this Ordinance is liable to a fine or to imprisonment for a term not exceeding two years or both a fine and such imprisonment.
- (2) In subsection (1) "a fine" means a fine of such amount as the Magistrate's Court sees fit to impose having regard to the gravity and consequences of the offence, and the need to discourage others from committing like offences and the means and circumstances of the offender.

30. Defences not applicable in civil proceedings

- (1) Subsection (2) applies if a person establishes a defence to (or an exception from) an offence against (or contravention of) this Ordinance (or regulations made under it).

(2) If this subsection applies, the defence (or exception) does not affect whether or not the person has civil liability in relation to the circumstances in which the defence (or exception) applied.

Concluding provisions

31. Regulations

Regulations under this Ordinance may make —

- (a) different provision for different cases or circumstances; and
- (b) incidental and supplementary provisions.

32. Repeals

The Wildlife and Protected Birds Ordinance 1913 and the Falkland Islands Dependencies Conservation Ordinance 1975 are hereby repealed.

33. Exclusion of provisions of English law

(1) The following provisions of English law no longer apply as part of the law of the Territory except by virtue of a provision of the law of the Territory applying them by name —

- (a) the Wildlife and Countryside Act 1981;
- (b) the Wild Mammals (Protection) Act 1996;
- (c) the Countryside and Rights of Way Act 2000; and
- (d) Parts 2 and 3 of the Natural Environment and Rural Communities Act 2006.

(2) In subsection (1) a reference to an Act includes a reference to any later Act amending or modifying that Act, whether enacted before or after the commencement of this Ordinance.

Made 31st May 2011

N. R. Haywood C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

APPROPRIATION (2011) ORDINANCE 2011

(No. 2 of 2011)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £4,384,568 for 2011
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

APPROPRIATION (2011) ORDINANCE 2011

(No. 2 of 2011)

(enacted: 25 August 2011)
(published: 9 September 2011)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2011; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2011) Ordinance 2011.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Appropriation of £4,384,568 for 2011

(1) The Financial Secretary may withdraw sums of up to £4,384,568 in total from South Georgia and South Sandwich Island funds for use during 2011.

(2) Sums withdrawn under subsection (1) may be applied during 2011 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

- (a) it would have been authorised by section 3; but
- (b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	393,279
Other charges	3,979,789
Special expenditure	11,500
TOTAL	4,384,568

Enacted this 25th day of August 2011.

N. R. Haywood C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

APPROPRIATION (1998-2010) ORDINANCE 2011

(No. 3 of 2011)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Retrospective supplementary appropriation of £751,039 for period from 1 July 1997 to 31 December 1998
4. Retrospective appropriation of £50,695,746 for period from 1999 to 2010

Schedules 1 and 2

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

APPROPRIATION (1997-2010) ORDINANCE 2011

(No. 3 of 2011)

(commencement: on publication)
(published: 9 September 2011)
(enacted: 25 August 2011)

AN ORDINANCE

To regularise withdrawals of money made from South Georgia and South Sandwich Islands funds during the period from 1998 to 2010.

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

1. Title

This Ordinance is the Appropriation (1997-2010) Ordinance 2011.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Retrospective supplementary appropriation of £751,039 for period from 1 July 1997 to 31 December 1998

(1) Subsection (2) applies to the withdrawals totalling £1,410,639 made from South Georgia and South Sandwich Island funds during the period from 1 July 1997 to 31 December 1998, as set out in Schedule 1.

(2) To the extent that the withdrawals to which this subsection applies were not authorised by the Appropriation Ordinance 1997 (No 1 of 1997), they are declared to have been made lawfully.

4. Retrospective appropriation of £50,695,746 for period from 1999 to 2010

(1) Subsection (2) applies to the withdrawals totalling £50,695,746 made from South Georgia and South Sandwich Island funds during the period from 1 January 1999 to 31 December 2010, as set out in Schedule 2.

(2) The withdrawals to which this subsection applies are declared to have been made lawfully.

SCHEDULE 1

(section 3(1))

18 month Period	Personal Emoluments (£)	Operational Expenditure (£)	Special Expenditure (£)	Total Expenditure (£)
1997-1998	2,700	1,022,983	384,956	1,410,639

SCHEDULE 2

(section 4(1))

Year	Personal Emoluments (£)	Operational Expenditure (£)	Special Expenditure (£)	Total Expenditure (£)
1999	51,003	841,002	238,185	1,130,190
2000	59,912	1,218,635	1,248,715	2,527,262
2001	79,956	1,582,956	1,161,536	2,824,448
2002	37,715	1,906,565	1,172,720	3,117,000
2003	64,028	2,228,902	4,155,858	6,448,788
2004	103,990	2,301,053	3,120,015	5,525,058
2005	177,551	3,028,275	852,513	4,058,339
2006	179,727	4,326,405	638,637	5,144,769
2007	176,342	3,974,991	1,640,555	5,791,888
2008	263,367	4,424,298	15,339	4,703,004
2009	335,000	4,258,000	17,000	4,610,000
2010	355,000	4,456,000	4,000	4,815,000
TOTALS	1,883,591	34,547,082	14,265,073	50,695,746

Enacted this 25th day of August 2011.

N. R. Haywood C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

Postal Services Ordinance 2011

(No. 4 of 2011)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Interpretation
4. Provision of postal services
5. Postal articles not accepted for transmission by post
6. Postal rates
7. Postage stamps
8. Weight limitations
9. Aerogrammes
10. Small packets
11. Exemptions from postage
12. Unpaid or underpaid postage
13. Undelivered parcels
14. Registration
15. Insurance
16. Parcels and customs declarations

17. Postal officer
18. Duties and powers of a postal officer
19. Departing vessel to give notice
20. Duty to carry mail
21. Refusal to receive or deliver mail
22. Payment for carrying mail
23. Determination by the Commissioner
24. Offences
25. Postal article deemed to be property of commissioner
26. Repeal and revocation

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

POSTAL SERVICES ORDINANCE 2011

(No. 4 of 2011)

(enacted: 25 August 2011)
(published: 9 September 2011)
(commencement: on publication)

AN ORDINANCE

To provide for postal services in the Territory; to repeal the Post Office Ordinance^(a) in relation to the Territory; and for connected purposes.

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

1. Title

This Ordinance is the Postal Services Ordinance 2011.

2. Commencement

This Ordinance comes into force when it is published in the Gazette.

3. Interpretation

In this Ordinance —

“aerogramme” means a letter written on a form consisting of a single sheet of paper suitably folded and gummed on all sides, which is sold by the Post Office for the purpose of being used to send messages by air mail;

^(a) Cap.52, Laws of the Falkland Islands (1950 Edition), as it applies to South Georgia and the South Sandwich Islands under the Application of Colony Laws Ordinance (Cap. 1, Dependencies Series).

“frank” means stamp with a postmark to indicate date and place of mailing;

“inland” means, in relation to a postal article, one sent —

- (a) within South Georgia and the South Sandwich Islands;
- (b) to the Falkland Islands; or
- (c) to the British Antarctic Territory;

“postal article” means an article received by a postal officer for transmission by post;

“postal services” includes —

- (a) the issue and sale of postage stamps for the Territory; and
- (b) the transmission of postal articles by post;

“properly stamped” means, in relation to a postal article, that it bears postage stamps or markings which indicate that, when the article was posted in the Territory or in another country, the rates for postage, as determined under this Ordinance or under the law of the other country, were paid;

“transmission by post” means —

- (a) transmission within the Territory by authority of the Commissioner for the purposes of the Ordinance; or
- (b) transmission to a place outside the Territory in accordance with arrangements in force between the Commissioner and the postal administration of any other country.

4. Provision of postal services

(1) The Commissioner —

- (a) is to ensure that postal services are provided in accordance with this Ordinance;
- (b) may authorise a postal administration for that purpose; and
- (c) may appoint a Postmaster to be responsible for the provision of postal services in the Territory in accordance with this Ordinance.

(2) Except as provided by this Ordinance, no person may provide (or purport to provide) postal services for the Territory.

(3) A person who breaches subsection (2) commits an offence.

5. Postal articles not accepted for transmission by post

The Commissioner may determine that a postal article (or class of articles) will not be accepted for transmission by post, including postal articles that are not properly addressed or stamped.

6. Postal rates

(1) The Commissioner will set postal rates for the Territory.

(2) The postal rates set out in the Schedule —

(a) are deemed to have been in force for the Territory since 1 July 2010; and

(b) will remain in force until the Commissioner determines other postal rates under subsection (1).

7. Postage stamps

(1) The Commissioner may authorise the issue of postage stamps of any denomination or design for use in the Territory.

(2) The Commissioner may determine that a postage stamp previously issued by authority of the Commissioner will cease to be authorised for use from a specified date.

(3) Only authorised postage stamps are valid for use in the Territory.

8. Weight limitations

An item will not be accepted for transmission —

(a) as an overseas letter or as a small packet, if it exceeds 2 kilograms in weight;

(b) as an overseas air mail parcel;

(c) as an overseas surface mail parcel, if it exceeds 30 kilograms in weight;

(d) as an inland letter, if it exceeds 2 kilograms in weight; or

(e) as an inland parcel, if it exceeds 10 kilograms in weight.

9. Aerogrammes

(1) An aerogramme will not be accepted for transmission by air mail —

(a) if it has any enclosure; or

(b) if it is not sufficiently stamped for transmission as an aerogramme by air mail.

(2) Where, under subsection (1), an aerogramme is not accepted for transmission by airmail, it may, at the discretion of the Postal Officer or Postmaster, be accepted for transmission by surface mail if it is sufficiently stamped for such transmission.

10. Small packets

(1) A class of postal packets called "small packets" is authorised with the object of affording facilities, in the inland and international postal service, for the transmission of small articles of merchandise in the letter mail.

(2) The exchange of small packets in the international service is limited to those countries that have agreed to participate in the service.

(3) The prohibitions applicable to letter post apply equally to the service of small packets.

(4) The following are additionally excluded from transmission in small packets —

(a) letters, notes or documents having the character of actual and personal correspondence, which —

(i) includes tapes, disks or wires bearing recordings of current and personal messages; but

(ii) does not include open invoices reduced to their simplest form (consisting of the addressee's address, the description of the article and the sender's address);

(b) coins;

(c) banknotes;

(d) currency notes;

(e) negotiable instruments payable to the bearer;

(f) platinum, gold or silver (manufactured or not);

(g) precious stones;

(h) jewels and other valuable articles; and

(i) postage stamps, whether obliterated or not.

(5) A small packet must be marked with the words "small packet" in the top left-hand corner of the front of the packet.

(6) A small packet addressed to a destination outside the Territory must have securely fixed to it an International Customs Declaration Form in a form approved by the Universal Postal Union (and obtainable from the postal authorities) which has been fully and properly completed by the sender.

(7) A small packet not complying with subsections (4), (5) or (6) will not be accepted for transmission in the letter mail.

(8) Where, under subsections (4), (5) or (6) or under section 8(a), a small packet is not accepted for transmission in the letter mail, it will be treated as a parcel and be charged for and transmitted accordingly.

(9) Small packets may be registered but not insured.

11. Exemptions from postage

(1) The following postal articles may be accepted for transmission by mail without the prepayment of postage —

(a) postal articles originating in a department of the Government, posted in the Territory and bearing —

(i) the words "On Her Majesty's Service" conspicuously marked at the top of the front of the item; and

(ii) in the lower left-hand or right-hand corner of the front of the article the official departmental stamp; and

(b) postal articles sent on postal business by the postal authorities.

(2) Postage will ordinarily be prepaid by affixing adhesive postage stamps obtained from the postal authorities but, by arrangement between the sender and the Postmaster, may be prepaid by use of a franking machine approved by the Postmaster and subject to compliance with such conditions the Postmaster may specify.

12. Unpaid or underpaid postage

(1) Where the postage payable on any postal article has not been prepaid or has not been fully prepaid, a surcharge is payable —

(a) by the addressee on its delivery; or

(b) by the sender, if it is refused or cannot be delivered.

(2) Surcharges on any postal article that has not been prepaid or has not been fully prepaid will be calculated as —

(a) in the case of an overseas postal article, according to the Detailed Regulations of the Universal Postal Union; and

(b) in the case of an inland postal article, double the postage or double the deficiency as the case may be.

(3) An air mail packet on which either none or only part of the postage payable on it has been paid may be dealt with as if it were not an airmail packet.

(4) A postal article which is not properly stamped will not be delivered unless the surcharge is paid.

(5) The surcharge marked on the postal article by the postal administration (of the Territory or of another country) is evidence of the amount payable unless the contrary is proved.

13. Undelivered postal articles

(1) A postal article not collected within three months from the posting or a notification of arrival may be returned to the sender or otherwise disposed of as the Postmaster thinks fit.

(2) A fee payable under this section is payable in cash in such manner as the Postmaster may direct.

14. Registration

(1) The fees for registration are —

(a) inland - 75 pence; and

(b) overseas - £3.50.

(2) The maximum limit of compensation for the loss of a registered postal packet is —

(a) £20, where the overseas fee has been paid; and

(b) £10 otherwise.

15. Insurance

(1) Insurance is available only in relation to letters and parcels addressed to an address in the United Kingdom and any other country for the time being notified by the Postmaster.

(2) Insurance charges are £3 and the maximum insured value is £300.

16. Parcels and customs declarations

(1) Subsection (2) applies to parcels addressed to destinations outside the Territory.

(2) A parcel to which this subsection applies must have securely fixed to it an International Customs Declaration Form in a form approved by the Universal Postal Union (and obtainable from the postal authorities) which has been fully and properly completed by the sender.

17. Postal officer

(1) The Commissioner may authorise one or more persons to perform the functions of postal officer for the Territory, and may confer any power necessary for the postal officer to do so.

(2) A person authorised to perform the functions of postal officer may perform those functions wherever necessary.

(3) A person who performs or purports to perform the functions of a postal officer when not authorised commits an offence.

18. Duties and powers of a postal officer

(1) The duties of a postal officer are —

- (a) to receive, frank and keep safe all postal articles;
- (b) to arrange for the onward transmission of all postal articles; and
- (c) to exercise any other duties as required by the Commissioner.

(2) A postal officer has the power of detention, examination, opening and disposal of postal articles as authorised by the Commissioner.

19. Departing vessel to give notice

(1) The captain of a vessel which is about to depart Cumberland Bay must give notice to a postal officer of the vessel's intended departure, not less than 12 hours before the intended departure time.

(2) The captain of the vessel must answer the questions of a postal officer about the ship and the ship's intended voyage if those questions are relevant to the carriage of mail.

20. Duty to carry mail

(1) A captain of a vessel must carry on the vessel any mail supplied by a postal officer.

(2) Any mail so supplied and carried on a ship must be kept dry and secure, and must be entered on the ship's customs manifest as soon as practicable.

21. Refusal to receive or deliver mail

A captain of a vessel commits an offence who —

- (a) refuses to receive mail from or on behalf of a postal officer or wilfully delays in the receipt of mail;
- (b) refuses, neglects or wilfully delays the delivery of the mail at the port of destination.

22. Payment for carrying mail

The postal officer who receives mail from a vessel's captain will, on demand, pay to the captain such sum as the Commissioner may determine.

23. Determination by the Commissioner

(1) Where any matter is determined by the Commissioner under this Ordinance, the Commissioner may publish a notice of that determination in the Gazette.

(2) A person may not be convicted of an offence under this Ordinance in connection with a determination by the Commissioner if that determination had not been notified in the Gazette at the time of the alleged offence.

24. Offences

(1) An offence under this Ordinance may only be tried summarily by the Magistrate's Court.

(2) A person convicted of an offence under this Ordinance is liable to a fine or to imprisonment for a term not exceeding two years or both a fine and such imprisonment.

(3) In subsection (2), "a fine" means a fine of such amount as the Magistrate's Court sees fit to impose having regard to the gravity and consequences of the offence, and the need to discourage others from committing like offences and the means and circumstances of the offender.

25. Postal article deemed to be property of Commissioner

A postal article is deemed to be the property of the Commissioner for the purposes of laying an information in relation to it.

26. Repeal and revocation

The Post Office Ordinance^(a) is repealed in relation to the Territory, and all orders made under that Ordinance are revoked in relation to the Territory.

^(a) Cap.52, Laws of the Falkland Islands (1950 Edition), as it applies to South Georgia and the South Sandwich Islands under the Application of Colony Laws Ordinance (Cap. 1, Dependencies Series).

SCHEDULE

(section 6(2))

<u>Airmail Rates</u>		£
Letters	First 20g	0.70
	each extra 10 g	0.25
Small packets	First 70 g	1.15
	each extra 10 g	0.14
Postcard		0.60
Aerogramme		0.60
Illustrated aerogramme		0.70
Registration Fee		3.50
<u>Surface rates</u>		£
Letters	First 20g	0.45
	up to 100 g	0.90
	each extra 50 g	0.35
Small packets	First 100 g	0.80
	each extra 50 g	0.25
Postcard		0.35
Parcels to UK	First kg	10.00
	each extra kg	4.00
	(max 30 kg)	

<u>Inland Rates</u>		£
Letter	First 20g	0.27
	up to 100 g	0.42
	each extra 50 g	0.15
Small packets	First 70 g	0.23
	each extra 50 g	0.07
Postcard		0.20
Registration Fee		0.75

Enacted this 25th day of August 2011.

N. R. Haywood C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

CUSTOMS

Customs (Fees) Regulations 2011

S. R. & O. No. 1 of 2011

Made: 25 August 2011

Published: 9 September 2011

Coming into force: on publication

I make these regulations under section 230 of the Customs Ordinance^(a).

PART 1 INTRODUCTION

1. Title

These regulations are the Customs (Fees) Regulations 2011.

2. Commencement

These regulations come into force on publication in the *Gazette*.

3. Interpretation

In these regulations —

“customs fees for a vessel” means either —

- (a) in the case of a yacht, the fee payable for it under regulation 4; or
- (b) in the case of a vessel other than a yacht, the fees payable for it under regulations 6 and 7;

“load line length” means, in relation to a vessel, the greater of —

- (a) 96% of the total length of its relevant waterline; and
- (b) the length on that waterline from the fore side of its stem to the axis of its rudder stock;

“normal working hours” means the period each day between 8am and 4.30pm;

^(a) Cap.16, Laws of the Falkland Islands (1950 Edition), as it applies to South Georgia and the South Sandwich Islands under the Application of Colony Laws Ordinance (Cap. 1, Dependencies Series).

“relevant waterline” means, in relation to a vessel, the waterline that is —

- (a) at 85% of the vessel’s least moulded depth (measured from the top of the keel); and
- (b) in the case of a vessel designed with a rake of keel, parallel to its design waterline;

“yacht” means a small sailing or motor vessel in relation to which both of the following conditions are satisfied —

- (a) it is used for pleasure cruises; and
- (b) its load line length is not more than 24 metres.

PART 2

FEE PAYABLE IN RESPECT OF YACHTS

4. Fee payable in respect of yachts

A fee of £10 is payable for the customs entry and clearance of a yacht.

PART 3

FEES PAYABLE IN RESPECT OF VESSELS OTHER THAN YACHTS

5. Application of Part 3

This Part applies only in relation to vessels that are not yachts.

6. Fees payable for customs entry and customs clearance

- (1) If customs entry and customs clearance are undertaken in separate visits to the vessel, a fee of £35 is payable for each.
- (2) If customs entry and clearance are undertaken in a single visit to the vessel, only one fee of £35 is payable for both.

7. Fees for other services

- (1) Fees are payable for other services provided by customs officers for purposes under the customs laws.
- (2) A fee is payable for each hour or part hour during which one or more customs officers are engaged providing the services (including time spent travelling, if the services are performed away from King Edward Point).
- (3) The rates at which fees are payable are —
 - (a) £25 for each hour (or part hour) during normal working hours; and
 - (b) £40 for each hour (or part hour) outside normal working hours.

- (2) The minimum amount payable for each occasion when services are provided is £50.

PART 4 PAYMENT OF FEES

8. Arrangements for payment of customs fees

(1) The Commissioner (or a person acting on behalf of the Commissioner) may enter into arrangements with the owner or operator of a vessel for the payment of customs fees for that vessel.

(2) The fees must be paid in accordance with those arrangements.

9. Payment of customs fees where no arrangement applies

(1) This regulation applies in relation to vessels in respect of which no arrangement has been made under regulation 8(1).

(2) It also applies to a vessel to the extent that an arrangement made under regulation 8(1) does not apply.

(3) If this regulation applies, payment of the customs fees for the vessel may be demanded by a customs officer from whomever appears to be in charge of the vessel.

(4) Customs fees demanded under paragraph (3) must be paid —

(a) in cash; or

(b) by another method approved by (or on behalf of) the Commissioner.

(5) The customs fees may be paid in one of the following currencies —

(a) the currency of the United Kingdom;

(b) the currency of the Falkland Islands; or

(c) another currency, if it is a currency that has been approved by (or on behalf of) the Commissioner.

(6) If the customs fees are paid in another currency that has been approved under paragraph 5(c), the Commissioner (or a person acting on behalf of the Commissioner) may determine the equivalent amount payable in that currency.

10. Recovery of unpaid customs fees

Amounts due in respect of unpaid customs fees for a vessel may be recovered as a debt in a court of competent jurisdiction from either —

(a) the owner or operator of the vessel; or

- (b) the person from whom they were demanded under regulation 9(3).

11. Application of proceeds

Customs fees paid or recovered under this Part form part of the general revenues of the Territory.

PART 5 REVOCATION

12. Customs Fees Regulations 1992 (and amending regulations) revoked

The following regulations are revoked —

- (a) Customs Fees Regulations 1992 (S.R. & O. No 1 of 1992);
- (b) Customs (Fees) (Amendment) Regulations 1998 (S.R. & O. No 4 of 1998); and
- (c) Customs (Fees) (Amendment) Regulations 2003 (S.R. & O. No 1 of 2003).

Made 25th August 2011

N. R. Haywood C.V.O.,
Commissioner.

EXPLANATORY NOTE *(not part of the order)*

These regulations replace the Customs Fees Regulations 1992^(a) to simplify the structure of fees for customs entry and clearance and for other services provided by customs officers.

Yachts are defined as small sailing or motor vessels, with a load line length of up to 24 m, that are used for pleasure cruises. Customs entry and clearance fees for yachts remains £10.

For vessels other than yachts, fee for customs entry and customs clearance will be £35. A single fee of £35 is charged if customs entry and customs clearance are undertaken during a single visit to the vessel.

If a customs officer is required for any purpose under the Customs laws an hourly fee will apply (with a minimum fee based on 2 hours). Higher fees apply outside normal working hours.

^(a) S. R. & O. No. 1 of 1992, as amended by S. R. & O. No. 4 of 1998 and S. R. & O. No. 1 of 2003.

SUBSIDIARY LEGISLATION

HARBOURS

Harbours (Fees) Regulations 2011

S. R. & O. No. 2 of 2011

Made: 25 August 2011

Published: 9 September 2011

Coming into force: on publication

I make these regulations under section 3 of the Harbours Ordinance^(a).

PART 1 INTRODUCTION

1. Title

These regulations are the Harbours (Fees) Regulations 2011.

2. Commencement

These regulations come into force on publication in the *Gazette*.

3. Interpretation

In these regulations —

“authorised collector” means a person authorised by (or on behalf of) the Commissioner to collect harbour fees;

“harbour fees for a vessel” means either —

- (a) in the case of a yacht, the fee payable for it under regulation 4; or
- (b) in the case of a vessel other than a yacht, the fees payable for it under regulations 6, 7(1) and 8(1);

“load line length” means, in relation to a vessel, the greater of —

- (a) 96% of the total length of its relevant waterline; and
- (b) the length on that waterline from the fore side of its stem to the axis of its rudder stock;

^(a) Cap. 30, Laws of the Falkland Islands (1950 Edition), as it applies to South Georgia and the South Sandwich Islands under the Application of Colony Laws Ordinance (Cap. 1, Dependencies Series).

“relevant waterline” means, in relation to a vessel, the waterline that is —

- (a) at 85% of the vessel’s least moulded depth (measured from the top of the keel); and
- (b) in the case of a vessel designed with a rake of keel, parallel to its design waterline;

“yacht” means a small sailing or motor vessel in relation to which both of the following conditions are satisfied —

- (a) it is used for pleasure cruises; and
- (b) its load line length is not more than 24 metres.

PART 2

FEE PAYABLE IN RESPECT OF YACHTS

4. Fee payable in respect of yachts

A fee of £50 is payable in respect of every yacht on the first day of its stay in a harbour.

PART 3

FEES PAYABLE IN RESPECT OF VESSELS OTHER THAN YACHTS

5. Application of Part 3

This Part applies only in relation to vessels that are not yachts.

6. Fee payable on entering or leaving harbour

A fee of £35 is payable in respect of every vessel entering or leaving harbour.

7. Initial fee

(1) An initial fee (based on the net tonnage of the vessel and the number of passengers on board when it enters the harbour) is payable in respect of every vessel in relation to the first day of its stay in a harbour.

(2) The amount of the initial fee for a vessel carrying 12 passengers or fewer is the amount in column 2 of the table in the Schedule corresponding to the net tonnage of the vessel.

(3) The amount of the initial fee for a vessel carrying more than 12 passengers is the amount in column 3 of the table in the Schedule corresponding to the net tonnage of the vessel.

8. Daily fee

(1) A daily fee (based on the initial fee payable under regulation 7 is payable in respect of every vessel for each day (or part of a day) during which it remains in a harbour after the first day of its stay in that harbour.

(2) The amount of the daily fee for a vessel is 50% of the initial fee payable under regulation 7 for that vessel.

PART 4 PAYMENT OF FEES

9. Arrangements for payment of harbour fees

(1) The Commissioner (or a person acting on behalf of the Commissioner) may enter into arrangements with the owner or operator of a vessel for the payment of harbour fees for that vessel.

(2) The fees must be paid in accordance with those arrangements.

10. Payment of harbour fees where no arrangement applies

(1) This regulation applies in relation to vessels in respect of which no arrangement has been made under regulation 9(1).

(2) It also applies to a vessel to the extent that an arrangement made under regulation 9(1) does not apply.

(3) If this regulation applies, payment of the harbour fees for the vessel may be demanded by an authorised collector from whomever appears to be in charge of the vessel.

(4) Harbour fees demanded under paragraph (3) must be paid —

(a) in cash; or

(b) by another method approved by (or on behalf of) the Commissioner.

(5) The harbour fees may be paid in one of the following currencies —

(a) the currency of the United Kingdom;

(b) the currency of the Falkland Islands; or

(c) another currency, if it is a currency that has been approved by (or on behalf of) the Commissioner.

(6) If the harbour fees are paid in another currency that has been approved under paragraph 5(c), the Commissioner (or a person acting on behalf of the Commissioner) may determine the equivalent amount payable in that currency.

11. Recovery of unpaid harbour fees

Amounts due in respect of unpaid harbour fees for a vessel may be recovered as a debt in a court of competent jurisdiction from either —

- (a) the owner or operator of the vessel; or
- (b) the person from whom they were demanded under regulation 10(3).

12. Application of proceeds

Harbour fees paid or recovered under this Part form part of the general revenues of the Territory.

PART 5 REVOCATION

13. Harbours Fees Regulations 1994 (and amending regulations) revoked

The following regulations are revoked —

- (a) Harbours Fees Regulations 1994 (S.R. & O. No 1 of 1994);
- (b) Harbours Fees (Amendment) Regulations 1995 (S.R. & O. No 1 of 1995);
- (c) Harbours (Fees) (Amendment) Regulations 1998 (S.R. & O. No 3 of 1998); and
- (d) Harbours (Fees) (Amendment) Regulations 2003 (S.R. & O. No 3 of 2003).

SCHEDULE TABLE OF INITIAL FEES

regulation 7

Net tonnage	Column 2 (12 or fewer passengers)	Column 3 (More than 12 passengers)
Less than 100 tons	£220	£440
100 tons or more but less than 800 tons	£310	£620
800 tons or more but less than 1,000 tons	£390	£780
1,000 tons or more but less than 1,500 tons	£450	£900
1,500 tons or more but less than 2,000 tons	£550	£1,100
2,000 tons or more but less than 5,000 tons	£660	£1,320

Net tonnage	Column 2 (12 or fewer passengers)	Column 3 (More than 12 passengers)
5,000 tons or more but less than 7,000 tons	£820	£1,640
7,000 tons or more but less than 10,000 tons	£1,220	£2,440
10,000 tons or more but less than 15,000 tons	£1,490	£2,980
15,000 tons or more but less than 20,000 tons	£1,750	£3,500
20,000 tons or more	£1,840	£3,680

Made 25th August 2011

N. R. Haywood C.V.O.,
Commissioner.

EXPLANATORY NOTE
(not part of the order)

These regulations replace the Harbours Fees Regulations 1994 ^(a).

Yachts are defined as small sailing or motor vessels, with a load line length up to 24 m, that are used for pleasure cruises.

The schedule of harbour fees is updated for the first time since 2003.

Fees for yachts that fall within the new definition remain the same but, for all other vessels, a sliding scale of harbour fees based on tonnage applies.

For vessels other than yachts entry and exit fees remain unchanged at £35. Vessels, other than yachts, must pay an initial fee in respect of the first day spent in harbour and a daily fee for each subsequent day spent in harbour.

A higher rate applies to vessels with more than 12 passengers on board at the time of entry into harbour.

^(a) S. R. & O. No. 1 of 1994, as amended by S. R. & O.No. 1 of 1995, S. R. & O. No. 3 of 1998 and S. R. & O. No. 3 of 2003.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2007-2011) Order 2011

S. R. & O. No. 3 of 2011

Made: 25 August 2011
Published: 9 September 2011
Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000^(a) and of all other powers enabling me, I make the following Order—

1. Title

This Order is the Commemorative Coins (2007-2011) Order 2011.

2. Commencement

This Order comes into force when it is published in the *Gazette*.

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

^(a) No.3 of 2000, as amended by the Currency (Amendment) Ordinance (No.1 of 2001).

(c) the design of their obverse and reverse.

6. Deemed denomination of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denominations of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

1. Year of Minting 2007

Diamond Wedding

- i. First design depicts image of Prince Philip. The wording 'DIAMOND WEDDING OF HER MAJESTY QUEEN ELIZABETH II & H.R.H PRINCE PHILIP' appears in the surround of the coin and the denomination appears at the foot of the design with the wording 'THE BRIDEGROOM' above. A diamond appears at the very foot.
- ii. Second design depicts an image of Princess Elizabeth. The wording 'DIAMOND WEDDING OF HER MAJESTY QUEEN ELIZABETH II & H.R.H PRINCE PHILIP' appears in the surround of the coin and the denomination appears at the foot of the design with the wording 'THE BRIDE' above. A diamond appears at the very foot.
- iii. Third design depicts an image of Princess Elizabeth & Prince Philip. The wording 'DIAMOND WEDDING OF HER MAJESTY QUEEN ELIZABETH II & H.R.H PRINCE PHILIP' appears in the surround of the coin and the denomination appears at the foot of the design with the wording 'THE ROYAL ENGAGEMENT' and 'JULY.10.1947'. A diamond appears at the very foot.
- iv. Fourth design depicts part of the Marriage Licence against a jubilant crowd scene. The wording 'DIAMOND WEDDING OF HER MAJESTY QUEEN ELIZABETH II & H.R.H PRINCE PHILIP' appears in the surround of the coin and the denomination appears at the foot of the design with the wording 'THE MARRIAGE LICENCE' above. A diamond appears at the very foot.

The design of the obverse of these four coins consists of conjoined portraits of H.M. Queen Elizabeth II and H.R.H. Prince Phillip surrounded by the inscription 'SOUTH GEORGIA & THE SOUTH SANDWICH ISLANDS' and the wording '2007'.

Year of Minting 2008

a) Oldest Reigning British Monarch

The design consists of the four existing coin effigies of Her Majesty Queen Elizabeth II. The effigies are layered in date order starting with a full profile of the current Ian Rank-Broadley effigy (1998 – present) and with the earlier effigies layered behind: Raphael Maklouf effigy (1985 – 1997), Arnold Machin effigy (1968 – 1984) and Mary Gillick effigy (1953 – 1967).

The wording ‘OLDEST REIGNING BRITISH MONARCH’ appears in the surround, whilst the denomination appears at the bottom.

The obverse of this coin consists of the uncoupled portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2008”

b) 90th Anniversary of the RAF

The design depicts an image of an RAF Hercules dropping supplies over an area of South Georgia. The wording ‘90th ANNIVERSARY OF THE RAF’ appears in the surround and the denomination appears in the centre above the aircraft.

The obverse of this coin consists of the uncoupled portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2008”

Year of Minting 2009

a) The Nimrod Expedition

The design depicts Ernest Shackleton, Jameson Adams and Frank Wild at their farthest point south with ‘THE NIMROD’ behind them and the Union Flag to the right. The wording in the surround is ‘THE NIMROD EXPEDITION 1907 – 1909’ with the denomination to the right of the vessel.

The obverse of this coin consists of the uncoupled portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2009”

Year of Minting 2010

a) Centenary of the Race to the South Pole 2010

The design features a scene from the inside of an Antarctic grotto. Two explorers stand at the mouth of the grotto and look out to the ‘Terra Nova’. The wording ‘CENTENARY OF THE RACE TO THE SOUTH POLE’ appears in the surround with the denomination at the bottom.

The obverse of this coin consists of the uncoupled portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2010”

Year of Minting 2011

a) Lifetime of Service

The design shows Princess Elizabeth and Prince Philip based on a photograph from their honeymoon. They are positioned above a large diamond from which rays of light are emanating. The denomination appears directly under the diamond. The wording ‘QUEEN ELIZABETH II & PRINCE PHILIP’ appears in the surround on the top and the wording ‘A LIFETIME PARTNERSHIP’ in the surround at the bottom.

The obverse of this coin consists of the uncoupled portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2011”

b) Royal Wedding

The Design features the Coat of Arms of H.R.H. Prince William of Wales. The wording ‘PRINCE WILLIAM & CATHERINE MIDDLETON WEDDING – 29 APRIL 2011’ appears in the surround with the denomination at the bottom.

The obverse of this coin consists of the uncoupled portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2011”

Part 2 Specification, authorised quantity and authorised mint of coins

Type	Gold proof	Gold proof	Gold proof	Silver proof with crystal	Silver proof	Cupro Nickel (see note 2)
Denomination	£20	£4	£2	£2	£2	£2
Weight (grams)	6.22	1.24	0.05	23.45	28.28	28.28
Diameter (millimetres)	22.0	13.92	11	38.60	38.60	38.60
Fineness	0.999	0.999	0.999	925	925	75% Cu 25% Ni
Quality	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	5,000	10,000 (see note 1)	Unlimited

Footnotes:

1. In the case of the Lifetime of Service issue (2011) the quantity authorised to be minted of the £2 silver proof coin is 19,500.

2. Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited

Remedy Variations to be allowed to extent permitted by Pobjoy Mint Ltd

Made this 25th day of August 2011

N. R. Haywood C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

HARBOURS

Harbours (Fees)(Amendment) Regulations 2011

S. R. & O. No. 4 of 2011

Made: 9 September 2011

Published: 9 September 2011

Coming into force: on publication

I make these regulations under section 3 of the Harbours Ordinance^(a).

1. Title

These regulations are the Harbours (Fees)(Amendment) Regulations 2011.

2. Commencement

These regulations come into force on publication in the *Gazette*.

3. Harbour (Fees) Regulations 2011 amended

Regulation 6 of the Harbours (Fees) Regulations 2011 (SR&O No 2 of 2011) is revoked.

Made 9th September 2011

R. P. Nye,
Acting Commissioner.

EXPLANATORY NOTE

(not part of the order)

These regulations amend the Harbours (Fees) Regulations 2011 (SR&O No 2 of 2011) to revoke the entry and exit fee of £35 which applied to vessels other than yachts.

^(a) Cap. 30, Laws of the Falkland Islands (1950 Edition), as it applies to South Georgia and the South Sandwich Islands under the Application of Colony Laws Ordinance (Cap. 1, Dependencies Series).

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Eight pound and eighty pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

29 February 2012

The following are published in this Gazette –

Notices 1 to 5; and

Marine Protected Areas Order 2012 (No 1 of 2012).

NOTICES

No. 1

20 October 2011

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:-

2011 No 2440 – The Belarus (Restrictive Measures) (Overseas Territories) Order 2011.

Dated 20 October 2011

B. I. STEEN,
for Attorney General.

No. 2

November 2011

Administration of Justice Ordinance (Cap 3) section 7B Appointment of Senior Magistrate

1. Section 7B of the Administration of Justice Ordinance (Cap 3) in its application to South Georgia and South Sandwich Islands provides that the Senior Magistrate is appointed by the Commissioner.

2. In exercise of my powers under section 7B, I appoint **Carl John Gumsley** to be Senior Magistrate.

3. This appointment has effect from the date below, and continues in effect whilst **Carl John Gumsley** holds office as Senior Magistrate of the Falkland Islands, unless terminated sooner.

Dated November 2011

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 3

5 January 2012

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:-

2011 No 2979 – The Overseas Territories (Change of Name) (No 6) Order 2011;

2011 No 2980 – The Overseas Territories (Change of Name) (No 7) Order 2011;

2011 No 2982 – The Overseas Territories (Change of Name) (No 9) Order 2011;

2011 No 2983 – The Overseas Territories (Change of Name) (No 10) Order 2011;

2011 No 2984 – The Overseas Territories (Change of Name) (No 11) Order 2011;

2011 No 2988 – The Belarus (Restrictive Measures) (Overseas Territories) (Amendment) Order 2011;

2011 No 2989 – The Iran (Restrictive Measures) (Overseas Territories) Order 2011; and

2011 No 2990 – The International Criminal Tribunal for the former Yugoslavia (Restrictive Measures) (Overseas Territories) (Revocation) Order 2011.

Dated 5 January 2012

B. I. STEEN,
for Attorney General.

No. 4

7 February 2012

South Georgia and South Sandwich Islands Order 1985 section 7 Appointment of Registrar General

1. The office of Registrar General for South Georgia and the South Sandwich Islands Order 1985 (SI 1985/449) on 18 August 2009. Section 7 empowers the Commissioner to make appointments to any office so constituted.

2. In exercise of my powers under section 7 for the purpose of registration under the laws of South Georgia and the South Sandwich Islands, including; the Land Ordinance, Marriage Ordinance, Registrations Ordinance, and Registration of United Kingdom Patents Ordinance, and any other duties that may be required in the role of Registrar General, I appoint **Alison Anne Mackenzie Inglis** to be Registrar General.

3. This appointment has effect from the date below, and continues in effect whilst **Alison Anne Mackenzie Inglis** holds office as Registrar General of the Falkland Islands Government, unless terminated sooner.

Dated 7 February 2012

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 5

10 February 2012

South Georgia and South Sandwich Islands Order 1985 section 7 Appointment of Acting Financial Secretary

1. The office of Financial Secretary for South Georgia and the South Sandwich Islands is constituted under section 7 of the South Georgia and South Sandwich Islands Order 1985 (SI 1985/449). Section 7 also empowers the

Commissioner to make appointments to any office so constituted.

2. In exercise of my powers under section 7 of the South Georgia and South Sandwich Islands Order 1985, I appoint **Nicola Jane Granger** to be Acting Financial Secretary at any time when the post is vacant, or the substantive holder of the post is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

3. This appointment has effect from the date given below, and continues in effect whilst **Nicola Jane Granger** holds office as Head of Finance Falkland Islands Government, unless terminated sooner.

Made 10 February 2012

N. R. HAYWOOD C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

WILDLIFE & PROTECTED AREAS

Marine Protected Areas Order 2012

S. R. & O. No: 1 of 2012

Made: 23 February 2012

Published: 29 February 2012

Coming into force: on publication

IN EXERCISE of my powers under sections 18(1) and 20(1) of the Wildlife and Protected Areas Ordinance 2011 (No 1 of 2011) and being satisfied that the criteria identified in section 18(2) of that Ordinance apply, I make the following Order —

1. Title

This order is the Marine Protected Areas Order 2012.

2. Commencement

This order comes into force when it is published in the *Gazette*.

3. Interpretation

In this Order —

“bottom fishing” —

- (a) means fishing on the sea floor;
- (b) includes bottom trawling; and
- (c) also includes the use of lines, pots, nets or traps on the sea floor;

“bottom trawling” means towing a trawl or fishing net along (and in contact with) the sea floor;

“fishing vessel” —

- (a) means a vessel of any size that is used for, equipped to be used for, or intended for use for the purposes of fishing or fishing related activities;
- (b) includes vessels engaged in transshipment of fish or fishery products; and

(c) also includes carrier vessels equipped for the transportation of fish or fishery products;

“no-take zone” means each of the zones described in the Schedule;

“SGSSI MPA” means the South Georgia and South Sandwich Islands Marine Protected Area designated by article 4; and

“SGSSI waters” means —

(a) the internal waters of the Territory between —

(i) the baselines established by article 3 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989 (SI 1989/1995); and

(ii) mean high water at spring tide;

(b) the territorial sea established for the Territory by article 2 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989; and

(c) the maritime zone established for the Territory by Proclamation No.1 of 1993.

4. South Georgia and South Sandwich Islands Marine Protected Area

(1) A Marine Protected Area around South Georgia and the South Sandwich Islands is designated under section 18(1) of the Wildlife and Protected Areas Ordinance.

(2) The name of the Marine Protected Area is the South Georgia and South Sandwich Islands Marine Protected Area (SGSSI MPA).

(3) The SGSSI MPA consists of SGSSI waters northwards of the line of latitude 60 degrees south of the equator.

(4) The purpose of designating the SGSSI MPA is for the conservation of —

(a) the seabed and its overlying waters; and

(b) their associated organisms.

(5) The principal conservation objectives for the SGSSI MPA are to:

(a) conserve marine biodiversity, habitats and critical ecosystem function;

(b) ensure that fisheries are managed sustainably, with minimal impact on associated and dependent ecosystems;

(c) manage other human activities including shipping and scientific research, to minimise environmental impacts on the marine environment;

- (d) protect the benthic marine organisms from the destructive effects of bottom trawling;
- (e) facilitate recovery of previously over-exploited marine species;
- (f) increase the resilience of the marine environment to the effects of climate change; and
- (g) prevent the introduction of non-native marine species.

5. Conservation order prohibitions

- (1) Bottom trawling is prohibited throughout the SGSSI MPA.
- (2) Bottom fishing is prohibited in waters where the depth of the seabed is less than 700 metres.
- (3) Fishing is prohibited in the no-take zones.
- (4) Fishing vessels are not permitted to enter the no-take zones, except in exercise of the right of innocent passage or under force majeure.
- (5) The prohibitions in this article do not apply to —
 - (a) anything carried out for research purposes in accordance with a permit granted by the Commissioner under section 21 of the Wildlife and Protected Areas Ordinance;
 - (b) anything permitted by section 20(8) of that Ordinance.

SCHEDULE

(article 3)

Zone	Boundaries	Protected features	Conservation objectives To conserve & protect:
South Georgia No-take Zone	Between: (1) a line 12 nautical miles from the baselines around the coast of South Georgia; and (2) mean high water at spring tide	The seabed, overlying water and associated organisms in an area of 13899 km ²	The shallow marine environment around South Georgia including: 1. The spawning grounds of many fish species, including mackerel icefish 2. The inshore foraging areas of marine predators such as gentoo penguins, cormorants, petrels and prions.
Clerke Rocks No-take Zone	Between: (1) a line 12 nautical miles from the baselines around Clerke Rocks and the Office Boys; and (2) mean high water at spring tide	The seabed, overlying water and associated organisms in an area of 1923 km ²	The shallow marine environment to the SE of South Georgia including: 1. The spawning grounds of many fish species, including mackerel icefish 2. The inshore foraging areas of marine predators such as gentoo penguins, cormorants, petrels and prions. 3. The “spirulid reef” at approximately 55°00’S, 34°31’W
Shag Rocks No-take Zone	Between: (1) a line 12 nautical miles from the baselines around Shag Rocks & Black Rock; and (2) mean high water at spring tide	The seabed, overlying water and associated organisms in an area of 2337 km ²	The shallow marine environment of the Shag Rocks shelf incorporating: 1. The principal recruitment area for juvenile Patagonian toothfish 2. Spawning grounds of mackerel icefish 3. A key foraging area for black-browed albatross, Antarctic fur seals and baleen whales.
South Sandwich Islands No-take Zones	Between: (1) lines 3 nautical miles from the baselines around the coasts of the South Sandwich Islands; and (2) mean high water at spring tide	The seabed, overlying water and associated organisms in areas that total 2272 km ²	The shallow marine environment around each of the South Sandwich Islands including: 1. The inshore foraging grounds of marine predators 2. The spawning grounds of fish species

Made 23 February 2012

N. R. Haywood C.V.O.,
Commissioner.

EXPLANATORY NOTE

(not part of the order)

Section 18(1) of the Wildlife and Protected Areas Ordinance (No 1 of 2011) allows the Commissioner to designate areas of sea as marine protected areas (MPAs).

The criteria for designation of a marine protected area are set out in section 18(2) and the requirements for orders designating MPAs are set out in the rest of section 18 and in section 19.

Section 20(1) allows the Commissioner to make conservation orders to further the objectives of an MPA. Section 20(3) allows the Commissioner to prohibit or restrict activities in a conservation order and section 20(6) allows for different prohibitions or restrictions to apply in different parts of an MPA.

This order designates the South Georgia and South Sandwich Islands Marine Protected Area (the SGSSI MPA) to protect the seabed and overlying waters and associated organisms.

The SGSSI MPA consists of waters north of a latitude 60 degrees south that are between mean high water at spring tide and the 200 nautical mile limit.

SGSSI waters south of 60 degrees south of the equator are similarly protected through the SGSSI fishery licensing regime, which does not permit fishing in these waters.

The order also defines a number of no-take zones: 12 nautical miles around South Georgia Island, Clerke Rocks, Shag and Black Rocks; and 3 nautical miles around each of the South Sandwich Islands.

To protect benthic marine organisms, the order prohibits bottom trawling throughout the SGSSI MPA and all bottom fishing in waters of less than 700 metres depth.

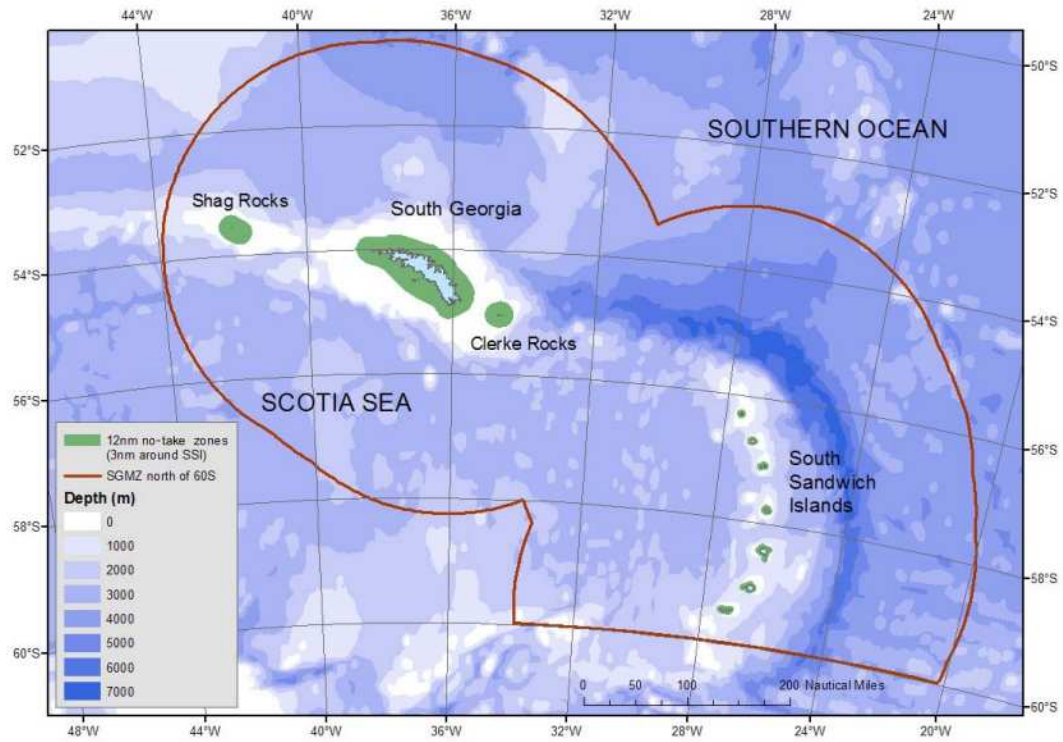
It also prohibits all fishing in the no-take zones.

These prohibitions do not apply to activities covered by one of the limited exceptions in section 20(8) or by a licence granted by the Commissioner under section 21.

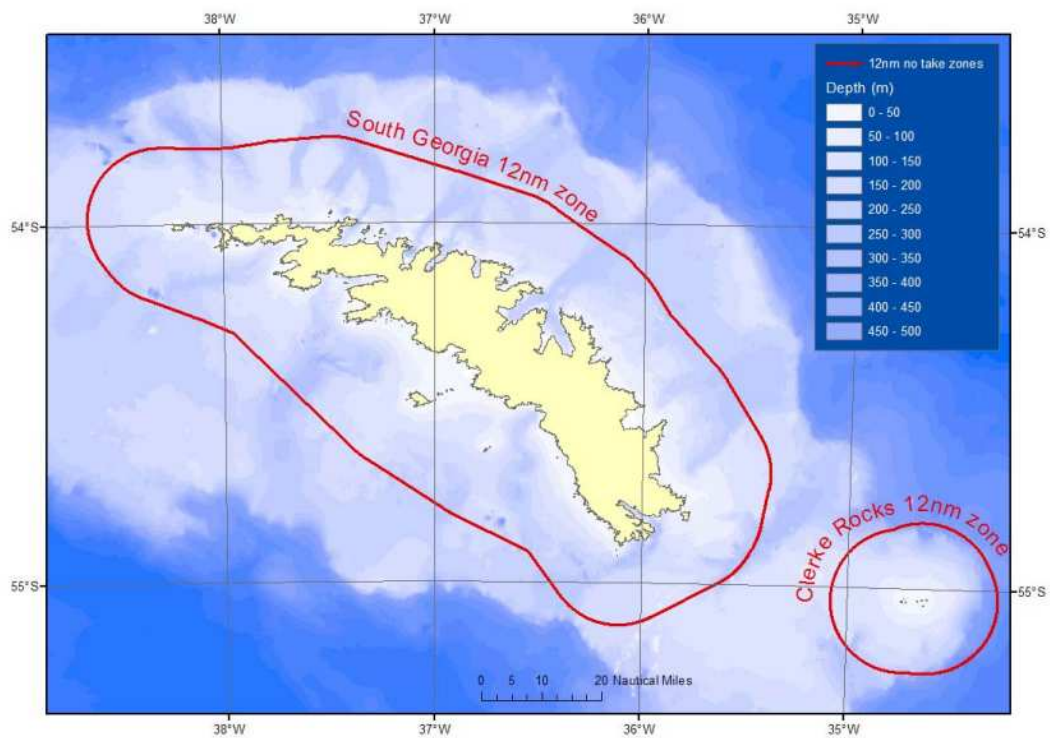
Breach of the prohibitions is an offence against section 20(9) of the Ordinance.

The following maps illustrate the boundaries of the SGSSI MPA and the no-take zones.

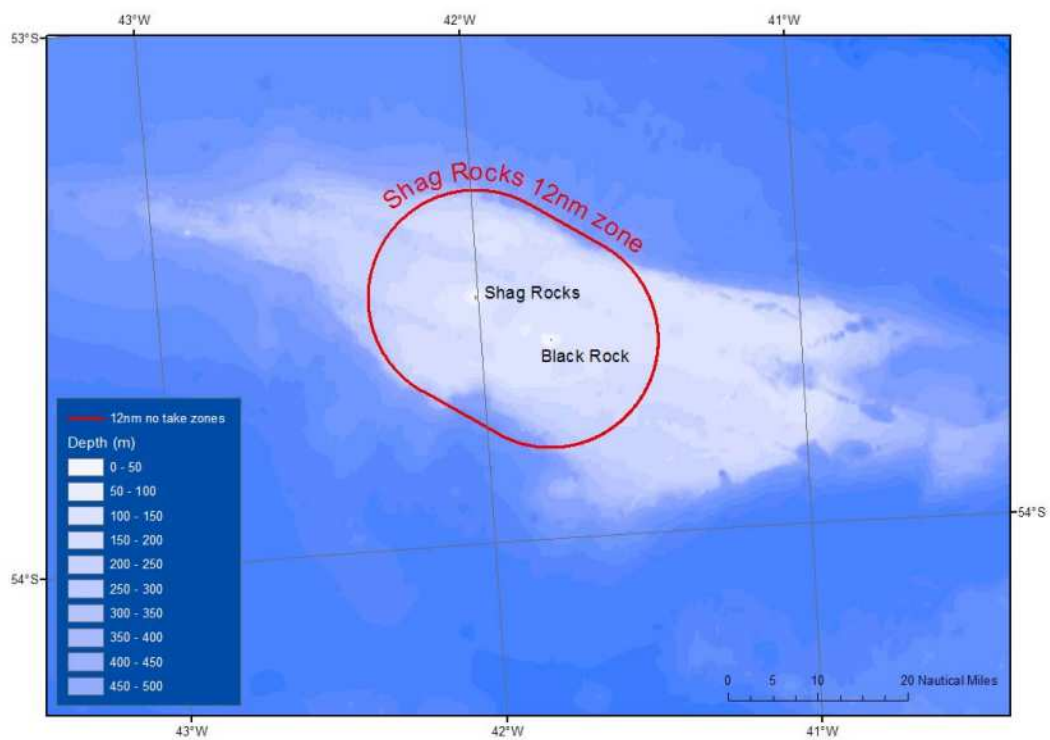
**The South Georgia and South Sandwich Islands Marine Protected Area
(with no-take zones shaded)**



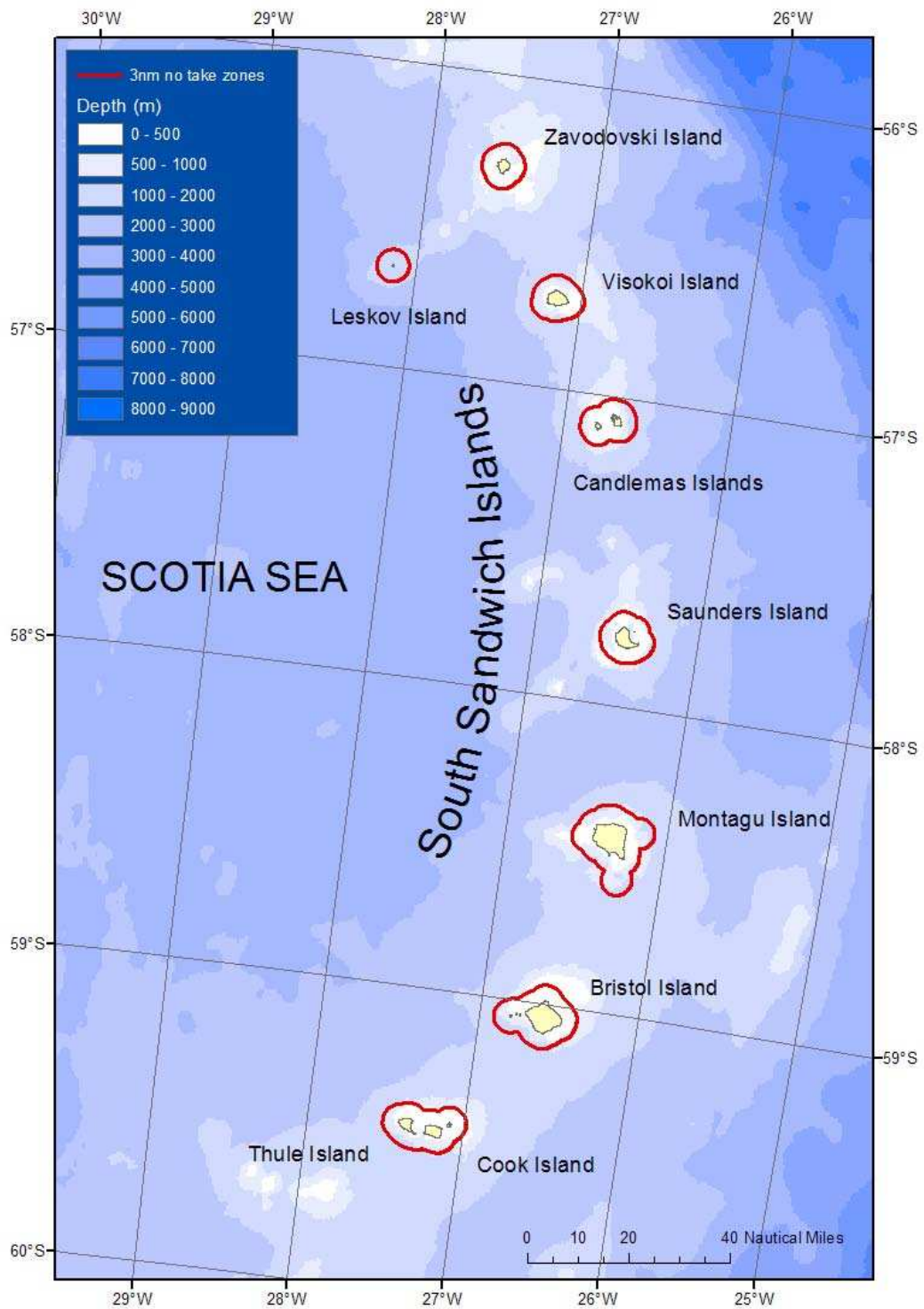
The South Georgia no-take zone and the Clerke Rocks no-take zone



The Shag Rocks no-take zone



The South Sandwich Islands no-take zones



Published by the Attorney General's Chambers, Stanley, Falkland Islands.
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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

4 December 2012

The following are published in this Gazette –

Notices 6 to 9;

Supplementary Appropriation (2011) Ordinance 2012 (No 1 of 2012);

Appropriation (2012) Ordinance 2012 (No 2 of 2012); and

Appeals (Jurisdiction of Falkland Islands Court of Appeal) Ordinance 2012 (No 3 of 2012).

NOTICES

No. 6

4 December 2012

Public Holidays 2012

The Commissioner has declared that the following will be Public Holidays for South Georgia and the South Sandwich Islands during 2012:

2 January	New Years Day Holiday
17 January	Possession Day
6 April	Good Friday
9 April	Easter Monday
26 April	Liberation Day
21 June	Midwinters Day
14 September	Toothfish (end of season) Day
25 December	Christmas Day
26 December	Boxing Day

Dated 4 December 2012

R. P. NYE,
Acting Commissioner.

No. 7

4 December 2012

Public Holidays 2013

The Commissioner has declared that the following will be Public Holidays for South Georgia and the South Sandwich Islands during 2013:

1 January	New Years Day
17 January	Possession Day
29 March	Good Friday
9 April	Easter Monday
26 April	Liberation Day
21 June	Midwinters Day
14 September	Toothfish (end of season) Day
25 December	Christmas Day
26 December	Boxing Day

Dated 4 December 2012

R. P. NYE,
Acting Commissioner.

No. 8

4 December 2012

Income Tax Ordinance 1939 *section 90* **Notification of income tax assessments**

Income tax assessments for the following years of assessment are to be reviewed:

2013 (2012 income)
2014 (2013 income)

Any amounts in excess of 7% of income earned in the Territory (0% for those who were present for less than 6 months) will be remitted, provided that the Commissioner of Taxation is satisfied that the taxpayer concerned has been disadvantaged by the excess.

Any tax assessments that have already been appealed will be considered automatically in this review. Any other taxpayers who consider that they would benefit from this review should notify the Commissioner of Taxation, Stanley, Falkland Islands, within 90 days of this notice.

Dated 4 December 2012

R. P. NYE,
Acting Commissioner.

No. 9

4 December 2012

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:

2012 No 1389 – The Iran (Restrictive Measures) (Overseas Territories) (Amendment) Order 2012;

2012 No 1755 – The Syria (Restrictive Measures) (Overseas Territories) Order 2012;

2012 No 1756 – The Iran (Restrictive Measures) (Overseas Territories) Order 2012;

2012 No 1757 – The Al-Qaida (United Nations Measures) (Overseas Territories) Order 2012;

2012 No 1758 – The Afghanistan (United Nations Measures) (Overseas Territories) Order 2012;

2012 No 2592 – The United Nations (Overseas Territories) (Revocations) Order 2012; and

2012 No 2596 – The Burma (Restrictive Measures) (Overseas Territories) (Suspension) Order 2012.

Dated 4 December 2012

B. I. STEEN,
for Attorney General.

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

RICHARD PAUL NYE,
Acting Commissioner.

Supplementary Appropriation (2011) Ordinance 2012

(No. 1 of 2012)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Retrospective supplementary appropriation of £170,432 for 2011

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

RICHARD PAUL NYE,
Acting Commissioner.

SUPPLEMENTARY APPROPRIATION (2011) ORDINANCE 2012

(No. 1 of 2012)

(*enacted:* 4 December 2012)
(*published:* 4 December 2012)
(*commencement:* on publication)

AN ORDINANCE

To retrospectively authorise withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2011.

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

1. Title

This Ordinance is the Supplementary Appropriation (2011) Ordinance 2012.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Retrospective supplementary appropriation of £170,432 for 2011

(1) Subsection (2) applies to the withdrawals totalling £4,555,000 made from South Georgia and South Sandwich Island funds during 2011, as set out in the Schedule.

(2) To the extent that the withdrawals to which this subsection applies were not authorised by the Appropriation (2011) Ordinance 2011 (No 2 of 2011), they are declared to have been made lawfully.

SCHEDULE

(section 3(1))

Purpose	Amount (£)
Personal Emoluments	375,546
Other Charges	4,082,119
Special Expenditure	96,796
TOTAL	4,554,461

Enacted 4 December 2012

R. P. Nye,
Acting Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

RICHARD PAUL NYE,
Acting Commissioner.

Appropriation (2012) Ordinance 2012

(No. 2 of 2012)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £5,614,084 for 2012
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

RICHARD PAUL NYE,
Acting Commissioner.

APPROPRIATION (2012) ORDINANCE 2012

(No. 2 of 2012)

(enacted: 4 December 2012)
(published: 4 December 2012)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2012; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2012) Ordinance 2012.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Appropriation of £5,614,084 for 2012

(1) The Financial Secretary may withdraw sums of up to £5,614,084 in total from South Georgia and South Sandwich Island funds for use during 2012.

(2) Sums withdrawn under subsection (1) may be applied during 2012 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

- (a) it would have been authorised by section 3; but
 - (b) it was made before this Ordinance comes into force.
- (2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	400,135
Other charges	4,414,949
Special expenditure	799,000
TOTAL	5,614,084

Enacted 4 December 2012

R. P. Nye,
Acting Commissioner.

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

RICHARD PAUL NYE,
Acting Commissioner.

Appeals (Jurisdiction of Falkland Islands Court of Appeal) Ordinance 2012

(No 3 of 2012)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Interpretation
4. Jurisdiction of Falkland Islands Court of Appeal

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

RICHARD PAUL NYE,
Acting Commissioner.

APPEALS (JURISDICTION OF FALKLAND ISLANDS COURT OF APPEAL) ORDINANCE 2012

(No 3 of 2012)

(assented to: 4 December 2012)
(commencement: in accordance with section 2)
(published: 4 December 2012)

AN ORDINANCE

To make provision for appeals to be heard by the Falkland Islands Court of Appeal.

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

1. Title

This is the Appeals (Jurisdiction of Falkland Islands Court of Appeal) Ordinance 2012.

2. Commencement

This Ordinance is to be treated as if it has had effect from 1 January 2011.

3. Interpretation

In this Ordinance —

“the Court of Appeal Ordinance” means the Court of Appeal Ordinance of the Falkland Islands (No 21 of 1998);

“the Falkland Islands Constitution” means the Constitution of the Falkland Islands set out in Schedule 1 to the Falkland Islands Constitution Order 2008 (S.I. 2008/2846);

“the Falkland Islands Court of Appeal” means the Court of Appeal of the Falkland Islands established by section 87 of the Falkland Islands Constitution; and

“the Falkland Islands Supreme Court” means the Supreme Court of the Falkland Islands established by section 86 of the Constitution of the Falkland Islands.

4. Jurisdiction of Falkland Islands Court of Appeal

(1) The appeals described in the Schedule are prescribed for the purposes of section 9(1) of the Falkland Islands Courts (Overseas Jurisdiction) Order 1989 (S.I. 1989/2339) as appeals which the Falkland Islands Court of Appeal has jurisdiction to hear and determine.

(2) The Court of Appeal Ordinance applies to the exercise of jurisdiction under subsection (1).

SCHEDULE

Civil appeals from decisions of the Falkland Islands Supreme Court made when exercising jurisdiction under section 3 of the Falkland Islands Courts (Overseas Jurisdiction) Order.

Enacted 4 December 2012

R. P. Nye,
Acting Commissioner

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Price: Four pound and five pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

7 May 2013

The following is published in this Gazette –

Criminal Justice Ordinance 2013 (No 1 of 2013).

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

SANDRA TYLER-HAYWOOD
Acting Commissioner.

CRIMINAL JUSTICE ORDINANCE 2013

(No: 1 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Powers of Police Officers

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

SANDRA TYLER-HAYWOOD
Acting Commissioner.

CRIMINAL JUSTICE ORDINANCE 2013

(No: 1 of 2013)

(assented to: 7 May 2013)
(published: 7 May 2013)
(commencement: on publication)

AN ORDINANCE

To make provision in relation to police powers.

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

1. Title

This Ordinance is the Criminal Justice Ordinance 2013.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Powers of Police Officers

A police officer enrolled in the Territory's police force has the same powers in relation to the exercise of their duties in the Territory as a police officer in the Falkland Islands has in relation to the exercise of their duties in the Falkland Islands.

Enacted 7th May 2013

S. Tyler-Haywood,
Acting Commissioner.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Two pound.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

13 June 2013

The following are published in this Gazette –

Notices 1 to 10;

Supplementary Appropriation (2012) Ordinance 2013 (No 2 of 2013);

Appropriation (2013) Ordinance 2013 (No 3 of 2013);

Wildlife and Protected Areas (Amendment) Ordinance 2013 (No 4 of 2013);

Postal Services (Amendment) Ordinance 2013 (No 5 of 2013);

Marine Protected Areas Order 2013 (SR&O No 1 of 2013);

Prohibited Areas Order 2013 (SR&O No 2 of 2013); and

Coins Order 2013 (SR&O No 3 of 2013).

NOTICES

No. 1 14 December 2012

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:

2012 No 2748 – The Iraq (United Nations Sanctions) (Overseas Territories) (Amendment) Order 2012;

2012 No 2749 – The Liberia (Restrictive Measures) (Overseas Territories) (Amendment) Order 2012;

2012 No 2750 – The Democratic Republic of the Congo (Restrictive Measures) (Overseas Territories) (Amendment) Order 2012;

2012 No 2751 – The Eritrea (Sanctions) (Overseas Territories) Order 2012;

2012 No 2753 – The Zimbabwe (Sanctions) (Overseas Territories) Order 2012;

2012 No 3069 – The Syria (Restrictive Measures) (Overseas Territories) (Amendment) Order 2012.

Dated 14 December 2012

B. I. STEEN,
for Attorney General.

No. 2 11 February 2013

South Georgia and South Sandwich Islands Order 1985 *section 7*

Appointment of Registrar General

1. The office of Registrar General for South Georgia and the South Sandwich Islands Order 1985 (SI 1985/449) was constituted on 18 August 2009. Section 7 empowers the Commissioner to make appointments to any office so constituted.

2. In exercise of my powers under section 7 for the purpose of registration under the laws of South Georgia and the South Sandwich Islands, including but not limited to: Land Ordinance, Marriage Ordinance, Registrations Ordinance, and Registration of United Kingdom Patents Ordinance, and any other duties that may be required in the role of Registrar General, I appoint **Elizabeth Jayne Reid** to be Registrar General.

3. This appointment has effect from the date below, and continues in effect whilst Elizabeth Jayne Reid holds office as Registrar General of the Falkland Islands, unless

terminated sooner.

Dated 11 February 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 3 6 May 2013

Police Ordinance 1967

section 5

Enrolment of Police Officer

1. The Police Ordinance 1967 (No 9 of 1967, Falkland Islands) applies to South Georgia and the South Sandwich Islands by reference to the Application of Colonies Laws Ordinance 1967 (No 1 of 1967, Falkland Islands).

2. Section 5 of the Ordinance provides that the Police Force shall consist of such police officers as may from time to time be approved by the Commissioner and enrolled in the Force.

3. In exercise of my powers under section 5, I approve Andrew Huggins as a police officer.

4. Andrew Huggins is enrolled as a police officer from the date below until June 2013 unless this enrolment is terminated sooner.

Dated 6 May 2013

S. TYLER-HAYWOOD,
Acting Commissioner.

No. 4 6 May 2013

Police Ordinance 1967

section 5

Enrolment of Police Officer

1. The Police Ordinance 1967 (No 9 of 1967, Falkland Islands) applies to South Georgia and the South Sandwich Islands by reference to the Application of Colonies Laws Ordinance 1967 (No 1 of 1967, Falkland Islands).

2. Section 5 of the Ordinance provides that the Police Force shall consist of such police officers as may from time to time be approved by the Commissioner and enrolled in the Force.

3. In exercise of my powers under section 5, I approve Richard Karavics as a police officer.

4. Richard Karavics is enrolled as a police officer from the date below until June 2013 unless this enrolment is terminated sooner.

Dated 6 May 2013

S. TYLER-HAYWOOD,
Acting Commissioner.

No. 5

30 May 2013

Public Holidays 2013

The Commissioner has declared that the following will be Public Holidays for South Georgia and the South Sandwich Islands during 2013:

1 January	New Year's Day
17 January	Possession Day
29 March	Good Friday
1 April	Easter Monday
26 April	Liberation Day
21 June	Midwinter's Day
13 September	Toothfish (end of season) Day
25 December	Christmas Day
26 December	Boxing Day

Dated 30 May 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

Note: this notice replaces Notice No. 7 published in Gazette No. 2 dated 4 December 2012.

No. 6

30 May 2013

Public Holidays 2014

The Commissioner has declared that the following will be Public Holidays for South Georgia and the South Sandwich Islands during 2014:

1 January	New Year's Day
17 January	Possession Day
18 April	Good Friday
21 April	Easter Monday
28 April	Liberation Day (in lieu of 26 April)
23 June	Midwinter's Day (in lieu of 21 June)
15 September	Toothfish (end of season) Day
25 December	Christmas Day
26 December	Boxing Day

Dated 30 May 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 7

30 May 2013

Visitors Ordinance 1992

section 3

Notification of amount of passenger landing fee

Section 3(1) of the Visitors Ordinance (No 2 of 1992), as amended by the Visitors (Amendment) Ordinance 2005 (No 1 of 2005), provides that a passenger landing fee must be paid for every visitor to South Georgia and the South Sandwich Islands and states that the amount of the fee is to be prescribed by the Commissioner and published in the Gazette.

The following passenger landing fees, in the currency of the United Kingdom, must be paid:

(a) for a short visit (one lasting less than 72 hours), the amount of the passenger landing fee is £110.

(b) for an extended visit (one lasting 72 hours or more), the amount of the passenger landing fee is £165.

(c) The extended visit passenger landing fee (£165) is valid for one calendar month from the start of the visit. If the visitor remains in the Territory, a further passenger landing fee must be paid as if a new visit had started when the previous fee expired.

These apply from when this Notice is published in the Gazette and they are also to be treated as having applied from 1 July 2012.

Dated 30 May 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 8

30 May 2013

Wildlife and Protected Areas Ordinance 2011

section 21

Notification of fee for permits granted under section 21 of the Wildlife and Protected Areas Ordinance

Section 21(5) of the Wildlife and Protected Areas Ordinance (No 1 of 2011), as amended by the Wildlife and Protected Areas (Amendment) Ordinance (No 4 of 2013), provides that a fee may be charged for the grant of a permit under section 21(1) of that Ordinance. Notification of such a fee must be published in the Gazette.

From 1 July 2013 a fee of £25 will be charged for any permit granted under section 21(1) of the Wildlife and Protected Areas Ordinance 2011. In accordance with section 21(5) of the Wildlife and Protected Areas Ordinance 2011, the Commissioner may waive payment of the fee in any particular case.

Dated 30 May 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 9

30 May 2013

Fisheries (Conservation and Management) Ordinance 2000

section 4

Appointment of Fisheries Protection Officers

1. In exercise of my powers under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, the following persons are appointed as Fisheries Protection Officers:

Ian Wallace

Keiron Patrick Pomeroy Fraser
Joanna Louise Cox

2. The appointments have effect from 1 January 2013, and continue in effect respectively whilst:

(a) Ian Wallace is employed by the Falkland Islands Government as a Fishery Protection Officer and agreement between the Falkland Islands Government and the Government of South Georgia and the South Sandwich Islands for the provision of Fishery Protection Officers continues;

(b) Keiron Patrick Pomeroy Fraser and Joanna Louise Cox are employed as Government Officers by the Government of South Georgia,

unless terminated sooner.

Dated 30 May 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

No. 10

30 May 2013

South Georgia and South Sandwich Islands Order 1985
section 7

Appointment of Financial Secretary

1. The office of Financial Secretary for South Georgia and the South Sandwich Islands is constituted under section 7 of the South Georgia and South Sandwich Islands Order 1985 (SI 1985/449). Section 7 also empowers the Commissioner to make appointments to any office so constituted.

2. In the exercise of my powers under section 7 of the South Georgia and South Sandwich Islands Order 1985, I appoint **NICOLA JANE GRANGER** to be Financial Secretary.

3. This appointment has effect from 7 September 2012, and continues in effect whilst Nicola Jane Granger holds office as Financial Secretary for the Falkland Islands Government, unless terminated sooner.

Dated 30 May 2013

N. R. HAYWOOD C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

Supplementary Appropriation (2012) Ordinance 2013

(No: 2 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Retrospective supplementary appropriation of £297,231 for 2012

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

SUPPLEMENTARY APPROPRIATION (2012) ORDINANCE 2013

(No: 2 of 2013)

(enacted: 30 May 2013)
(published: 13 June 2013)
(commencement: on publication)

AN ORDINANCE

To retrospectively authorise further withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2012.

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

1. Title

This Ordinance is the Supplementary Appropriation (2012) Ordinance 2013.

2. Commencement

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

3. Retrospective supplementary appropriation of £297,231 for 2012

(1) Subsection (2) applies to the withdrawals totalling £5,911,315 made from South Georgia and the South Sandwich Islands funds during 2012, as set out in the Schedule.

(2) To the extent that the withdrawals to which this subsection applies were not authorised by the Appropriation (2012) Ordinance (No 2 of 2012), they are deemed to have been made lawfully.

SCHEDULE

(section 3(1))

Purpose	Amount (£)
Personal Emoluments	451,441
Other charges	4,409,925
Special expenditure	1,049,949
TOTAL	5,911,315

Enacted 30 May 2013

N. R. Haywood C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

Appropriation (2013) Ordinance 2013

(No: 3 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £5,897,280 for 2013
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

APPROPRIATION (2013) ORDINANCE 2013

(No: 3 of 2013)

(enacted: 30 May 2013)
(published: 13 June 2013)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2013; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2013) Ordinance 2013.

2. Commencement

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

3. Appropriation of £5,897,280 for 2013

(1) The Financial Secretary may withdraw sums of up to £5,897,280 in total from South Georgia and South Sandwich Island funds for use during 2013.

(2) Sums withdrawn under subsection (1) may be applied during 2013 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

(a) it would have been authorised by section 3; but

(b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	420,440
Other charges	4,749,340
Special expenditure	727,500
TOTAL	5,897,280

Enacted 30 May 2013

N. R. Haywood C.V.O.,
Commissioner

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

Wildlife and Protected Areas (Amendment) Ordinance 2013

(No: 4 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of the Wildlife and Protected Areas Ordinance
4. Section 5 amended – Interpretation and general
5. Section 6 amended – Protection of wild birds and mammals
6. Section 11 amended – Introduction of non-native species
7. Section 14 amended – Control of imports, exports and movement of wildlife within the Territory

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

WILDLIFE AND PROTECTED AREAS (AMENDMENT) ORDINANCE 2013

(No: 4 of 2013)

(enacted: 30 May 2013)
(published: 13 June 2013)
(commencement: on publication)

AN ORDINANCE

To amend the Wildlife and Protected Areas Ordinance (No 1 of 2011).

ENACTED by the Commissioner of South Georgia and the South Sandwich Islands as follows—

1. Title

This Ordinance is the Wildlife and Protected Areas (Amendment) Ordinance 2013.

2. Commencement

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

3. Amendment of the Wildlife and Protected Areas Ordinance

This Ordinance amends the Wildlife and Protected Areas Ordinance.

4. Section 5 amended – Interpretation and General (application to rats and mice)

Section 5(2) is repealed.

5. Section 6 amended – Protection of wild birds and mammals

Section 6 is amended by adding the following after subsection (2) —

“(3) Nothing in subsection (1) applies to the use of traps or poison bait to capture or kill mice or rats for biosecurity reasons.”

6. Section 11 amended – Introduction of non-native species

Section 11 is amended by adding the following after subsection (5) —

“(6) Nothing in subsection (2) applies to plants cultivated on a vessel for the use of the vessel; provided that the plants remain on the vessel whilst it is in the Territory.”

7. Section 14 amended - Control of imports, exports and movement of wildlife within the Territory

(1) This section amends section 14.

(2) Subsection (1) is repealed and replaced with the following subsection —

“(1) Subject to the provisions of this Part, and except as permitted under a permit granted under section 21(1) or, in relation to the import or export of fishery products (including bait) which is incidental to a licence granted under any legislation of the Territory relating to fishing, a person commits an offence who —

(a) imports into the Territory or exports from the Territory, living or dead, any animal, plant, or any part or thing which is a derivative of any such species;

(b) imports non-sterile soil into the Territory;

(c) intentionally or recklessly transports to or releases at a place within the Territory any thing of a kind mentioned in paragraph (a) or (b) which has been acquired at another place within the Territory;

(d) disposes of any poultry in the Territory; or

(e) disposes of any thing of a kind mentioned in paragraph (a) or (b) without due regard to preventing its establishment or spread in the Territory.”

(3) Subsection (3) is repealed and replaced with the following subsection —

“(3) For the purposes of subsection (1) and (2), “derivative” in relation to a species includes any part of the body living or dead (including any bone, skin, feathers, fur or scales), of a member of that species and any egg, spawn, embryo, gamete, zygote, larva, pupa, seed or spore of a member of that species but does not include anything which has undergone a manufacturing process and is intended for human consumption, or for use as clothing, furniture or building materials.”

(4) The following subsection is added after subsection (4) —

“(5) Nothing in subsection (1) applies to plants cultivated on a vessel for the use of the vessel; provided that the plants remain inside the vessel whilst it is in the Territory.”

Enacted 30 May 2013

N. R. Haywood C.V.O.,
Commissioner

EXPLANATORY NOTE
(not part of the Ordinance)

This Ordinance amends the Wildlife and Protected Areas Ordinance (No 1 of 2011).

Section 3 provides that all the measures in the Ordinance apply to rats and mice.

Section 4 amends section 6 in consequence of the section 3 amendment; excepting from the relevant prohibitions the use of traps or poison bait to capture or kill mice or rats for biosecurity reasons.

Section 5 amends section 11 to permit vessels in Territorial waters to cultivate (indoors) plants on board for their own use.

Section 6 amends subsection 14(1) to provide that, in addition to fish, fishery products, such as Antarctic krill and bait, may be excepted from export and import control provisions in the section by way of a fishing licence.

Section 6 also amends subsection 14(3) to allow the import of manufactured animal or plant derivatives that are intended for use as clothing, furniture or building materials.

The addition of subsection 14(5) is to allow plants be carried on board visiting vessels.

WILDLIFE AND PROTECTED AREAS ORDINANCE 2011

An explanatory note was not included with the Wildlife and Protected Areas Ordinance 2011 when that Ordinance was first published, this is now published below. The note has been updated to reflect amendments made by the Wildlife and Protected Areas (Amendment) Ordinance 2013.

EXPLANATORY NOTE RELATING TO THE WILDLIFE AND PROTECTED AREAS ORDINANCE 2011 *(not part of the Ordinance)*

This Ordinance provides for protection of all of the native flora and fauna in South Georgia and the South Sandwich Islands. It also provides for the designation of Specially Protected Areas (SPAs) and Marine Protected Areas (MPAs).

It replaces existing legislation:

- The Wildlife and Protected Birds Ordinance 1913 and the Falkland Islands Dependencies Conservation Ordinance 1975 are both repealed.
- The following UK legislation no longer apply in the South Georgia and the South Sandwich Islands:
 - the Wildlife and Countryside Act 1981;
 - the Wild Mammals (Protection) Act 1996;
 - the Countryside and Rights of Way Act 2000; and
 - Parts 2 and 3 of the Natural Environment and Rural Communities Act 2006.

Part I of the Ordinance deals with preliminary matters.

Section 2 provides that the Ordinance comes into force as soon as it is published in the *Gazette*.

Section 3 provides that the Ordinance applies to the whole of South Georgia and the South Sandwich Islands, on land and on the water (all the way out to 200 mile limit).

Section 4 provides that the Ordinance binds the Crown but that the Crown cannot be prosecuted for a breach of the Ordinance. It provides for an alternative procedure instead. It also confirms that it applies to public servants in the same way as it does to anyone else.

Section 5(1) defines a number of terms used elsewhere in the Ordinance. *Sections 5(3) and 5(4)* deal with the exercise of powers under the Ordinance.

Part II of the Ordinance deals with the protection of wildlife.

Section 6 deals with the protection of wild birds and mammals. *Sections 6(1) and (2)* make it an offence to do various things including killing, harming or disturbing wild birds and mammals. The things listed in *section 6(1)* can be done without committing an offence if they are covered by a permit issued by (or on behalf of) the Commissioner. *Section 6(3) provides an exception to*

the prohibition in connection with the capture or killing of mice or rates for preventative biosecurity purposes.

Section 7 deals with defences for the offences against *sections 6(1) and 6(2)*. *Section 7(1)* deals with killing, injuring or molesting a wild bird or mammal in order to relieve suffering. *Section 7(2)* deals with capturing or handling a wild bird or mammal in order to treat it and *section 7(3)* deals with administering a noxious substance to a wild bird or mammal for the same purpose.

Section 8 deals with the protection of native invertebrates. *Section 8(1)* makes it an offence to collect a native invertebrate or do anything likely to cause anything other than minor or transitory damage to its habitat. These things can be done without committing an offence if they are covered by a permit issued by (or on behalf of) the Commissioner. There are also exceptions for collecting a native invertebrate inside (or immediately around) an occupied building and for vessel operations.

Section 9 deals with the protection of native plants. *Section 9(1)* makes it an offence to do various things involving damage or disturbance to native plants. These things can be done without committing an offence if they are covered by a permit issued by (or on behalf of) the Commissioner.

Section 10 deals with the unlawful possession of live or dead wildlife. It makes it an offence to possess, transport or deal in live or dead wildlife (including eggs and wildlife parts). These things can be done without committing an offence if they are covered by a permit issued by (or on behalf of) the Commissioner.

Section 11 deals with the introduction of non-native species. *Sections 11(1) and 11(2)* make it an offence to do various things involving (or potentially leading to) the introduction of non-native species. *Section 11(4)* provides for a defence of due diligence and *section 11(5)* deals with a procedural issue in relation to that defence. *Section 11(6)* has effect to permit vessels in Territory waters to cultivate plants on board for their own use.

Section 12 deals with the prohibition of certain methods of capturing or killing wild birds or mammals. *Section 12(1)* makes it an offence to do various things involving inhumane methods of capture or killing (and the Commissioner has the power under *section 12(4)* to amend the list of things covered by *section 12(1)*). Under *section 12(3)*, these things can be done without committing an offence if they are covered by a permit issued by (or on behalf of) the Commissioner. *Section 12(3)* also allows for the use of traps or poison bait to control mice and rats. Under *section 12(5)*, the things made an offence by *section 12(1)* can also (subject to conditions) be done for public health, fisheries or nature conservation purposes.

Section 13 deals with special protection for species and habitats. It gives the Commissioner power (by Order) to afford additional protection to species and habitats and, under *section 13(4)*, power to create criminal offences in relation to this protection.

Section 14 deals with controls on imports, exports and movements. *Section 14(1)* makes it an offence to do various things involving importing or exporting wildlife, importing non-sterile soil,

moving wildlife from one place to another or disposing of any wildlife derivatives or non-sterile soil. These things can be done without committing an offence if they are covered by a permit issued by (or on behalf of) the Commissioner. Imports and exports of fish and fishery products (including bait) that are incidental to a fisheries licence are also allowed.

Section 15 provides for general defences to offences against *Part II*. *Section 15(1)* provides for defences relating to emergencies. *Section 15(2)* provides for a defence covering acts that are incidental to another lawful activity and that cannot reasonably be avoided.

Part III deals with Specially Protected Areas (SPAs) and Marine Protected Areas (MPAs).
Sections 16 and 17 deal with SPAs.

Section 16 deals with the designation of SPAs. *Sections 16(1) and 16(2)* give the Commissioner power to designate SPAs. The combined effect of *sections 16(3) to 16(5)* is that the power to designate an SPA applies to land above low water mark but that, in certain circumstances, it can also apply to an area that is both partly above low water and partly below it. *Section 16(6)* deals with various matters that must be specified in an SPA's designation. *Section 16(6)* also provides that the Commissioner may prohibit entry without specially granted permission into an SPA and breach of that prohibition imposed is an offence under *section 16(8)*. As an exception to that, *section 16(7)* allows authorised persons (defined in *section 3(1)*) to enter SPAs in the course of their duties, even if that would otherwise be an offence.

Section 17 deals with management plans and regulations for SPAs. *Sections 17(1) and 17(2)* deal with the purpose of a management plan. *Sections 17(3) and 17(4)* provides for management plans to be implemented by means of regulations and sets out what can be covered in regulations for an SPA.

Sections 18 to 20 deal with MPAs.

Sections 18 and 19 deal with the designation of MPAs. *Sections 18(1) and 18(2)* give the Commissioner power to designate MPAs. The combined effect of *sections 18(6), and sections 19(4) to 19(6)* is that the power to designate an MPA cannot extend southwards of latitude 60 degrees south and that it applies to areas below high water mark but that it also applies to islands and, in certain circumstances, it can also apply to an area that is both partly below high water and partly above it. *Sections 19(1) to 19(3)* deal with various matters that must be specified in an MPA's designation.

Section 20 deals with conservation orders for MPAs. *Section 20(1)* gives the Commissioner the power to make conservation orders for an MPA. *Sections 20(3) to 20(6)* set out what can be covered in conservation orders. *Section 20(9)* makes it an offence to breach a conservation order. No offence is committed if something that would otherwise be breach a conservation order is covered by a permit issued by (or on behalf of) the Commissioner. *Section 20(8)* also provides for exceptions in limited circumstances.

Part IV deals with permits.

Sections 21 and 22(1) deal with the Commissioner's power to issue permits allowing things to be done that would otherwise be an offence. *Section 21(1)* allows the Commissioner to issue permits and *section 21(6)* allows this to be done for a very wide range of purposes. In most cases, *section 21(1)(a)* requires that those covered by the permit must be identified by at least description. However, for the import, export and movement restrictions in *section 14*, *section 21(1)(b)* allows the Commissioner to issue general permits. General permits can be made subject to exceptions but otherwise apply to anyone. *Section 21(4)* allows the Commissioner to impose conditions on a permit and *section 21(5)* allows for fees to be charged (or, in particular cases, waived). *Sections 21(2), 21(3), 21(7) and 22(1)* impose restrictions on the Commissioner's power to grant permits.

Section 22(2) makes it an offence to breach a condition of a permit or to fail to produce proof of permission when required.

Section 23 makes it an offence to obtain a permit by using false information or documentation, either knowingly or recklessly.

Section 24 gives the Commissioner power to make regulations dealing with various matters relating to permits (including the application process, requirements to produce permits and the procedure for suspending or revoking a permit).

Part V deals with offences and other matters.

Section 25 deals with offences by bodies corporate and imposes responsibility on individuals in some cases.

Section 26 makes it a requirement that, if a prosecution for an offence against the Ordinance is not being brought by the Attorney General, the Attorney General must consent to it.

Sections 27 and 28 deal with the enforcement of the Ordinance. *Section 27* gives the Commissioner a wide ranging power to make regulations about enforcement matters. *Section 28* provides that offences against the Ordinance must be tried in the Magistrate's Court – this could be done locally or before the Magistrate's Court in the Falkland Islands.

Section 29 deals with penalties for offences against the Ordinance. *Section 29(1)* provides that the maximum penalty is imprisonment for up to 2 years and/or an unlimited fine. *Section 29(2)* deals with the criteria that the Magistrate's Court must take into account when imposing a fine.

Section 30 makes general provision for regulations made under powers elsewhere in the Ordinance.

Section 31 repeals existing legislation and disapplies UK legislation.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

Postal Services (Amendment) Ordinance 2013

(No: 5 of 2013)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of Postal Services Ordinance
4. Section 6 amended – Postal rates
5. Section 15 amended – Insurance
6. Schedule amended – Postal rates

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

NIGEL ROBERT HAYWOOD C.V.O.,
Commissioner.

POSTAL SERVICES (AMENDMENT) ORDINANCE 2013

(No: 5 of 2013)

(enacted: 30 May 2013)
(published: 13 June 2013)
(commencement: on publication)

AN ORDINANCE

To amend the Postal Services Ordinance (No 4 of 2011).

ENACTED by the Commissioner of South Georgia and the South Sandwich Islands as follows—

1. Title

This Ordinance is the Postal Services (Amendment) Ordinance 2013.

2. Commencement

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

3. Amendment of Postal Services Ordinance

This Ordinance amends the Postal Services Ordinance.

4. Section 6 amended – Postal rates

Section 6 is repealed and replaced with the following section —

“6. Postal rates

(1) The Commissioner will set postal rates for the Territory.

(2) The postal rates set out in the Schedule —

(a) are deemed to have been in force for the Territory since 1 July 2012; and

(b) will remain in force until the Commissioner determines other postal rates under subsection (1).”

5. Section 15 amended – Insurance

Section 15 is repealed and replaced with the following section —

“15. Insurance

(1) Insurance is available only in relation to letters and parcels addressed to an address in the United Kingdom and any other country for the time being notified by the Postmaster.

(2) Insurance charges are £4.50 and the maximum insured value is £300.”

6. Schedule amended – Postal rates

The Schedule is repealed and replaced with the following Schedule —

SCHEDULE

(section 6(2))

<u>Airmail Rates</u>		£
Letters	First 20g	0.75
	each extra 10g	0.25
Small packets	First 70 g	1.20
	each extra 10g	0.14
Postcard		0.65
Aerogramme		0.65
Illustrated aerogramme		0.75
Registration Fee		3.50

<u>Surface rates</u>		£
Letters	First 20g	0.50
	up to 100g	0.95
	each extra 50g	0.35
Small packets	First 100g	0.85
	each extra 50g	0.25
Postcard		0.40
Parcels to UK	First kg	12.00
	each extra kg (max 30kg)	5.00
<u>Inland Rates</u>		£
Letter	First 20g	0.30
	up to 100g	0.42
	each extra 50g	0.15
Small packets	First 70g	0.25
	each extra 50g	0.07
Postcard		0.20
Registration Fee		0.75

Enacted 30 May 2013

N. R. Haywood C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

WILDLIFE & PROTECTED AREAS

Marine Protected Areas Order 2013

S. R. & O. No: 1 of 2013

Made: 30 May 2013

Published: 13 June 2013

Coming into force: on publication

IN EXERCISE of my powers under sections 18(1) and 20(1) of the Wildlife and Protected Areas Ordinance 2011 (No 1 of 2011) and being satisfied that the criteria identified in section 18(2) of that Ordinance apply, I make the following order —

1. Title

This order is the Marine Protected Areas Order 2013.

2. Commencement

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

3. Interpretation

In this order —

“benthic closed area” means each of the areas described in Schedule 1;

“bottom fishing” —

(a) means fishing on the sea floor;

(b) includes bottom trawling; and

(c) also includes the use of lines, pots, nets or traps on the sea floor;

“bottom trawling” means towing a trawl or fishing net along (and in contact with) the sea floor;

“closed season”, means, in respect of fishing for Antarctic krill, the season described in Schedule 2”;

“fishing vessel” —

(a) means a vessel of any size that is used for, equipped to be used for, or intended for use for the purposes of fishing or fishing related activities;

(b) includes vessels engaged in transshipment of fish or fishery products; and

(c) also includes carrier vessels equipped for the transportation of fish or fishery products;

“no-take zone” means each of the zones described in Schedule 3;

“pelagic closed area” means the area described in Schedule 4;

“pelagic fishery” means a fishery that uses a trawl, long line, jig or other method that is not designed to come into contact with the sea floor during normal fishing operations;

“SGSSI MPA” means the South Georgia and South Sandwich Islands Marine Protected Area designated by article 4; and

“SGSSI waters” means —

(a) the internal waters of the Territory between —

(i) the baselines established by article 3 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989 (SI 1989/1995); and

(ii) mean high water at spring tide;

(b) the territorial sea established for the Territory by article 2 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989; and

(c) the maritime zone established for the Territory by Proclamation No. 1 of 1993.

4. South Georgia and South Sandwich Islands Marine Protected Area

(1) A Marine Protected Area around South Georgia and the South Sandwich Islands is designated under section 18(1) of the Wildlife and Protected Areas Ordinance.

(2) The name of the Marine Protected Area is the South Georgia and South Sandwich Islands Marine Protected Area (SGSSI MPA).

(3) The SGSSI MPA consists of SGSSI waters northwards of the line of latitude 60 degrees south of the equator.

(4) The purpose of designating the SGSSI MPA is for the conservation of —

(a) the seabed and its overlying waters; and

(b) their associated organisms.

(5) The principal conservation objectives for the SGSSI MPA are to —

- (a) conserve marine biodiversity, habitats and critical ecosystem function;
- (b) ensure that fisheries are managed sustainably, with minimal impact on associated and dependent ecosystems;
- (c) manage other human activities including shipping and scientific research, to minimise environmental impacts on the marine environment;
- (d) protect the benthic marine organisms from the destructive effects of bottom trawling;
- (e) facilitate recovery of previously over-exploited marine species;
- (f) increase the resilience of the marine environment to the effects of climate change; and
- (g) prevent the introduction of non-native marine species.

5. Conservation order prohibitions

(1) The following prohibitions apply within the SGSSI MPA —

- (a) bottom trawling is prohibited;
- (b) fishing is prohibited in the no-take zones;
- (c) fishing vessels are prohibited from entering the no-take zones, except in exercise of the right of innocent passage or under force majeure;
- (d) bottom fishing is prohibited in the following waters —
 - (i) where the depth of the seabed is less than 700 metres or is greater than 2250 metres;
 - (ii) in the benthic closed areas;
- (e) pelagic fishing is prohibited in the pelagic closed area; and
- (f) fishing for Antarctic krill (*Euphausia superba*) is prohibited during the closed season.

(2) The prohibitions in this article do not apply to —

- (a) anything carried out for research purposes in accordance with a permit granted by the Commissioner under section 21 of the Wildlife and Protected Areas Ordinance;
- (b) anything permitted by section 20(8) of that Ordinance.

6. Repeal

The Marine Protected Areas Order 2012 is repealed.

SCHEDULE 1 Benthic closed areas

(Section 3)

Area	Boundaries	Protected features	Conservation objectives To conserve & protect:
West Shag Benthic Closed Area	53°12' - 53°24' S; 43°30' - 42°48' W	The seabed, and associated organisms in an area of 1039 km ²	The vulnerable marine fauna identified in this location; provides refugia for toothfish.
West Gully Benthic Closed Area	1: 53°36' - 54°00' S; 40°42' - 40°06' W 2: 53°36' - 53°54' S; 40°06' - 39°54' W 3: 53°36' - 53°48' S; 39°54' - 39°42' W	The seabed, and associated organisms in an area of 2236 km ²	The vulnerable marine fauna in this area and protect juvenile toothfish, which are abundant in this area.
Northern Benthic Closed Area	53°36' - 53°54' S; 35°48' - 35°36' W	The seabed, and associated organisms in an area of 441 km ²	The vulnerable marine fauna identified in this location; provides refugia for toothfish.
Eastern Benthic Closed Area	54°48' - 54°54' S; 34°00' - 34°12' W	The seabed, and associated organisms in an area of 143 km ²	The vulnerable marine fauna identified in this area (particularly gorgonians).
Southern Seamounts Benthic Closed Area A	55°30' - 55°50' S; 37°30' - 36°50' W	The seabed, and associated organisms in an area of 1557 km ²	The potentially sensitive (but largely unknown) benthic fauna; provides refugia for adult toothfish.
Southern Seamounts Benthic Closed Area B	55°50' - 56°10' S; 36°50' - 36°20' W	The seabed, and associated organisms in an area of 1158 km ²	The potentially sensitive (but largely unknown) benthic fauna; provides refugia for adult toothfish.
North Georgia Rise Benthic Closed Area	52°20' - 53°00' S; 36°45' - 37°40' W	The seabed, and associated organisms in an area of 4590 km ²	The potentially sensitive (but largely unknown) benthic fauna of this area; provides refugia for adult toothfish.
North East Georgia Rise Benthic Closed Area	51°12' - 52°24' S; 32°36' - 34°00' W	The seabed, and associated organisms in an area of 9853 km ²	The potentially sensitive (but largely unknown) benthic fauna of this area; provides refugia for adult toothfish.
Protector Shoals Benthic Closed Area	55°45' - 56°05' S; 27°30' - 28°20' W	The seabed, and associated organisms in an area of 1935 km ²	The potentially sensitive (but largely unknown) benthic fauna; provides refugia for adult toothfish.
Kemp Seamount & Calderas Benthic Closed Area	59°40' - 59°45' S; 27°45' - 28°25' W	The seabed, and associated organisms in an area of 352 km ²	The potentially sensitive (largely unknown) benthic fauna of this seamount and caldera. Protects different chemosynthetic habitats, including white smoker vent fields

SCHEDULE 2
Closed season (Antarctic krill)

(Section 3)

Description	Season	Protected features	Conservation objectives To conserve and protect:
Seasonal closure of the fishery for Antarctic krill	November-March inclusive.	The pelagic ecosystem in an area of 1.07 million km ² during a 5 month period.	Mammalian and avian krill dependent predators, such as penguins and fur seals during the key part of the breeding season.

SCHEDULE 3
No-take zones

(Section 3)

Zone	Boundaries	Protected features	Conservation objectives To conserve & protect:
South Georgia No-take Zone	Between: (1) a line 12 nautical miles from the baselines around the coast of South Georgia; and (2) mean high water at spring tide.	The seabed, overlying water and associated organisms in an area of 13899 km ²	The shallow marine environment around South Georgia including: 1. The spawning grounds of many fish species, including mackerel icefish; 2. The inshore foraging areas of marine predators such as gentoo penguins, cormorants, petrels and prions.
Clerke Rocks No-take Zone	Between: (1) a line 12 nautical miles from the baselines around Clerke Rocks and the Office Boys; and (2) mean high water at spring tide.	The seabed, overlying water and associated organisms in an area of 1923 km ²	The shallow marine environment to the SE of South Georgia including: 1. The spawning grounds of many fish species, including mackerel icefish; 2. The inshore foraging areas of marine predators such as gentoo penguins, cormorants, petrels and prions; 3. The “spirulid reef” at approximately 55°00’S, 34°31’W.
Shag Rocks No-take Zone	Between: (1) a line 12 nautical miles from the baselines around Shag Rocks & Black Rock; and (2) mean high water at spring tide	The seabed, overlying water and associated organisms in an area of 2337 km ²	The shallow marine environment of the Shag Rocks shelf incorporating: 1. The principal recruitment area for juvenile Patagonian toothfish; 2. Spawning grounds of mackerel icefish; 3. A key foraging area for black-browed albatross, Antarctic fur seals and baleen whales.
South Sandwich Islands No-take Zones	Between: (1) lines 3 nautical miles from the baselines around the coasts of the South Sandwich Islands; and (2) mean high water at spring tide	The seabed, overlying water and associated organisms in areas that total 2272 km ²	The shallow marine environment around each of the South Sandwich Islands including: 1. The inshore foraging grounds of marine predators; 2. The spawning grounds of fish species.

SCHEDULE 4
Pelagic closed area

(Section 3)

Area	Boundaries	Protected features	Conservation objectives To conserve & protect:
South Sandwich Islands Pelagic Closed Area	Between: (1) lines 12 nautical miles from the baselines around the coasts of each of the South Sandwich Islands; and (2) mean high water at spring tide	The pelagic ecosystem around each of the South Sandwich Islands in an area of 18,042 km ²	The pelagic ecosystem and dependent predators in the area around each of the South Sandwich Islands, particularly the highly abundant chinstrap and Adelie penguins.

Made 30 May 2013

N.R. Haywood C.V.O.,
Commissioner.

EXPLANATORY NOTE
(not part of the order)

This order replaces and updates the Marine Protected Order 2012.

Section 18(1) of the Wildlife and Protected Areas Ordinance (No 1 of 2011) allows the Commissioner to designate areas of sea as marine protected areas (MPAs).

The criteria for designation of a marine protected area are set out in section 18(2) and the requirements for orders designating MPAs are set out in the rest of section 18 and in section 19.

Section 20(1) allows the Commissioner to make conservation orders to further the objectives of an MPA. Section 20(3) allows the Commissioner to prohibit or restrict activities in a conservation order and section 20(6) allows for different prohibitions or restrictions to apply in different parts of an MPA.

This order designates the South Georgia and South Sandwich Islands Marine Protected Area (the SGSSI MPA) to protect the seabed and overlying waters and associated organisms.

The SGSSI MPA consists of waters north of a latitude 60 degrees south that are between mean high water at spring tide and the 200 nautical mile limit.

SGSSI waters south of 60 degrees south of the equator are similarly protected through the SGSSI fishery licensing regime, which does not permit fishing in these waters.

The order also defines a number of no-take zones: 12 nautical miles around South Georgia Island, Clerke Rocks, Shag and Black Rocks; and 3 nautical miles around each of the South Sandwich Islands. Fishing is prohibited in these zones.

To protect benthic marine organisms, the order prohibits bottom trawling throughout the SGSSI MPA and all bottom fishing in waters of less than 700 m depth and in waters depths greater than 2250 m. Bottom fishing is also prohibited in areas identified in Schedule 2.

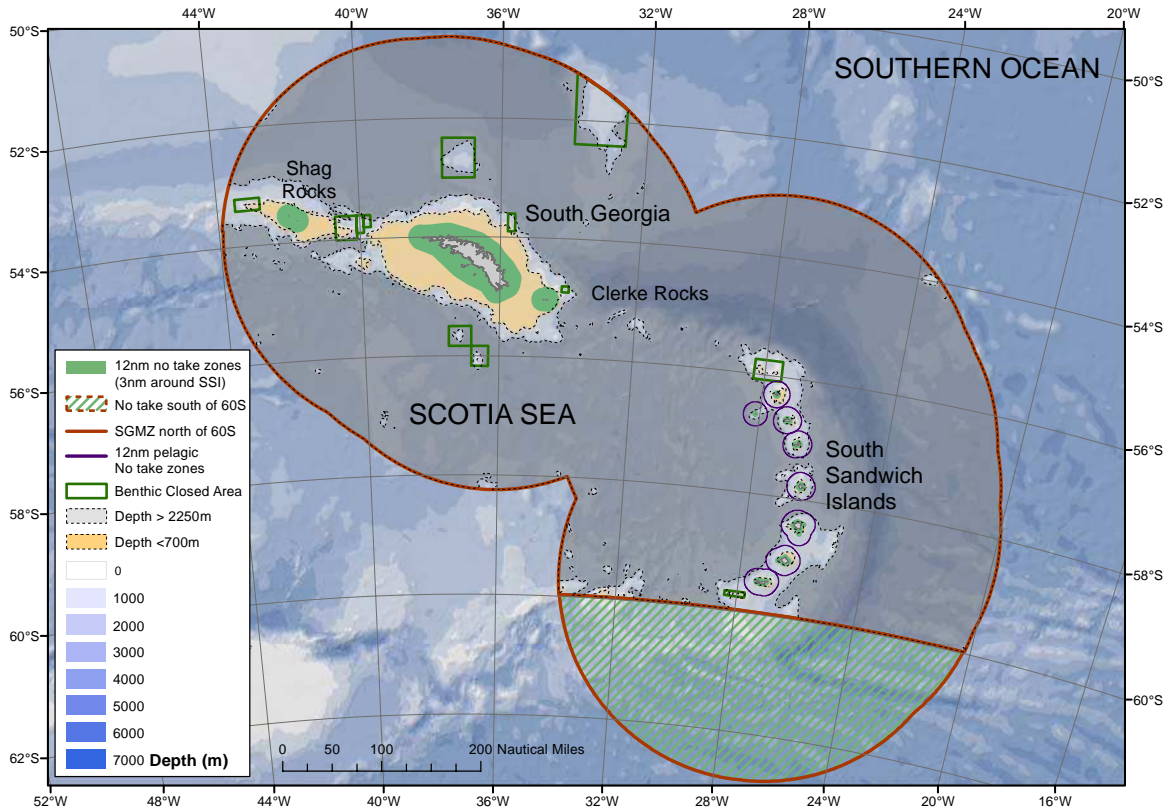
Fishing for Antarctic krill is prohibited between November 1st and March 31st. Pelagic fishing is prohibited within 12 nautical miles of the South Sandwich Islands.

These prohibitions do not apply to activities covered by one of the limited exceptions in section 20(8) or by a licence granted by the Commissioner under section 21.

Breach of the prohibitions is an offence against section 20(9) of the Ordinance.

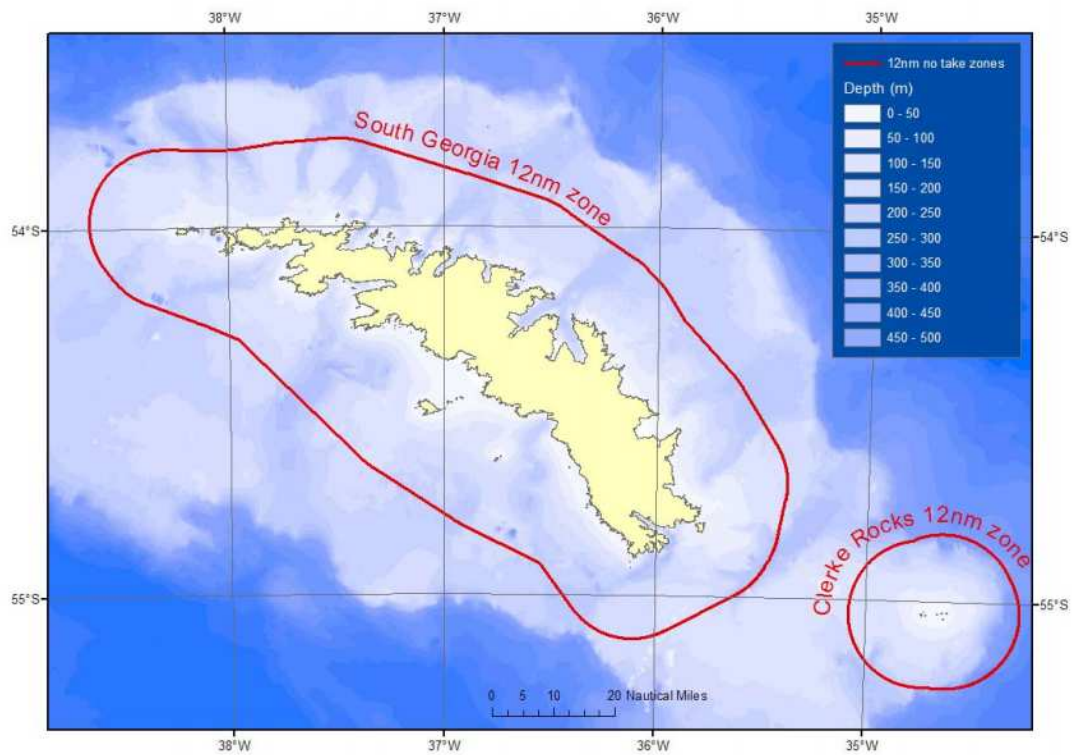
The following maps illustrate the boundaries of the SGSSI MPA, the no-take zones, the pelagic closed areas and the benthic closed areas.

The South Georgia and South Sandwich Islands Marine Protected Area

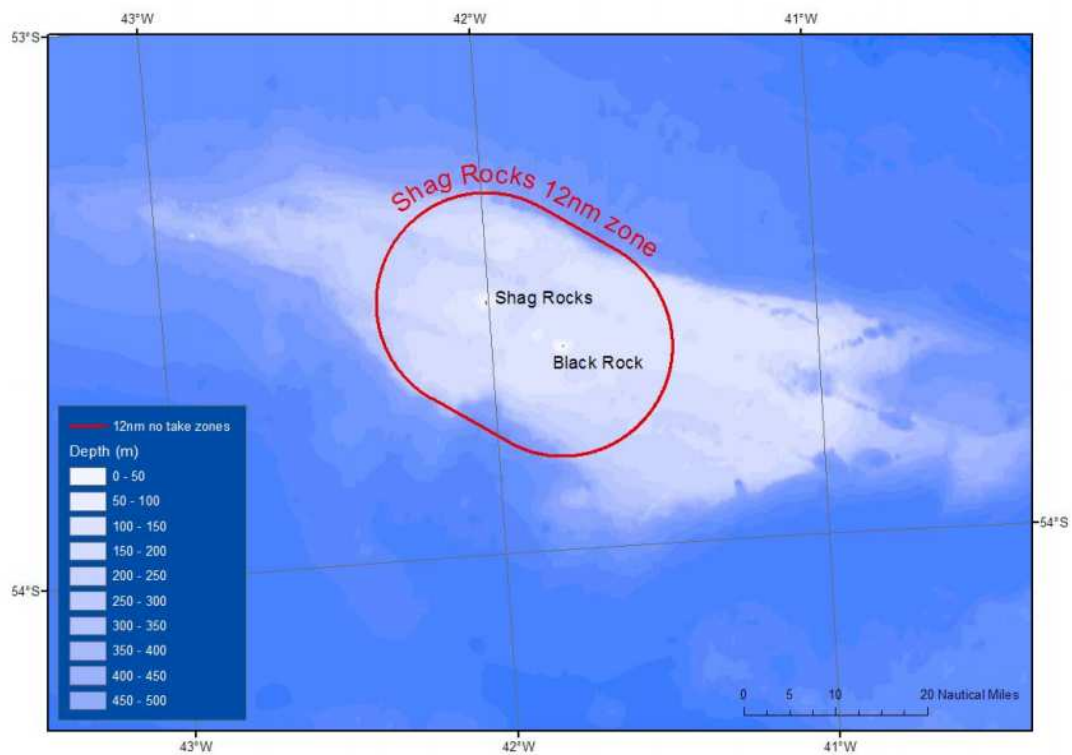


1. The green areas are the No-Take zones around South Georgia, Shag Rocks, Clerke Rocks and each of the South Sandwich Islands.
2. The pale orange area indicates depths less than 700 m in which bottom fishing is prohibited.
3. The dark shaded area includes depths greater than 2250 m in which bottom fishing is prohibited.
4. The narrow band, between the pale orange area and the shaded area, includes the depths between 700 and 2250 in which bottom fishing is permitted.
5. The boxes with a green border are the benthic closed areas in which bottom fishing is also prohibited.
6. The blue-bordered areas around the South Sandwich Islands are the pelagic closed areas.
7. The area south of 60°S, with green stripes, that falls within the SGSSI Maritime Zone whilst not formally part of the MPA is already a no-take zone as no fishing licences are issued for this area.

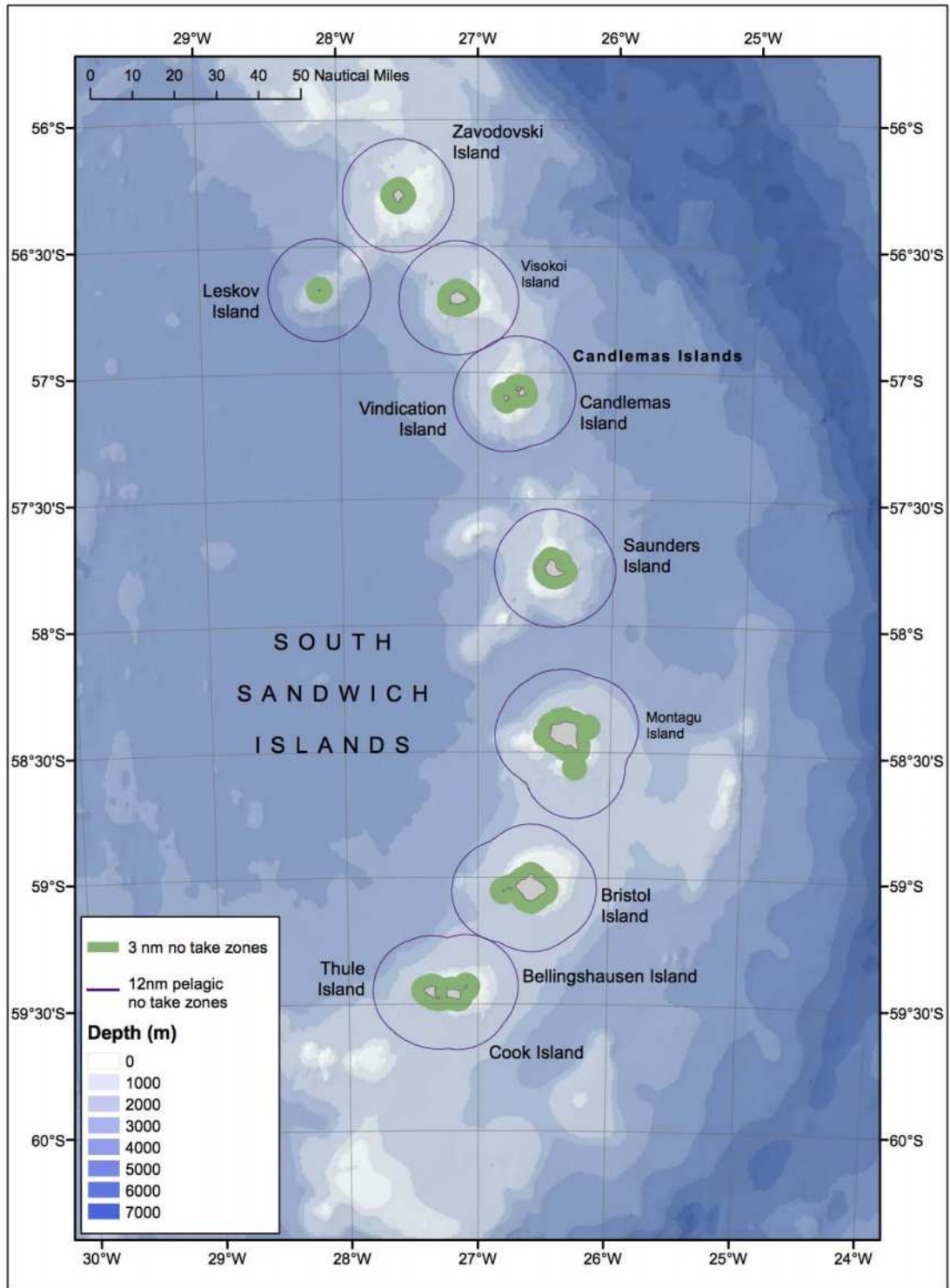
The South Georgia no-take zone and the Clerke Rocks no-take zone



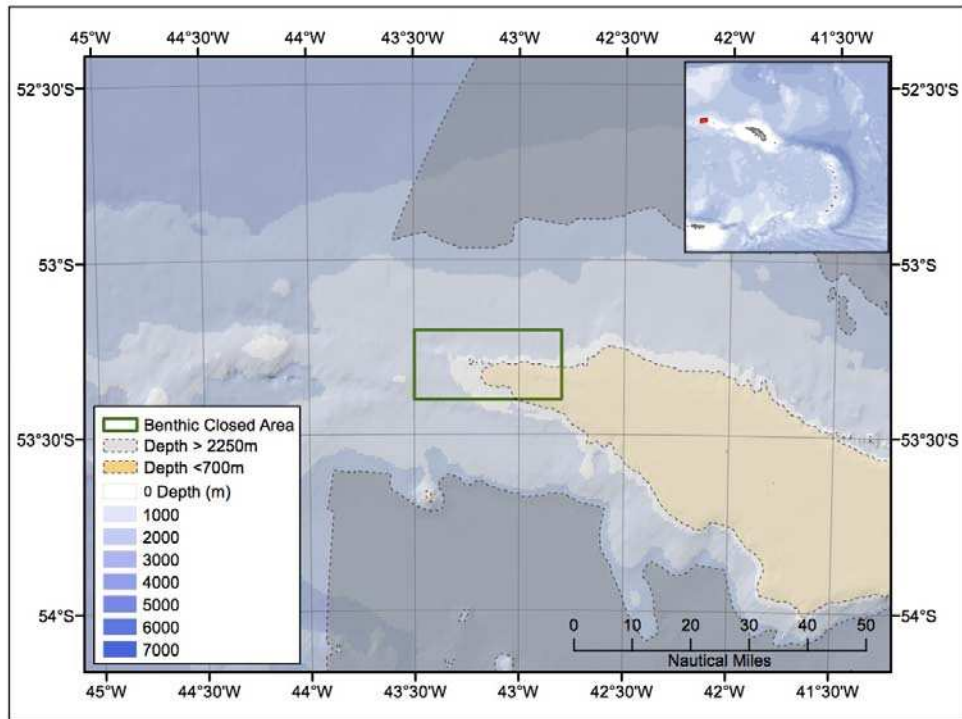
The Shag Rocks no-take zone



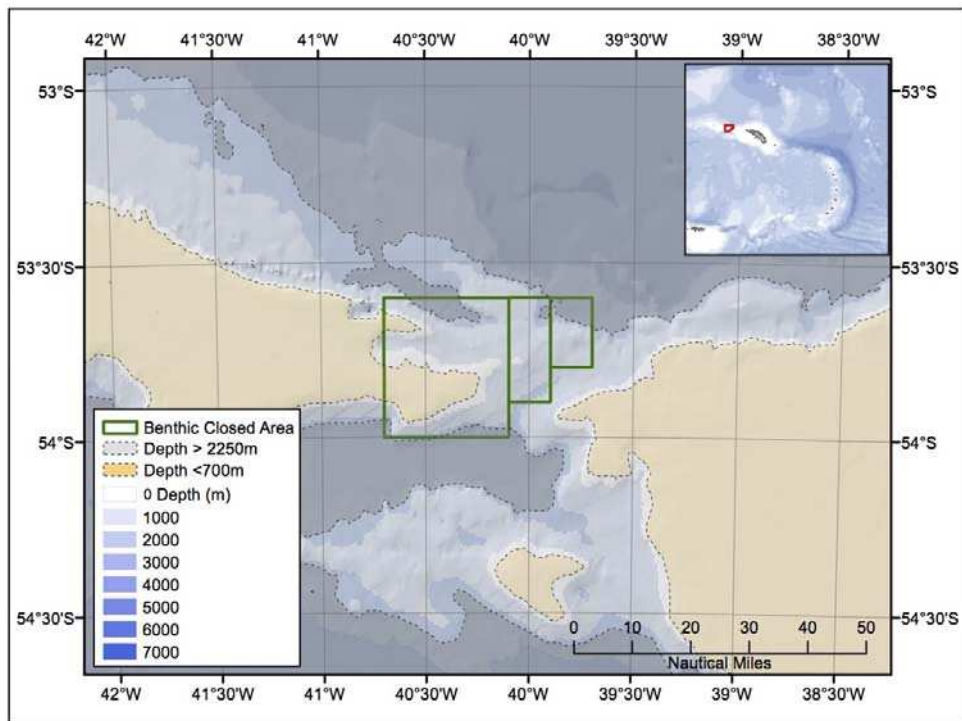
The South Sandwich Islands no-take zones and pelagic closed areas



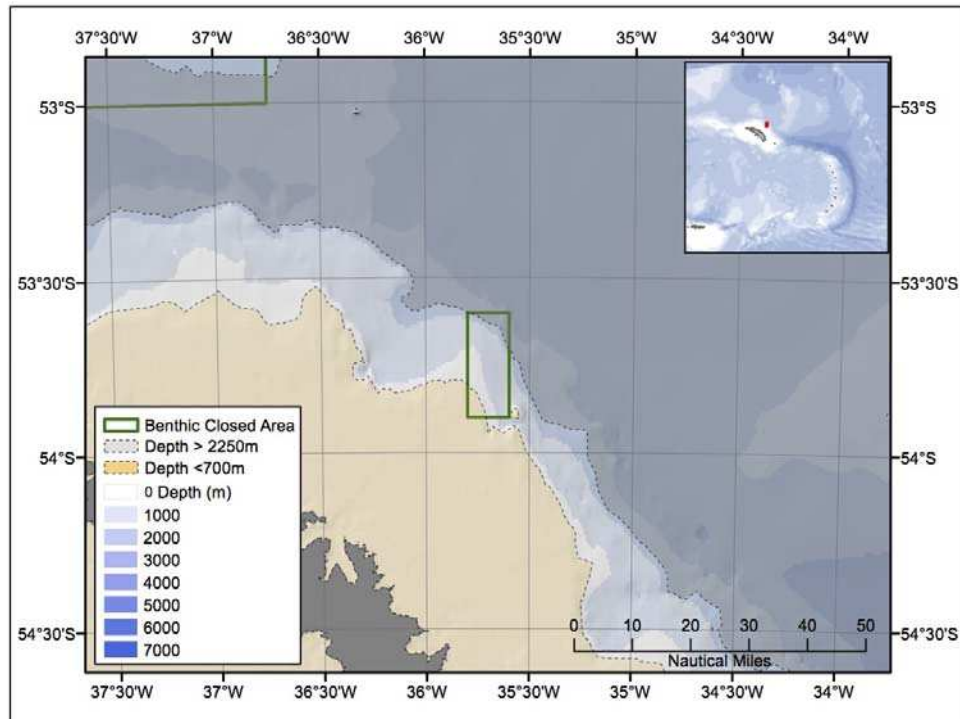
West Shag Benthic Closed Area



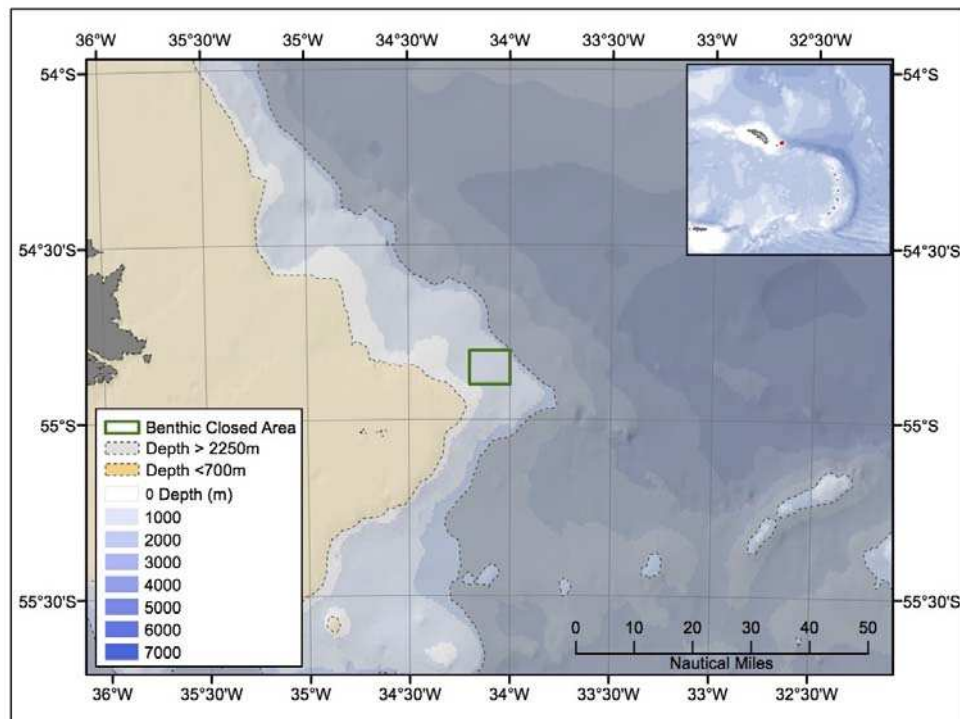
West Gully Benthic Closed Area



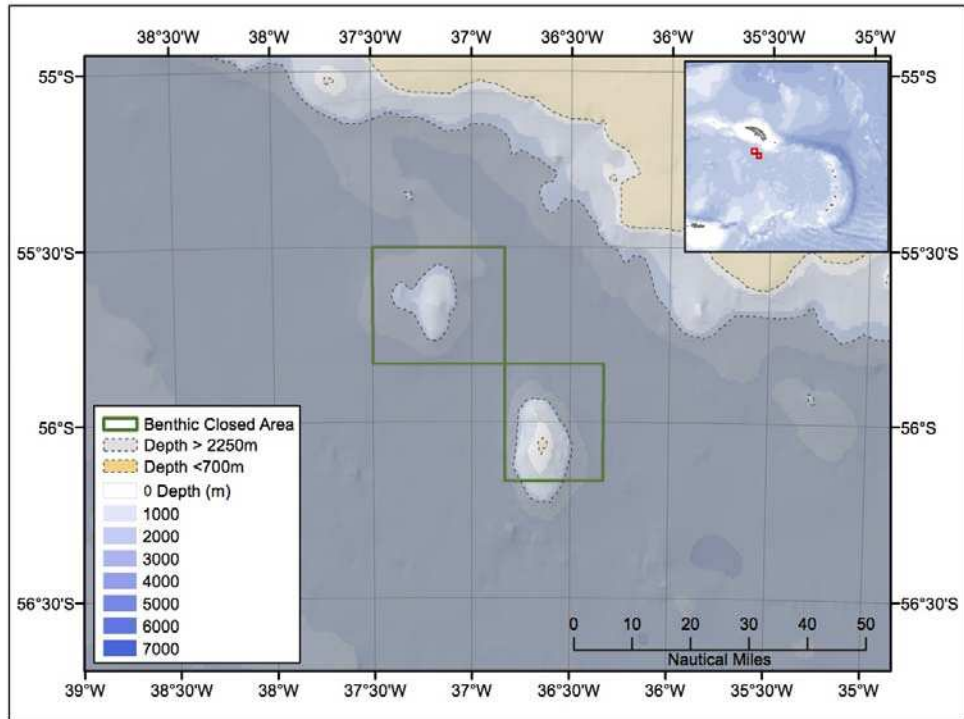
Northern Benthic Closed Area



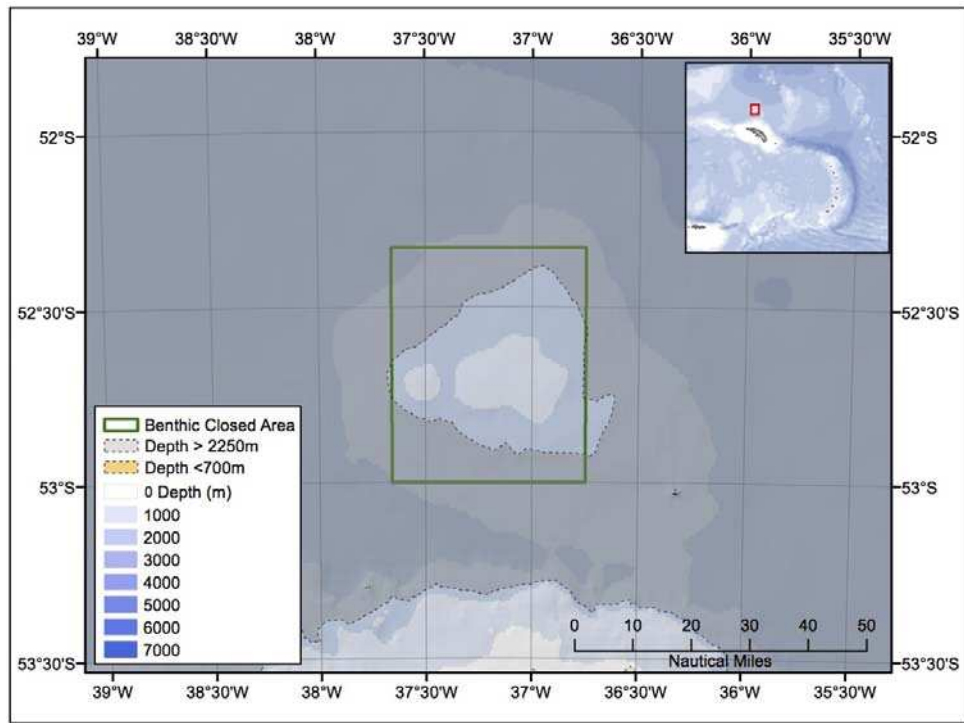
Eastern Benthic Closed Area



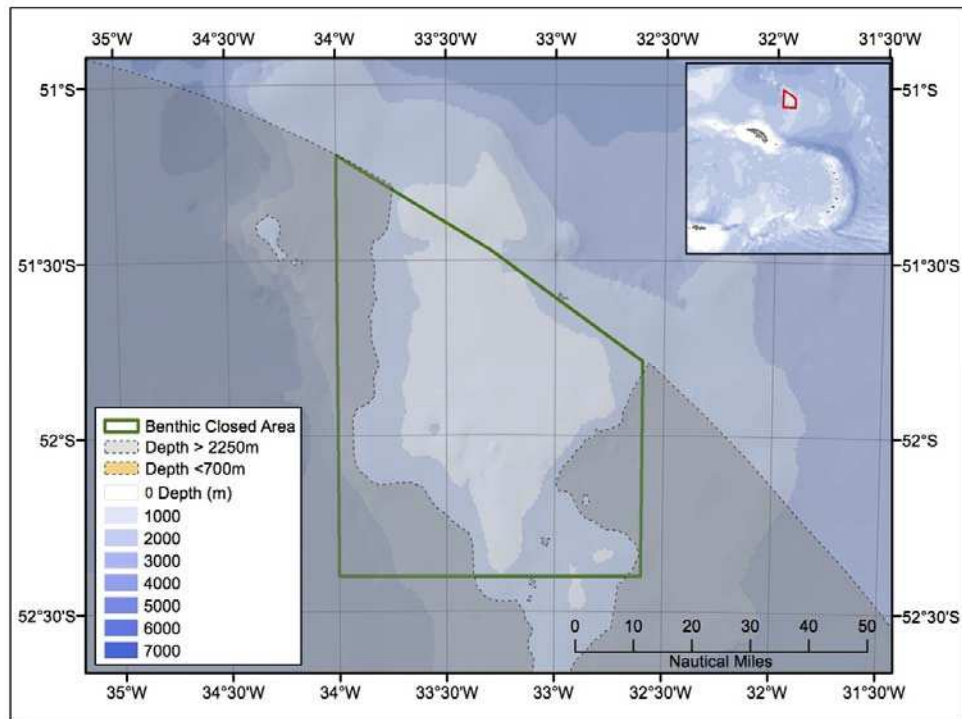
Southern Seamounts Benthic Closed Areas



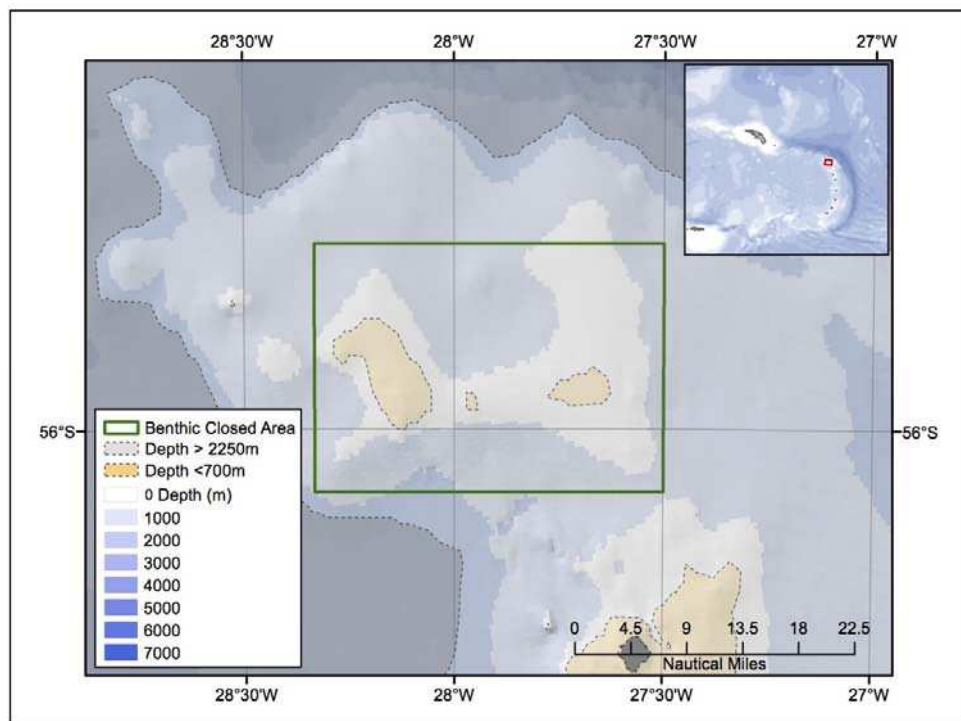
North Georgia Rise Benthic Closed Area



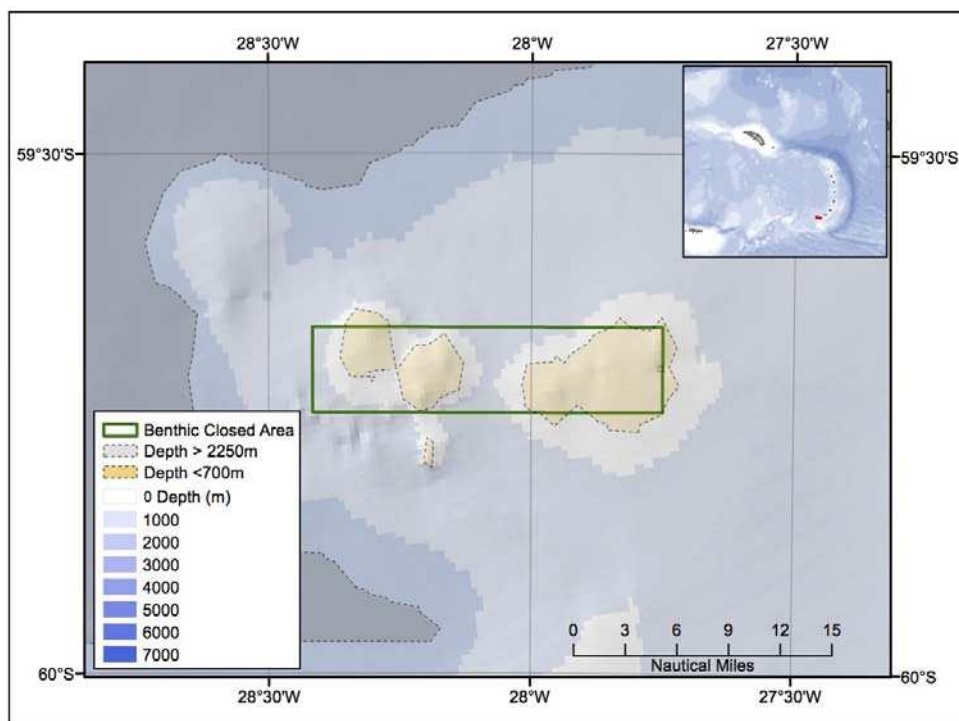
North-east Georgia Rise Benthic Closed Area



Protector Shoals Benthic Closed Area



Kemp and Adventure Calderas Benthic Closed Area



SUBSIDIARY LEGISLATION

HEALTH AND SAFETY AND ENVIRONMENT

Prohibited Areas Order 2013

S. R. & O. No: 2 of 2013

Made: 30 May 2013

Published: 13 June 2013

Coming into force: on publication

IN EXERCISE of my powers under section 3(1) of the Prohibited Areas Ordinance (No 1 of 2010) and being satisfied as required by section 3(2) of that Ordinance that it is necessary to do so to protect persons from danger to their health and safety and to protect the heritage value of the areas to which the order relates, I make the following order —

1. Title

This order is the Prohibited Areas Order 2013.

2. Commencement

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

3. Interpretation

(1) In this order —

“the principal Ordinance” means the Prohibited Areas Ordinance;

“the Husvik Whaling Station Prohibited Area” means that area of land and sea surrounding the Husvik whaling station, which is identified and delineated by a grey line on the plan marked Plan No. 1 attached to this order;

“the Leith Whaling Station Prohibited Area” means that area of land and sea surrounding the Leith whaling station which is identified and delineated by a grey line on the plan marked Plan No. 2 attached to this order;

“the Prince Olav Whaling Station Prohibited Area” means that area of land and sea surrounding the Prince Olaf whaling station which is identified and delineated by a grey line on the plan marked Plan No. 3 attached to this order; and

“the Stromness Whaling Station Prohibited Area” means that area of land and sea surrounding the Stromness whaling station which is identified and delineated by a grey line on the plan marked Plan No. 4 attached to this order.

(2) The plans attached to this order form part of this order.

4. Prohibited Areas

The Husvik Whaling Station Prohibited Area, the Prince Olav Whaling Station Prohibited Area, the Leith Whaling Station Prohibited Area and the Stromness Whaling Station Prohibited Area are declared under section 3(1) of the principal Ordinance to be Prohibited Areas.

5. Repeal

The Prohibited Areas Order 2010 is repealed.

Made 30 May 2013

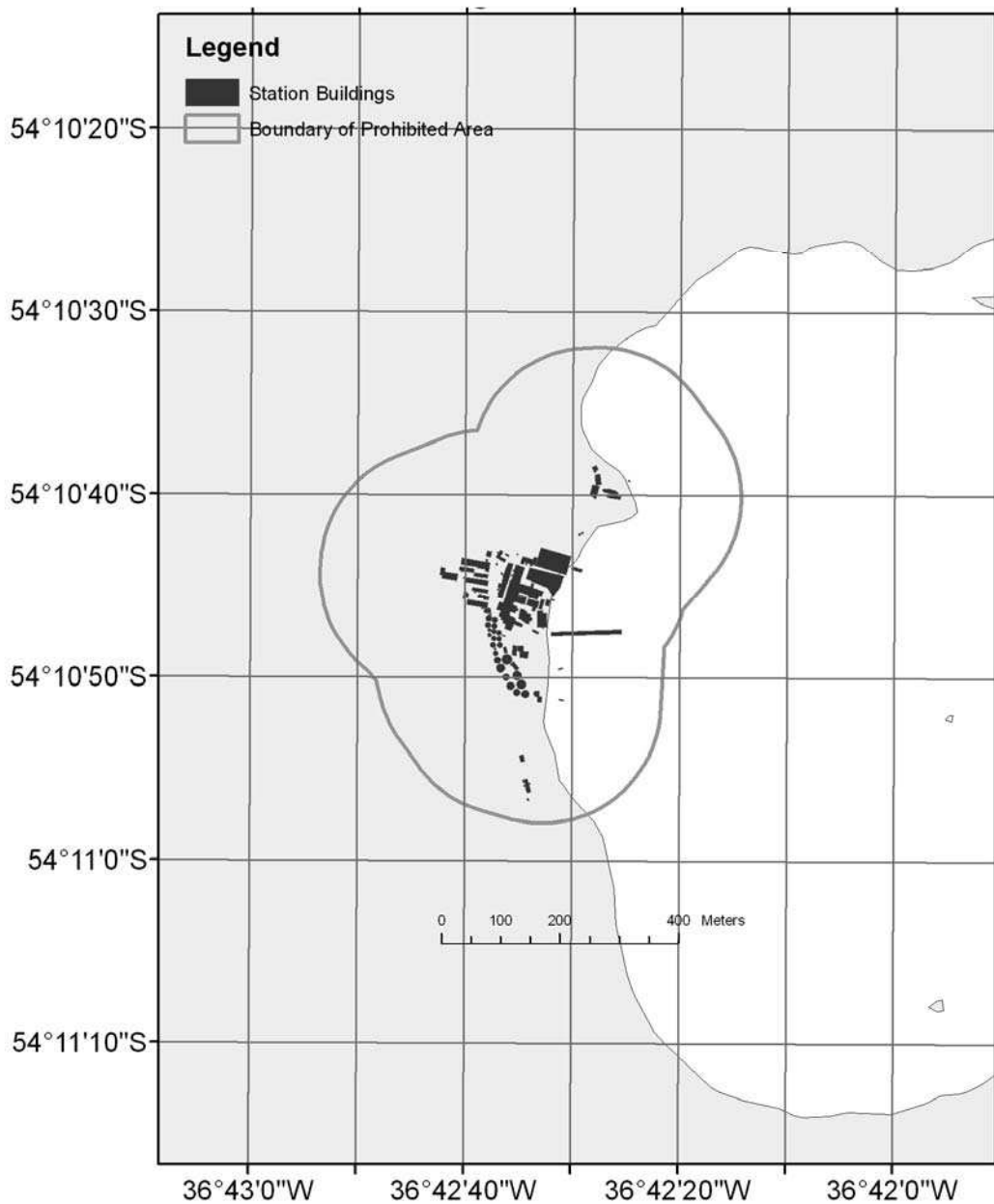
N. R. Haywood C.V.O.,
Commissioner

EXPLANATORY NOTE *(not forming part of the Order)*

This replaces the Prohibited Areas Order (SR&O No 1 of 2010), correcting errors in the cross-referencing to the Prohibited Areas Ordinance (No 1 of 2010). This order constitutes areas of land and sea surrounding the Husvik, Leith, Prince Olav and Stromness Whaling Stations in South Georgia as prohibited areas under the Prohibited Areas Ordinance 2010, thus prohibiting entry into those areas except with the permission of the Commissioner or, in the case of vessels, entry into the sea within such an area due to stress of weather or by reason of force majeure.

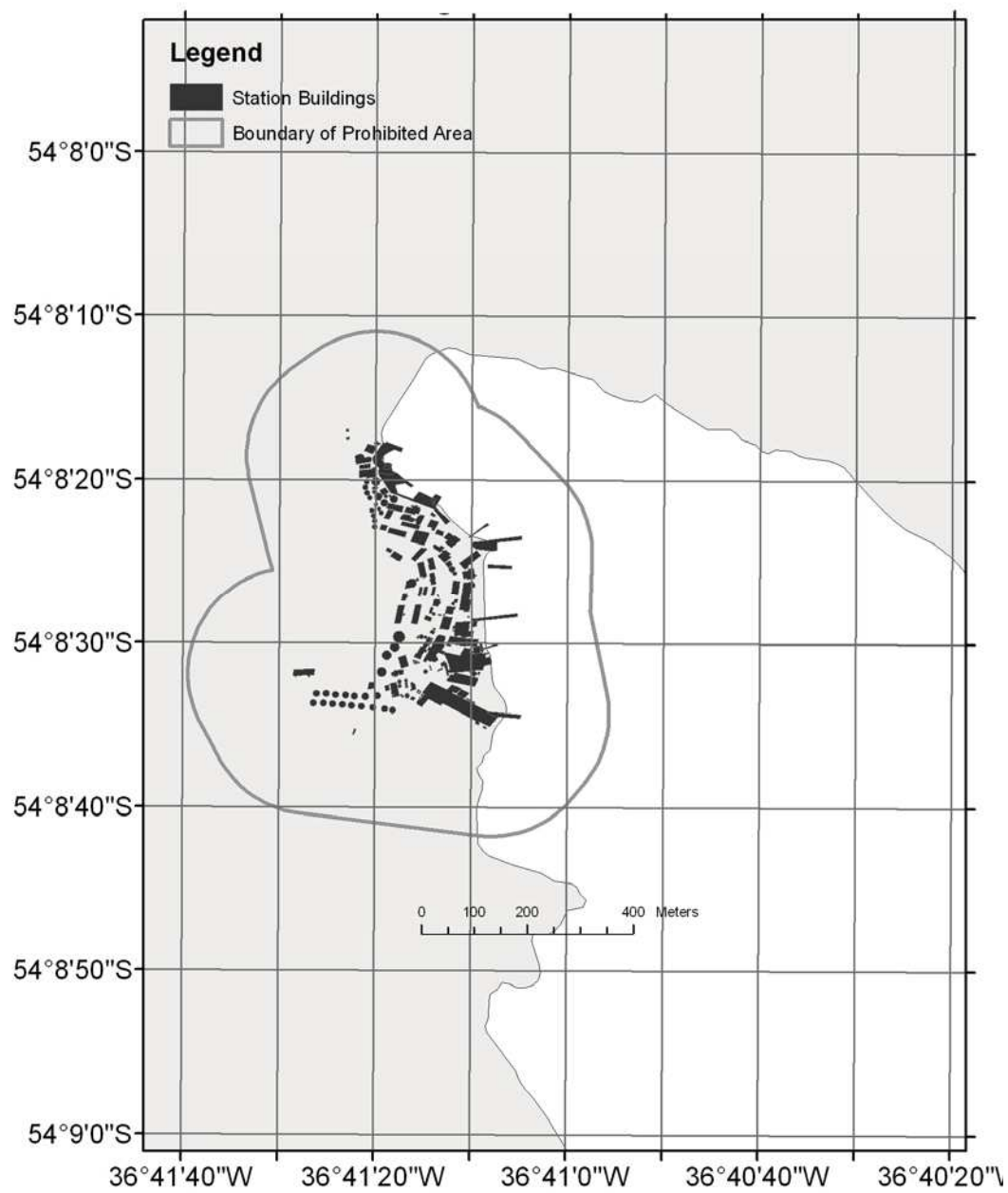
Plan No. 1

Husvik Whaling Station Prohibited Area



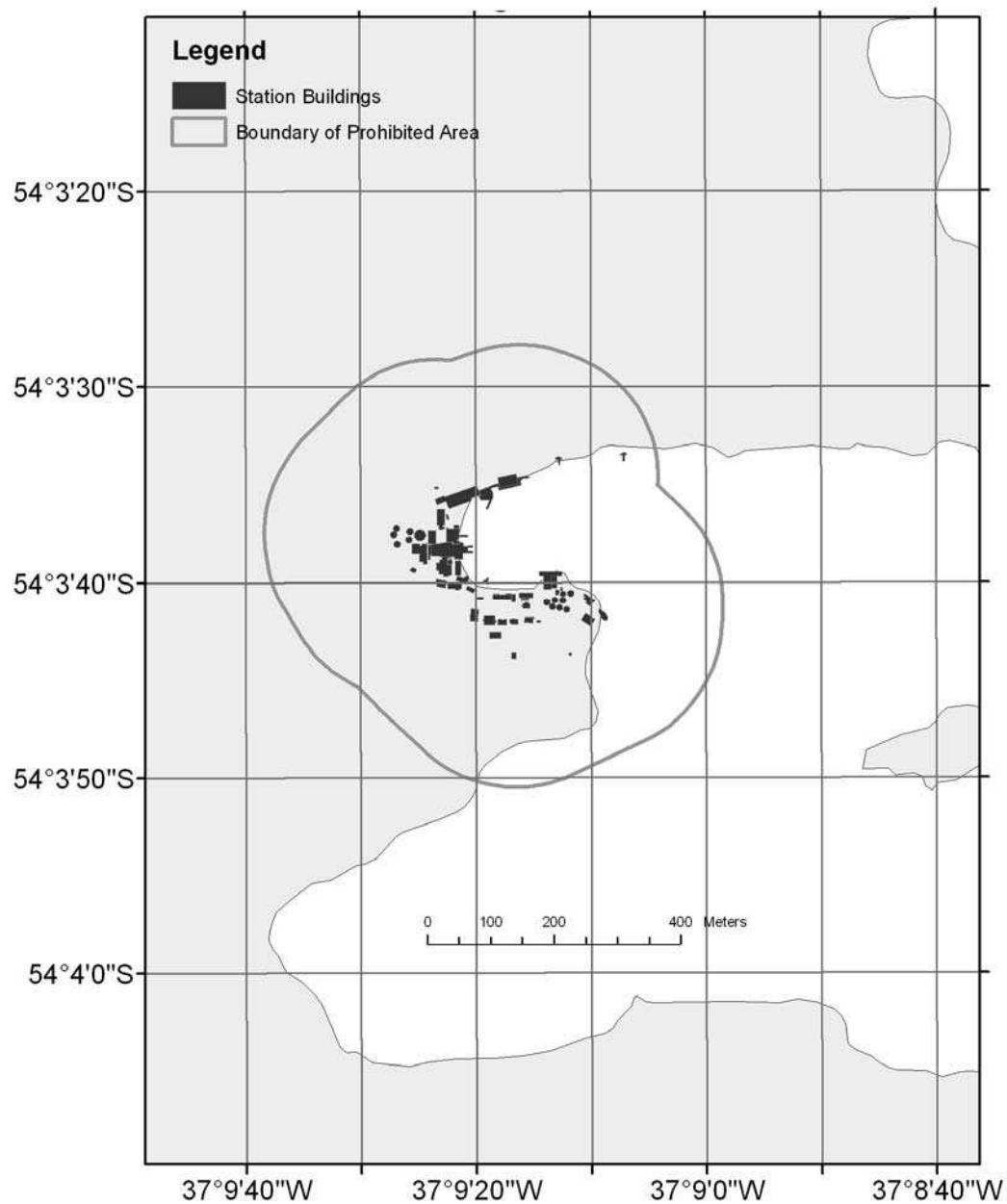
Plan No. 2

Leith Whaling Station Prohibited Area



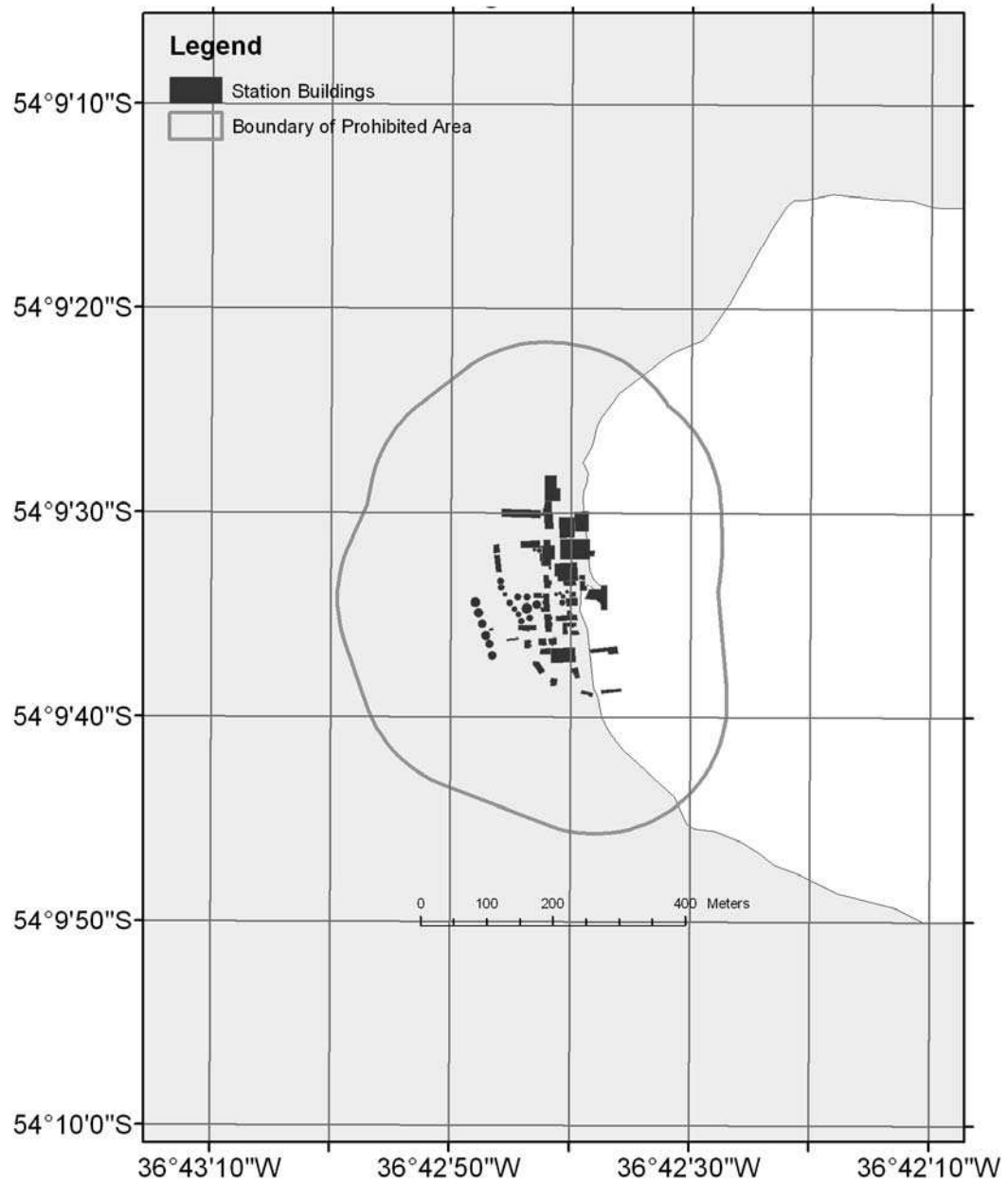
Plan No. 3

Prince Olav Whaling Station Prohibited Area



Plan No. 4

Stromness Whaling Station Prohibited Area



SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2011-2012) Order 2013

S. R. & O. No: 3 of 2013

Made: 30 May 2013

Published: 13 June 2013

Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000^(a) and of all other powers enabling me, I make the following order —

1. Title

This order is the Commemorative Coins (2011-2012) Order 2013.

2. Commencement

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

3. Interpretation

In this order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

^(a) No.3 of 2000, as amended by the Currency (Amendment) Ordinance (No.1 of 2001).

(c) the design of their obverse and reverse.

6. Deemed denomination of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denominations of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2011

Frozen Planet

Design features a depiction of a group of King Penguin and chick. Wording ‘KING PENGUIN’ appears in the surround with the value at the base and the official frozen planet logo to the right of the penguins.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2011”.

Year of Minting 2012

a) Frozen Planet

Design features a depiction of a group of King Penguin and chick. Wording ‘KING PENGUIN’ appears in the surround with the value at the base and the official frozen planet logo to the right of the penguins as for 2011 but is released with a 2012 obverse date.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2012”.

b) Lifetime of Service 2012

The design shows a profile of Her Majesty above a diamond with light reflecting through. The wording ‘HER MAJESTY QUEEN ELIZABETH II’ appears in the surround at the top and ‘DIAMOND JUBILEE’ in the surround at the base, with the denomination above.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2012”.

c) Diamond Jubilee of Accession

Design 1 depicts an image of Queen Elizabeth the Queen Mother and the infant Princess Elizabeth in 1926. Wording ‘LIFE OF QUEEN ELIZABETH II’ appears in surround. Denomination appears at the side to the right.

Design 2 depicts a portrait of Her Majesty on Christmas Day 2009. Wording ‘LIFE OF QUEEN ELIZABETH II’ appears in surround. Denomination appears at the side to the left.

The obverse of these two coins consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2012”.

d) The Duke and Duchess of Cambridge

Design features an image of the Balcony Kiss between the Duke and Duchess of Cambridge following their wedding on 29th April 2011. Wording ‘T.R.H. THE DUKE & DUCHESS OF CAMBRIDGE’ appears in the surround with the value at the base.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2012”.

e) Kon-Tiki

Design 1 features the Kon-Tiki in this the 10th Anniversary year of the death of Thor Heyerdahl who was born in Larvik. Wording ‘65th ANNIVERSARY OF THE KON-TIKI EXPEDITION’ appears in the surround with the value at the base.

Design 2 features a Polynesian Mask over a map of the voyage in this the 10th Anniversary year of the death of Thor Heyerdahl who was born in Larvik. Wording ‘65th ANNIVERSARY OF THE KON-TIKI EXPEDITION’ appears in the surround with the value at the base.

The obverse of these two coins consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2012”.

Part 2
Specification, authorised quantity and authorised mint of coins

Type	Gold proof	Gold proof	Gold proof	Silver proof with crystal	Silver proof	Silver proof	Cupro Nickel (see note 2)
Denomination	£20	£4	£2	£2	£2	£1	£2
Weight (grams)	6.22	1.24	0.05	23.45	28.28	12.00	28.28
Diameter (millimetres)	22.0	13.92	11	38.60	38.60	38.60	38.60
Fineness	0.999	0.999	0.999	925	925	999	75% Cu 25% Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	5,000	10,000	10,000	Unlimited
					(see note 1)		

Notes:

1. In the case of the Lifetime of Service issue (2012) the quantity authorised to be minted of the £2 silver proof coin is 19,500.

2. Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited.

Remedy Variations to be allowed to extent permitted by Pobjoy Mint Ltd.

Made 30 May 2013

N.R. Haywood C.V.O.,
Commissioner.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Seven pound and eighty pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

25 July 2014

The following are published in this Gazette –

Notices 1 to 7;

Supplementary Appropriation (2013) Ordinance 2014 (No 1 of 2014);

Appropriation (2014) Ordinance 2014 (No 2 of 2014); and

Commemorative Coins (2013) Order 2014 (SR&O No 1 of 2014).

NOTICES

No. 1

6 March 2014

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:

2013 No 2598 – The Syria (Restrictive Measures) (Overseas Territories) (Amendment) (No 2) Order 2013;

2013 No 2599 – The Democratic People’s Republic of Korea (Sanctions) (Overseas Territories) (Amendment) (No 2) Order 2013; and

2014 No 497 – The Ukraine (Sanctions) (Overseas Territories) Order 2014.

Dated 6 March 2014

B. I. STEEN,
for Attorney General.

No. 2

10 April 2014

South Georgia and South Sandwich Islands Order 1985

section 7

Appointment of Attorney General

1. Section 7 of the South Georgia and South Sandwich Islands Order 1985 permits the Commissioner to constitute offices for the Territory.

2. In the exercise of my powers under section 7 of the South Georgia and South Sandwich Islands Order, and given the office of Attorney General for South Georgia and the South Sandwich Islands has been so constituted, I appoint **CHARLES PETER JUDGE** to be Attorney General for South Georgia and South Sandwich Islands.

3. This appointment has effect from 24 March 2014, and continues in effect until the completion of Charles Peter Judge’s contract of employment with the Falkland Islands Government.

Dated 10 April 2014

J. S. DUNCAN O.B.E.,
Acting Commissioner.

No. 3

11 July 2014

Public Holidays 2015

The Commissioner has declared that the following will be Public Holidays for South Georgia and the South Sandwich Islands during 2015:

1 January	New Year’s Day
19 January	Possession Day (in lieu of 17 January)
3 April	Good Friday
6 April	Easter Monday
27 April	Liberation Day (in lieu of 26 April)
20 May	Shackleton Day
22 June	Midwinter’s Day (in lieu of 21 June)
4 September	Toothfish Day
25 December	Christmas Day
28 December	Boxing Day (in lieu of 26 December)

Dated 11 July 2014

C. ROBERTS C.V.O.,
Commissioner.

No. 4

11 July 2014

Visitors Ordinance 1992

section 3

Notification of amount of passenger landing fee

Section 3(1) of the Visitors Ordinance (No 2 of 1992), as amended by the Visitors (Amendment) Ordinance 2005 (No 1 of 2005), provides that a passenger landing fee must be paid for every visitor to South Georgia and the South Sandwich Islands and states that the amount of the fee is to be prescribed by the Commissioner and published in the Gazette.

The following passenger landing fees, in the currency of the United Kingdom, must be paid:

(a) for a short visit (one lasting less than 72 hours), the amount of the passenger landing fee is £120.

(b) for an extended visit (one lasting 72 hours or more), the amount of the passenger landing fee is £120 plus £20 per additional day to a maximum of £200.

(c) the maximum extended visit passenger landing fee (£200) is valid for one calendar month from the start of the visit. If the visitor remains in the Territory, a further passenger landing fee must be paid as if a new visit had started when the previous fee expired.

These apply from 1 July 2014.

Dated 11 July 2014

C. ROBERTS C.V.O.,
Commissioner.

No.5

11 July 2014

Fisheries (Conservation and Management) Ordinance 2000
section 4

Appointment of Fisheries Protection Officers

1. In exercise of my powers under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, the following persons are appointed as Fisheries Protection Officers:

Andrew Miller
Alan Henry
Simon Browning
Andrew Black
Christopher Peck
Katherine Ross
Stueart Barlow
Dominik Muller-Tolk

2. The appointments have effect from 1 July 2013, and continue in effect respectively whilst:

(a) Andrew Miller, Alan Henry or Christopher Peck is employed by the Falkland Islands Government as a Fishery Protection Officer and agreement between the Falkland Islands Government and the Government of South Georgia and the South Sandwich Islands for the provision of Fishery Protection Officers continues;

(b) Simon Browning, Andrew Black or Katherine Ross is employed by the Government of South Georgia and South Sandwich Islands;

(c) Stueart Barlow or Dominik Muller-Tolk is employed as an officer of the watch on a South Georgia and South Sandwich Islands Fishery Patrol Vessel,

unless terminated sooner.

Dated 11 July 2014

C. ROBERTS C.V.O.,
Commissioner.

No. 6

11 July 2014

South Georgia and South Sandwich Islands Order 1985
section 7

Appointment of Acting Registrar General

1. The office of Registrar General for South Georgia and the South Sandwich Islands was constituted under section 7 of the South Georgia and South Sandwich Islands Order 1985 (SI 1985/449). Section 7 empowers the Commissioner to make appointments to any office so constituted.

2. In exercise of my powers under section 7 for the purpose of registration under the laws of South Georgia and

the South Sandwich Islands, including but not limited to: Land Ordinance, Marriage Ordinance, Registrations Ordinance, and Registration of United Kingdom Patents Ordinance, and any other duties that may be required in the role of Registrar General, I appoint **Charles Peter Judge** to be Acting Registrar General whenever the substantive holder of the post of Registrar General Elizabeth Jayne Dent is unavailable to discharge those duties through absence from the Falkland Islands or inability to perform the functions and duties of the post.

3. This appointment has effect from the date given below, and continues in effect whilst Charles Peter Judge holds office as Attorney General for the Falkland Islands, unless terminated sooner.

Dated 11 July 2014

C. ROBERTS C.V.O.,
Commissioner.

No. 7

25 July 2014

Administration of Justice Ordinance (Cap 3)
sections 3 and 29
Appointment of Senior Magistrate

1. Section 3 of the Administration of Justice Ordinance 1949 (Cap 3) in its application to South Georgia and South Sandwich Islands provides that the Commissioner may appoint such magistrates as he may deem necessary.

2. In exercise of my powers under section 3, I appoint **Clare Faulds** to be Senior Magistrate for South Georgia and South Sandwich Islands. In accordance with section 29 every magistrate shall be the coroner of the district specified.

3. This appointment has effect from the date below, and continues in effect whilst Clare Faulds holds office as Senior Magistrate of the Falkland Islands, unless terminated sooner.

Dated 25 July 2014

C. ROBERTS C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Supplementary Appropriation (2013) Ordinance 2014

(No: 1 of 2014)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Retrospective supplementary appropriation of £409,065 for 2013

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

SUPPLEMENTARY APPROPRIATION (2013) ORDINANCE 2014

(No: 1 of 2014)

(enacted: 11 July 2014)
(published: 25 July 2014)
(commencement: on publication)

AN ORDINANCE

To retrospectively authorise further withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2013.

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

1. Title

This Ordinance is the Supplementary Appropriation (2013) Ordinance 2014.

2. Commencement

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

3. Retrospective supplementary appropriation of £409,065 for 2013

(1) Subsection (2) applies to the withdrawals totalling £6,306,345 made from South Georgia and the South Sandwich Islands funds during 2013, as set out in the Schedule.

(2) To the extent that the withdrawals to which this subsection applies were not authorised by the Appropriation (2013) Ordinance (No 3 of 2013), they are deemed to have been made lawfully.

SCHEDULE

(section 3(1))

Purpose	Amount (£)
Personal Emoluments	510,440
Other charges	4,850,905
Special expenditure	945,000
TOTAL	6,306,345

Enacted 11th July 2014

C. Roberts C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Appropriation (2014) Ordinance 2014

(No: 2 of 2014)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £5,751,850 for 2014
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

APPROPRIATION (2014) ORDINANCE 2014

(No: 2 of 2014)

(enacted: 11 July 2014)
(published: 25 July 2014)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and South Sandwich Islands funds of money for use during 2014; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2014) Ordinance 2014.

2. Commencement

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

3. Appropriation of £5,751,850 for 2014

(1) The Financial Secretary may withdraw sums of up to £5,751,850 in total from South Georgia and South Sandwich Island funds for use during 2014.

(2) Sums withdrawn under subsection (1) may be applied during 2014 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

- (a) it would have been authorised by section 3; but
- (b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	469,420
Other charges	4,928,680
Special expenditure	353,750
TOTAL	5,751,850

Enacted 11th July 2014

C. Roberts C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2013) Order 2014

S. R. & O. No: 1 of 2014

Made: 11 July 2014

Published: 25 July 2014

Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000^(a) and of all other powers enabling me, I make the following Order —

1. Title

This Order is the Commemorative Coins (2013) Order 2014.

2. Commencement

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

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

^(a) No 3 of 2000, as amended by the Currency (Amendment) Ordinance (No 1 of 2001)

(c) the design of their obverse and reverse.

6. Deemed denomination of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denominations of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2013

a) Weddell Seal

Design features a close up of a Weddell seal pup. The denomination appears on the base of the coin.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2013”.

b) Lifetime of Service

Design features a Coronation image of Her Majesty above a Diamond with reflections running through. The wording ‘HER MAJESTY QUEEN ELIZABETH II’ appears in the surround at the top and ‘CORONATION’ in the surround at the base. The denomination appears directly under the Diamond.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2013”.

c) The Duke and Duchess of Cambridge

Design features an image of the Balcony Kiss between the Duke and Duchess of Cambridge following their wedding on 29th April 2011. Wording ‘T.R.H. THE DUKE & DUCHESS OF CAMBRIDGE’ appears in the surround with the value at the base.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2013”.

d) Centenary of Grytviken Church

Design features an image of the church at Grytviken. The denomination appears at the base of the coin under the wording ‘CENTENARY OF GRYTUVIKEN CHURCH’.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2013”.

e) Blue Whale

Design features a Blue Whale and Calf. The denomination appears at the base of the coin.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2013”.

Part 2 Specification, authorised quantity and authorised mint of coins							
Type	Gold proof	Gold proof	Gold proof	Titanium	Silver proof	Silver proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (grams)	6.22	1.24	0.05	10.00	12.00	28.28	28.28
Diameter (millimetres)	22.0	13.92	11	36.10	38.60	38.60	38.60
Fineness	0.999	0.999	0.999	910	999	925	75% Cu 25% Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	7,500	10,000	10,000	Unlimited

Footnotes:

1. Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited.

Remedy Variations to be allowed to extent permitted by Pobjoy Mint Ltd.

Made 11th July 2014

C. Roberts C.V.O.,
Commissioner.



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

9 September 2014

The following is published in this Gazette –

Nuclear Safeguards Ordinance 2014 (No 3 of 2014).

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

JUNE SANDRA TYLER-HAYWOOD,
Acting Commissioner.

Nuclear Safeguards Ordinance 2014

(No: 3 of 2014)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Ordinance to bind the Crown
4. Interpretation
5. The powers of the Agency
6. Immunities and privileges of the Agency, its officers and their families and of the Agency's inspectors and experts
7. Offences
8. Regulations for giving effect to certain provisions of the Agreement
9. Offences by bodies corporate

Schedule

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

JUNE SANDRA TYLER-HAYWOOD,
Acting Commissioner.

NUCLEAR SAFEGUARDS ORDINANCE 2014

(No: 3 of 2014)

(enacted: 1 September 2014)

(published: 9 September 2014)

(commencement: on publication)

AN ORDINANCE

To make provision for giving effect to an International Agreement for the Application of Safeguards in South Georgia and South Sandwich Islands in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America.

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

1. Title

This is the Nuclear Safeguards Ordinance 2014.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Ordinance to bind the Crown

This Ordinance binds the Crown.

4. Interpretation

In this Ordinance —

“Agency” means the International Atomic Energy Agency;

“Agency inspector” means any official of the Agency designated pursuant to Article 83 of the Agreement;

“Agreement” means the Agreement (of which Protocols 1 and 2 thereto form an integral part) between the United Kingdom of Great Britain and Northern Ireland, the European Atomic Energy Community and the Agency for the Application of Safeguards in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America, and includes any further Protocol to the Agreement entered into in accordance with, and contemplated by, paragraph 1 of Protocol 2 to the Agreement;

“facility” has the same meaning as it has under Article 96(2)I of the Agreement;

“material balance area” has the same meaning as it has under Article 96(2)M of the Agreement;

“1961 Convention Articles” means the articles (being articles of the Vienna Convention on Diplomatic Relations signed in 1961) which are set out in Schedule 1 to the Diplomatic Privileges Act 1964 of the United Kingdom; and

“the Territory” means the Territory of South Georgia and the South Sandwich Islands.

5. The powers of the Agency

(1) The powers of the Agency, and of any Agency inspector, under the subsequent provisions of this section are exercisable only in the cases specified in, and subject to the provisions of the Agreement and, in particular —

(a) are exercisable only in accordance with Articles 5, 9(c) and 85 and the provisions of the Protocol which forms part of the Agreement; and

(b) where Article 81 of the Agreement applies, are not exercisable unless any advance notice required by that Article has been given.

(2) For the purpose of —

(a) making any inspection permitted by Articles 68 to 82 of the Agreement; or

(b) verifying design information, as mentioned in Article 46 of the Agreement,

an Agency inspector may enter any facility or material balance area and make any inspection or do any other thing which may reasonably be required for that purpose.

6. Immunities and privileges of the Agency, its officers and their families and of the Agency’s inspectors and experts

The Schedule confers, to the extent and subject to the terms of it, immunities and privileges upon the Agency, its officers and their families and upon inspectors and experts of the Agency.

7. Offences

(1) A person commits an offence who —

- (a) intentionally obstructs an Agency inspector exercising a power conferred by section 5(2);
- (b) without reasonable excuse, refuses or fails to provide any information or to permit any inspection reasonably required by an Agency inspector in the exercise of such a power; or
- (c) in giving any information reasonably required by an Agency inspector in the exercise of such a power, makes any statement which the person knows to be false in a material particular or recklessly makes any statement which is false in a material particular.

(2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding £5000.

8. Regulations for giving effect to certain provisions of the Agreement

(1) The Commissioner may make regulations to make such provision as appears to the Commissioner to be necessary —

- (a) for taking any action required in the Territory under Article 17 of the Agreement, or under any further Protocol to the Agreement coming into existence pursuant to paragraph I of Protocol 2 to the Agreement; or
- (b) for giving effect to any arrangements made under Article 74(d) of the Agreement, and any such provision may impose limitations on the scope or exercise of any power conferred by section 5(2).

(2) Regulations made under this section may provide that any person contravening or failing to comply with any provision of the regulations is liable on summary conviction to a fine not exceeding £2500.

9. Offences by bodies corporate

(1) Where an offence under section 7 or under regulations made under section 8 which has been committed by a body corporate is proved to have been committed with the consent of or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary, or other similar officer of the body corporate, or any person purporting to act in any such capacity, that person, as well as the body corporate, is guilty of that offence and liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

SCHEDULE

PART I

Immunities and privileges of the Agency

1. The Agency has the legal capacities of a body corporate.
2. Except in so far as in any particular case it has expressly waived its immunity, the Agency is immune from suit and legal process and immunity is deemed to extend to any measure of execution.
3. The Agency has the like inviolability of official archives and premises as in accordance with the 1961 Convention Articles is accorded to the official archives and premises of a diplomatic mission.
4. The Agency has the like exemption or relief from taxes, other than duties (whether of customs or excise) and taxes on the importation of goods, as is accorded to a foreign sovereign Power.
5. The Agency has the like relief from rates as in accordance with Article 23 of the 1961 Convention Articles is accorded to the premises of a diplomatic mission.
6. The Agency is exempt from customs duties and taxes on the importation of goods imported by or on behalf of the Agency for its official use in the Territory and on the importation of publications of the Agency imported by or on behalf of it, such exemption to be subject to compliance with such conditions as the Commissioner may prescribe for the protection of the revenues of the Territory.
7. The Agency is exempt from prohibitions and restrictions on importation or exportation in the case of goods imported or exported by or on behalf of the Agency for its official use and in the case of any publications of the Agency imported or exported by it.
8. The Agency is entitled to relief, under arrangements made by the Commissioner by way of refund of duties (whether of customs or excise) paid on any hydrocarbon oil (which expression has the same meaning as it has under the Hydrocarbon Oil Duties Act 1979 of the United Kingdom) and value added tax paid on the importation of oil which is bought in the Territory and used for the official purposes of the Agency, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.
9. The Agency is entitled to relief, under arrangements made by the Commissioner, by way of refund of car tax paid on any vehicles and value added tax paid on the supply of any goods or services which are used for the official purposes of the Agency, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

PART II

Immunities and privileges of officers of the Agency

High officers

10. (1) Except in so far as in any particular case any privilege or immunity is waived by the Agency, and subject to the provisions of paragraph (2), the Director General of the Agency, including any officer acting on the Director General's behalf during the Director General's absence from duty, and any Deputy Director General or officer of equivalent rank enjoys —

(a) the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than duties (whether of customs or excise) and taxes on the importation of goods, and rates as are accorded to or in respect of a diplomatic agent;

(b) the like exemption from duties (whether of customs or excise) and taxes on the importation of articles imported for the officer's personal use or the use of members of family forming part of the officer's household, including articles intended for the officer's establishment and the like privilege as to the importation of such articles, as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent;

(c) the like exemption and privileges in respect of the officer's personal baggage as in accordance with paragraph 2 of Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent;

(d) relief, under arrangements made by the Government by way of refund of duty (whether of customs or excise) paid on any hydrocarbon oil (within the meaning of that expression under the Hydrocarbons Oil Duties Act 1979 of the United Kingdom) bought in the Territory by the officer or on the officer's behalf, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements; and

(e) exemptions whereby for the purposes of the enactments relating to social security (presently those relating to old age pensions and medical services), no person will be rendered liable to pay any contribution, premium or levy the requirement (but for these exemptions) to pay which is referable only to employment by the Agency.

(2) This paragraph does not apply to any person who is a British citizen, a British Dependent Territories citizen, a British National (overseas), a British Overseas citizen or a permanent resident of the Territory.

All Officers

11. Except in so far as in any particular case any privilege or immunity is waived by the Agency, Officers of the Agency, (other than those who are locally recruited and assigned to hourly rates of pay) will enjoy —

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in their official capacity;
- (b) exemption from income tax in respect of emoluments received by them as officers of the Agency; and
- (c) the like exemption from customs duties and taxes on the importation of articles which —
 - (i) at or about the time when they first enter the Territory to take up their posts as officers of the Agency are imported for their personal use or that of members of their families forming part of their households, including articles intended for their establishment, and
 - (ii) are articles which were in their ownership or possession or that of such members of their families or which they or such members of their families were under contract to purchase, immediately before they so entered the Territory,

as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent.

PART III

Immunities and privileges of experts of the Agency

12. Except in so far as in any particular case any immunity or privilege is waived by the Agency, experts (other than officers of the Agency) serving on committees of the Agency or performing missions for the Agency, including missions as inspectors under Article XII of the Statute of the Agency, or as project examiners under Article XI, will enjoy —

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in the performance of their official functions;
- (b) while exercising their functions and during their journeys in connection with service on such committees or missions, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents as is accorded to a diplomatic agent; and
- (c) while exercising their functions and during their journeys in connection with service on such committees or missions, the like exemptions and privileges in respect of their personal baggage as in accordance with Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent.

PART IV

Immunities and privileges of families of officers

13. Persons who are spouses or minor children of an officer of the Agency who form part of the officer's household in the Territory are entitled to the immunities and privileges set out in Part II of this Schedule to the same extent as the officer is entitled to them.

Enacted 1st September 2014

J. S. Tyler-Haywood,
Acting Commissioner.

Published by the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Three pound and seventy-five pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

14 April 2015

The following are published in this Gazette –

Notices 1 to 3.

NOTICES

No. 1 3 November 2014

Administration of Justice Ordinance (Cap 3)

sections 3 and 29

Appointment of Senior Magistrate

1. Section 3 of the Administration of Justice Ordinance 1949 (Cap 3) in its application to South Georgia and South Sandwich Islands provides that the Commissioner may appoint such magistrates as he may deem necessary.

2. In exercise of my powers under section 3, I appoint **Clare Faulds** to be Senior Magistrate for South Georgia and South Sandwich Islands. In accordance with section 29 every magistrate shall be the coroner of the district specified.

3. This appointment has effect from the date below, and continues in effect whilst Clare Faulds holds office as Senior Magistrate of the Falkland Islands, unless terminated sooner.

Dated 3 November 2014

C. ROBERTS C.V.O.,
Commissioner.

No. 2 27 March 2015

Immigration Ordinance 1965

section 3

Appointment of Immigration Officers

Section 3 of the Immigration Ordinance 1965 permits the Commissioner to appoint an Immigration Officer for the carrying out of the provisions of the Immigration Ordinance 1965.

In exercise of my powers under section 3 of the Immigration Ordinance I hereby appoint:

Simon Browning
Steven Waugh
Patrick Murray Lurcock

to be Immigration Officers for South Georgia and the South Sandwich Islands.

This appointment has effect from 26 March 2015 and continues in effect until completion of above named persons contract of employment with the Government of South Georgia and the South Sandwich Islands.

Dated 27 March 2015

C. ROBERTS C.V.O.,
Commissioner.

No. 3 13 April 2015

Immigration Ordinance 1965

section 3

Appointment of Immigration Officer

Section 3 of the Immigration Ordinance 1965 permits the Commissioner to appoint an Immigration Officer for the carrying out of the provisions of the Immigration Ordinance 1965.

In exercise of my powers under section 3 of the Immigration Ordinance I hereby appoint:

Keiron Patrick Pomeroy Fraser

to be an Immigration Officer for South Georgia and the South Sandwich Islands.

This appointment has effect from 13 April 2015 and continues in effect until completion of Keiron Patrick Pomeroy Fraser's contract of employment with the Government of South Georgia and the South Sandwich Islands.

Dated 13 April 2015

C. ROBERTS C.V.O.,
Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: One pound.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

14 May 2015

The following are published in this Gazette –

Notices 4 to 5;

Supplementary Appropriation (2014) Ordinance 2015 (No 1 of 2015);

Appropriation (2015) Ordinance 2015 (No 2 of 2015);

Postal Services (Amendment) Ordinance 2015 (No 3 of 2015); and

Commemorative Coins (2014) Order 2015 (SR&O No 1 of 2015).

NOTICES

No. 4

29 April 2015

Public Holidays 2016

I declare that the following will be public holidays for South Georgia and the South Sandwich Islands during 2016:

1 January	New Year's Day
18 January	Possession Day
25 March	Good Friday
28 March	Easter Monday
25 April	Liberation Day
20 May	Shackleton Day
21 June	Midwinter's Day
5 September	Toothfish Day
26 December	Christmas Day (in lieu of 25 December)
27 December	Boxing Day

Dated 29 April 2015

C. ROBERTS C.V.O.,
Commissioner.

No.5

29 April 2015

Fisheries (Conservation and Management) Ordinance 2000

section 4

Appointment of Fisheries Protection Officer

1. In exercise of my powers under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, the following person is appointed as a Fisheries Protection Officer:

Steven Waugh

2. This appointment is deemed to have effect from 1 February 2015 and continues in effect whilst Steven Waugh is employed by the Government of South Georgia and South Sandwich Islands, unless terminated sooner.

Dated 29 April 2015

C. ROBERTS C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Supplementary Appropriation (2014) Ordinance 2015

(No: 1 of 2015)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Retrospective supplementary appropriation of £400,630 for 2014

Schedule

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

COLIN ROBERTS C.V.O.,
Commissioner.

SUPPLEMENTARY APPROPRIATION (2014) ORDINANCE 2015

(No: 1 of 2015)

(enacted: 29 April 2015)
(published: 14 May 2015)
(commencement: on publication)

AN ORDINANCE

To retrospectively authorise further withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2014.

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

1. Title

This Ordinance is the Supplementary Appropriation (2014) Ordinance 2015.

2. Commencement

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

3. Retrospective supplementary appropriation of £400,630 for 2014

(1) Withdrawals totalling £6,152,480 were made from South Georgia and the South Sandwich Islands funds during 2014, as set out in the Schedule.

(2) Withdrawals amounting to £400,630 which were not authorised by the Appropriation (2014) Ordinance (No 2 of 2014) are deemed to have been made lawfully.

SCHEDULE

(section 3(1))

2014 Expenditure

Purpose	Amount (£)
Personal Emoluments	496,000
Other charges	5,198,741
Special expenditure	457,739
TOTAL	6,152,480
Expenditure authorised by Appropriation (2014) Ordinance	5,751,850
Retrospective supplementary appropriation authorised by this Ordinance	400,630

Enacted 29th April 2015

C. Roberts C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Appropriation (2015) Ordinance 2015

(No: 2 of 2015)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £6,252,650 for 2015
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

APPROPRIATION (2015) ORDINANCE 2015

(No. 2 of 2015)

(enacted: 29 April 2015)
(published: 14 May 2015)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2015; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2015) Ordinance 2015.

2. Commencement

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

3. Appropriation of £6,252,650 for 2015

(1) The Financial Secretary may withdraw sums of up to £6,252,650 in total from South Georgia and the South Sandwich Island funds, for use during 2015.

(2) Sums withdrawn under subsection (1) may be applied during 2015 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

(a) it would have been authorised by section 3; but

(b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	494,970
Other charges	5,448,680
Special expenditure	309,500
TOTAL	6,252,650

Enacted 29th April 2015

C. Roberts C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Postal Services (Amendment) Ordinance 2015

(No: 3 of 2015)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of the Postal Services Ordinance
4. Section 6 amended – Postal rates
5. Schedule amended – Postal rates

Schedule

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

POSTAL SERVICES (AMENDMENT) ORDINANCE 2015

(No: 3 of 2015)

(enacted: 29 April 2015)
(published: 14 May 2015)
(commencement: on publication)

AN ORDINANCE

To amend the Postal Services Ordinance (No 4 of 2011).

ENACTED by the Commissioner of South Georgia and the South Sandwich Islands as follows—

1. Title

This Ordinance is the Postal Services (Amendment) Ordinance 2015.

2. Commencement

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

3. Amendment of Postal Services Ordinance

This Ordinance amends the Postal Services Ordinance.

4. Section 6 amended – Postal rates

Section 6(2) is omitted and replaced with the following—

“(2) The postal rates set out in the Schedule —

(a) are deemed to have been in force for the Territories since 1 January 2015; and

(b) will remain in force until the Commissioner determines other postal rates under subsection (1).”

5. Schedule amended – Postal rates

The Schedule is repealed and replaced with the Schedule to this Ordinance.

SCHEDULE

(section 5)

<u>Airmail Rates</u>		£
Letters	First 20g	0.80
	each extra 10g	0.25
Small packets	First 70 g	1.25
	each extra 10g	0.15
Postcard		0.70
Aerogramme		0.70
Illustrated aerogramme		0.80
Registration fee		3.75
<u>Surface rates</u>		£
Letters	First 20g	0.55
	up to 100g	1.00
	each extra 50g	0.40
Small packets	First 100g	0.90
	each extra 50g	0.25
Postcard		0.40
Parcels to UK	First kg	12.50
	each extra kg (max 30kg)	5.00

<u>Inland Rates</u>		£
Letter	First 20g	0.30
	up to 100g	0.42
	each extra 50g	0.15
Small packets	First 70g	0.25
	each extra 50g	0.07
Postcard		0.20
Registration fee		0.75

Made 29th April 2015

C. Roberts C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2014) Order 2015

S.R.&O. No: 1 of 2015

Made: 29 April 2015

Published: 14 May 2015

Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000^(a) and of all other powers enabling me, I make the following Order —

1. Title

This Order is the Commemorative Coins (2014) Order 2015.

2. Commencement

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

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to the new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

^(a) No. 3 of 2000, as amended by the Currency (Amendment) Ordinance (No. 1 of 2001)

- (c) the design of their obverse and reverse.

6. Deemed denomination of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denominations of the new commemorative coins.

(2) Those coins are legal tender in the Territories in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2014

a) Centenary of the Imperial Trans-Antarctic Expedition

Design depicts the Endurance at Grytviken with an inset cameo of Sir Ernest Shackleton. The wording ‘CENTENARY OF THE IMPERIAL TRANS-ANTARCTIC EXPEDITION’ appears in the surround with the value at the base and the word ‘ENDURANCE’ above.

The reverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2014”

b) Spectacled Porpoise

Design features an image of adults and a young spectacled porpoise. The denomination appears at the base of the coin.

The reverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription “SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS 2014”

Part 2

Specification, authorised quantity and authorised mint of coins

Type	Gold proof	Gold proof	Gold proof	Titanium	Silver proof	Silver proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (grams)	6.22	1.24	0.05	10.00	12.00	28.28	28.28
Diameter (millimetres)	22.0	13.92	11	36.10	38.60	38.60	38.60
Fineness	0.999	0.999	0.999	910	999	925	75% Cu 25% Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round

Edge Quantity	Milled 2,000	Milled 5,000	Milled 10,000	Milled 7,500	Milled 10,000	Milled 10,000	Milled Unlimited
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Footnotes:

1. Cupro nickel coins may be silver or gold plated.
2. Authorised mint: Pobjoy Mint Limited.
3. Remedy variations are to be allowed to the extent permitted by Pobjoy Mint Ltd.

Made 29th April 2015

C. Roberts C.V.O.,
Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Four pound and sixty pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 3

18 June 2015

The following are published in this Gazette –

Notice 6; and

Fisheries (Transshipment and Export)(Amendment) Order 2015 (SR&O No 2 of 2015).

NOTICE

No. 6

11 June 2015

Income Tax Ordinance 1939

section 90

Notification of income tax assessments

Income tax assessments for the following years of assessment are to be reviewed:

2015 (2014 income)

2016 (2015 income)

Any amounts in excess of 7% of income earned in the Territory (0% for those who were present for less than 6 months) will be remitted, provided that the Commissioner of Taxation is satisfied that the taxpayer concerned has been disadvantaged by the excess.

Any tax assessments that have already been appealed will be considered automatically in this review. Any other taxpayers who consider that they would benefit from this review should notify the Commissioner of Taxation, Stanley, Falkland Islands, within 90 days of this notice.

Dated 11 June 2015

C. ROBERTS C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

FISHERIES

Fisheries (Transshipment and Export)(Amendment) Order 2015

S. R. & O. No. 2 of 2015

Made: 16 June 2015

Published: 18 June 2015

Coming into force: on publication

IN EXERCISE of my powers under section 6(2) of the Fisheries (Conservation and Management) Ordinance 2000 and of all other powers enabling me, I make the following Order—

1. Title

This Order is the Fisheries (Transshipment and Export)(Amendment) Order 2015.

2. Commencement

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

3. Amendment of the Fisheries (Transshipment and Export) Regulations 1990

The Fisheries (Transshipment and Export) Regulations 1990 are amended by deleting —

(a) the word ‘Commissioner’ wherever it appears in the Articles listed and replacing it in each case with the words ‘Director of Fisheries’ —

- (i) Article 4(1);
- (ii) Article 4(4);
- (iii) Article 4(7);
- (iv) Article 5(2); and

(b) the symbol and figures ‘£1,300’ appearing in the Schedule and replacing them with ‘£2,000’.

Made 16 June 2015

C. Roberts C.V.O.,
Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Two pound.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 4

24 September 2015

The following are published in this Gazette –

Notices 7-9; and

Antarctic Act 1994 (Overseas Territories)(Amendment) Order 2015 (Commencement of Schedule) Order 2015 (SR&O No 3 of 2015).

NOTICES

No. 7

3 August 2015

**Fisheries (Conservation and Management)
Ordinance 2000
section 4**

Appointment of Director of Fisheries

In exercise of the powers under section 4(1) of the Fisheries (Conservation and Management) Ordinance 2000, JAMES GRAHAM HANSEN is appointed as Director of Fisheries with effect from 3 August 2015 and continues in effect until terminated.

Dated 3 August 2015

C. ROBERTS C.V.O.,
Commissioner.

No. 8

24 August 2015

**Fisheries (Conservation and Management)
Ordinance 2000
section 4**

Appointment of Fisheries Protection Officer

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint CHRISTOPHER JOHN BUTTERS as a Fisheries Protection Officer for the period 31 August 2015 to 1 October 2015.

Dated 24 August 2015

C. ROBERTS C.V.O.,
Commissioner.

No. 9

24 September 2015

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at www.legislation.gov.uk:

2015 No 1380 – The Central African Republic (Sanctions) (Overseas Territories)(Amendment) Order 2015;

2015 No 1382 – The Democratic Republic of the Congo (Sanctions)(Overseas Territories) Order 2015; and

2015 No 1383 – The Iraq (Sanctions)(Overseas Territories) Order 2015.

Dated 24 September 2015

B. I. STEEN,
for Attorney General.

SUBSIDIARY LEGISLATION

ANTARCTICA

Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 (Commencement of Schedule) Order 2015

S.R.&O. No: 3 of 2015

Made: 25 August 2015

Published: 24 September 2015

Coming into force: on publication

IN EXERCISE of my powers under article 1(2) of the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 (SI 2015/823), I make the following Order —

1. Title

This order is the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 (Commencement of Schedule) Order 2015.

2. Commencement

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

3. Commencement of Schedule to the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015

The Schedule to the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 shall be deemed to have come into force in respect of South Georgia and the South Sandwich Islands on 31 July 2015.

Made 25 August 2015

C. Roberts C.V.O.,
Commissioner.

EXPLANATORY NOTE

(not part of the order)

The Antarctic Act 1994 applies to South Georgia and the South Sandwich Islands through several Orders: the Antarctic Act 1994 (Overseas Territories) Order 1997 (S.R.&O. No. 1 of 1997) and the Antarctic Act 1994 (Overseas Territories) Order 1998 (S.R.&O. No. 1 of 1998).

The Antarctic Act 1994 (as it applies to South Georgia and the South Sandwich Islands) has been amended through the Antarctic Act 2013. These amendments were extended to South Georgia and the South Sandwich Islands through the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 (SI 2015/823).

Article 1(2) of the Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2015 requires that the Schedule to the Order be brought into force in respect of South Georgia and the South Sandwich Islands on the 31 July 2015. This Order does so.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Two pound.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 5

22 December 2015

The following are published in this Gazette –

Notice 10; and

Supplementary Appropriation (2015) Ordinance 2015 (No 4 of 2015).

NOTICES

No. 10

01 December 2015

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at: <http://www.legislation.gov.uk>

2015 No 1898 – The Burundi (Sanctions) (Overseas Territories) Order 2015
<http://www.legislation.gov.uk/ukSI/2015/1898/contents/made>

and

2015 No 1899 – The Liberia (Sanctions) (Overseas Territories) Order 2015
<http://www.legislation.gov.uk/ukSI/2015/1899/contents/made>

The Orders require publication of a list of designated persons and/or restricted goods. This obligation is satisfied by publication of a link to the relevant list available through the websites below:

Designated persons:

<https://www.gov.uk/government/collections/financial-sanctions-regime-specific-consolidated-lists-and-releases>

Restricted goods:

<https://www.gov.uk/current-arms-embargoes-and-other-restrictions>

Dated 01 December 2015

B. I. STEEN,
for Attorney General.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Supplementary Appropriation (2015) Ordinance 2015

(No: 4 of 2015)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Supplementary appropriation of £367,320 for 2015

Schedule

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

COLIN ROBERTS C.V.O.,
Commissioner.

SUPPLEMENTARY APPROPRIATION (2015) ORDINANCE 2015

(No: 4 of 2015)

(enacted: 18 December 2015)
(published: 22 December 2015)
(commencement: on publication)

AN ORDINANCE

To authorise further withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2015.

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

1. Title

This Ordinance is the Supplementary Appropriation (2015) Ordinance 2015.

2. Commencement

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

3. Supplementary appropriation of £367,320 for 2015

(1) The Financial Secretary may withdrawal sums of up to £6,619,970 in total from South Georgia and the South Sandwich Islands funds, for use during 2015.

(2) Sums withdrawn under subsection (1) may be applied during 2015 in accordance with the Schedule.

SCHEDULE

(section 3(2))

2015 Expenditure

Purpose	Amount (£)
Personal Emoluments	666,700
Other charges	5,553,270
Special expenditure	400,000
TOTAL	6,619,970
Expenditure authorised by Appropriation (2015) Ordinance	6,252,650
Supplementary appropriation authorised by this Ordinance	367,320

Enacted 18th December 2015

C. Roberts C.V.O.,
Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Two pound and seventy-five pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

24 March 2016

The following is published in this Gazette –

Appropriation Ordinance 2016 (No 1 of 2016).

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Appropriation Ordinance 2016

(No: 1 of 2016)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £6,716,720 for 2016
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

APPROPRIATION ORDINANCE 2016

(No. 1 of 2016)

(enacted: 31 January 2016)
(published: 4 March 2016)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2016; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation Ordinance 2016.

2. Commencement

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

3. Appropriation of £6,716,720 for 2016

(1) The Financial Secretary may withdraw sums of up to £6,716,720 in total from South Georgia and the South Sandwich Island funds, for use during 2016.

(2) Sums withdrawn under subsection (1) may be applied during 2016 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

(a) it would have been authorised by section 3; but

(b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	745,000
Other charges	5,721,720
Special expenditure	250,000
TOTAL	6,716,720

Enacted 31st January 2016

C. Roberts C.V.O.,
Commissioner.



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

26 May 2016

The following are published in this Gazette –

Notice 1; and

Commemorative Coins (2015 and 2016) Order 2016 (SR&O No 1 of 2016).

NOTICES

No. 1

26 May 2016

Public Holidays 2017

I declare that the following will be public holidays for South Georgia and the South Sandwich Islands during 2017:

2 January	New Year's Day (in lieu of 1 January)
17 January	Possession Day
14 April	Good Friday
17 April	Easter Monday
25 April	Liberation Day
22 May	Shackleton Day (in lieu of 20 May)
21 June	Midwinter Day
4 September	Toothfish Day
25 December	Christmas Day
26 December	Boxing Day

Dated 26 May 2016

C. ROBERTS C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2015 and 2016) Order 2016

S.R.&O. No: 1 of 2016

Made: 24 May 2016

Published: 26 May 2016

Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000 and of all other powers enabling me, I make the following Order —

1. Title

This Order is the Commemorative Coins (2015 and 2016) Order 2016.

2. Commencement

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

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

(c) the design of their obverse and reverse.

6. Deemed denominations of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denomination of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2015

a) 240th Anniversary of the Discovery of South Georgia by Captain James Cook

Design depicts an image of Captain James Cook's ship *The Resolution* in the waters of Antarctica. A large iceberg can be seen in the background with a sailor from the ship hacking at a smaller iceberg in the foreground. The wording 'CAPTAIN JAMES COOK – DISCOVERY OF SOUTH GEORGIA' appears in the surround with the value at the base and '1775' above.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2015'.

b) 30th Anniversary of the Granting of the Coat of Arms

Design depicts an image of the South Georgia and the South Sandwich Islands Coat of Arms. The wording '30TH ANNIVERSARY OF GRANTING OF COAT OF ARMS' appears in the surround with the value at the base.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2015'.

c) Humpback Whale

Design depicts an image of a Humpback Whale breaching in Antarctic waters. A large iceberg is shown in the background. The value appears at the right of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2015'.

d) Queen Elizabeth II – Longest Reigning British Monarch

Design depicts an image of Her Majesty Queen Elizabeth II from the Duke and Duchess of Cambridge's Wedding in 2011. A smaller image of the famous balcony at Buckingham Palace is

also shown. The wording ‘HM QUEEN ELIZABETH II’ appears in the surround with the value to the right.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Ian Rank-Broadley surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2015’.

Year of Minting 2016

e) Minke Whale

Design depicts an image a Minke Whale swimming beneath the ocean with floating icebergs above. The value appears within the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2016’.

f) Ocean Zones - Daylight Zone

Design represents the Ocean Daylight Zone and features images of a Dolphin, a Cod Icefish, a Patagonian Toothfish and some Krill. The wording ‘THE OCEAN – DAYLIGHT ZONE’ appears in the surround with the value at the base.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2016’.

g) Ocean Zones - Twilight Zone

Design represents the Ocean Twilight Zone and features images of a Barreleye Fish, a Comb Jelly, a Lantern Fish and a Snipe Eel. The wording ‘THE OCEAN – TWILIGHT ZONE’ appears in the surround with the value at the base.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2016’.

h) Ocean Zones - Midnight Zone

Design represents the Ocean Midnight Zone and features images of an Angler Fish, a Jellyfish, a Spookfish and a Vampire Squid. The wording ‘THE OCEAN – MIDNIGHT ZONE’ appears in the surround with the value at the base.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2016’.

i) Queen Elizabeth II – 90th Birthday

Design depicts an image of Her Majesty Queen Elizabeth II during the Trooping the Colour Ceremony in 1952. A smaller image of Royal Standard is also shown. The wording ‘HM QUEEN ELIZABETH II’ appears in the surround with the value to the right.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2016’.

Part 2

Specification, authorised quantity and authorised mint of coins

240th Anniversary of the Discovery of South Georgia by Captain James Cook, 30th Anniversary of the Granting of the Coat of Arms, Humpback Whale, Queen Elizabeth II – Longest Reigning British Monarch, Minke Whale and Queen Elizabeth II – 90th Birthday

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (gms)	6.22	1.24	0.50	10.00	12.00	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	38.60	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	7,500	10,000	10,000	Unlimited

Ocean Zones - Daylight Zone, Ocean Zones - Twilight Zone and Ocean Zones - Midnight Zone

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (gms)	6.22	1.24	0.50	10.00	12.00	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	38.60	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	5,000	10,000	10,000	Unlimited

Footnotes:

1. Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited.

Remedy Variations to be allowed to extent permitted by Pobjoy Mint Ltd.

Made 24 May 2016

June Sandra Tyler-Haywood,
Acting Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: Three pound and twenty-five pence.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 3

19 December 2016

The following are published in this Gazette –

Notices 2 to 5; and

Commemorative Coins (2017) Order 2016 (SR&O No 2 of 2016).

NOTICES

No. 2

27 October 2016

Income Tax Ordinance 1939

section 90

Notification of income tax assessments

Income tax assessments for the following years of assessment are to be reviewed:

2017 (2016 income)

Any amounts in excess of 7% of income earned in the Territory (0% for those who were present for less than 6 months) will be remitted, provided that the Commissioner of Taxation is satisfied that the taxpayer concerned has been disadvantaged by the excess.

Any tax assessments that have already been appealed will be considered automatically in this review. Any other taxpayers who consider that they would benefit from this review should notify the Commissioner of Taxation, Stanley, Falkland Islands, within 90 days of this notice.

Dated 27 October 2016

C. ROBERTS C.V.O.,
Commissioner.

No. 3

3 November 2016

Visitors Ordinance

section 3

Notice of amount of passenger landing fee

In exercise of my powers under section 3 of the Visitors Ordinance, I, Colin Roberts Commissioner for South Georgia and the South Sandwich Islands hereby prescribe that the following passenger landing fees, in the currency of the United Kingdom must be paid for every visitor to South Georgia and the South Sandwich Islands.

For a short visit (one lasting less than 72 hours), the amount of the passenger landing fee is £125.

For an extended visit (one lasting 72 hours or more), the amount of the passenger landing fee is £125 plus £20 per additional day to a maximum of £205.

The maximum extended visit passenger landing fee (£205) is valid for one calendar month from the start of the visit. If the visitor remains in the Territory, a further passenger landing fee must be paid as if a new visit had started when the previous fee expired.

These fees apply from 11 July 2016.

Dated 3 November 2016

C. ROBERTS C.V.O.,
Commissioner.

No. 4

8 November 2016

Administration of Justice Ordinance

section 3

Appointment of Magistrate

In exercise of my powers under section 3 of the Administration of Justice Ordinance, I, Colin Roberts Commissioner for South Georgia and the South Sandwich Islands hereby appoint:

JEREMY ALEXANDER GILLHAM of the British Antarctic Survey to be a Magistrate for South Georgia and the South Sandwich Islands.

This appointment has effect from the date below, and continues in effect whilst Jeremy Alexander Gillham holds office as Station Leader on South Georgia, unless terminated sooner.

Dated 8 November 2016

C. ROBERTS C.V.O.,
Commissioner.

No. 5

2 December 2016

Administration of Justice Ordinance

section 3

Appointment of Senior Magistrate

In exercise of my powers under section 3 of the Administration of Justice Ordinance, I, Colin Roberts Commissioner for South Georgia and the South Sandwich Islands hereby appoint:

MARTINE KUSHNER to be Senior Magistrate for South Georgia and the South Sandwich Islands.

In accordance with section 29 of the Administration of Justice Ordinance every Magistrate shall be the coroner of the district specified.

This appointment has effect from the date below, and continues in effect whilst Martin Kushner holds office as Senior Magistrate of the Falkland Islands, unless terminated sooner.

Dated 2 December 2016

C. ROBERTS C.V.O.,
Commissioner

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2017) Order 2016

S.R.&O. No: 2 of 2016

Made: 9 December 2016

Published: 19 December 2016

Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000 and of all other powers enabling me, I make the following Order —

1. Title

This Order is the Commemorative Coins (2017) Order 2016.

2. Commencement

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

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

(c) the design of their obverse and reverse.

6. Deemed denominations of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denomination of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2017

a) Blue Whale

Design depicts an image of an adult Blue Whale with her calf swimming in the sea surrounded by small fish just above the sea bed. The adult whale's fin appears above the waterline in front of the rising sun. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

b) Pilot Whale

Design depicts an image of a Pilot Whale in the foreground in the Antarctic waters with the head of a second whale appearing above the water. The top of a third whale can be seen just above the water line in the background. Whale swimming beneath the ocean with floating icebergs above. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

c) Blue Squid

Design depicts an image of a squid surrounded by swirling waters. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

d) Centenary of the Imperial Trans-Antarctic Expedition

Design depicts an image of *The Endurance* stuck in ice in the background with the crew pulling the sled across the ice pack in the foreground. The wording 'IMPERIAL TRANS-ANTARCTIC EXPEDITION' appears in the surround with the dates '1914-1917' appearing above the ship. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

e) Elephant Seal

Design depicts an image of a male and female Elephant Seal sitting on a beach. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

Part 2

Specification, authorised quantity and authorised mint of coins

Blue Whale, Blue Squid and Elephant Seal

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (gms)	6.22	1.24	0.5	10.00	12.00	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	38.60	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	5,000	10,000	2000	10,000

Pilot Whale, and Centenary of the Imperial Trans-Antarctic Expedition

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (gms)	6.22	1.24	0.5	10.00	12.00	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	38.60	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	7,500	10,000	2000	10,000

Footnotes:

1. Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited.

Remedy: Variations to be allowed to the extent permitted by Pobjoy Mint Ltd.

Made 9th December 2016

C. Roberts C. V. O.,
Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: £2.75.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 4

22 December 2016

The following are published in this Gazette –

Customs Ordinance 2016 (No 2 of 2016);

Income Tax Ordinance 2016 (No 3 of 2016);

Income Tax Regulations 2016 (SR&O No 3 of 2016); and

Customs (Declarations and Clearance) Order 2016 (SR&O No 4 of 2016).

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Customs Ordinance 2016

(No: 2 of 2016)

ARRANGEMENT OF PROVISIONS

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5. Customs officers

PART 3 CONTROLS

6. Customs duties
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- 13. Procedure
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REPEALS

- 15. Repeals

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

COLIN ROBERTS C.V.O.,
Commissioner.

CUSTOMS ORDINANCE 2016

(No: 2 of 2016)

(enacted: 21 December 2016)

(published: 22 December 2016)

(commencement: on publication)

AN ORDINANCE

To make provision about customs duties and prohibitions, including duties and controls on import, export, production and sale.

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

**PART 1
PRELIMINARY**

1. Title

This Ordinance may be cited as the Customs Ordinance 2016.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Interpretation

In this Ordinance —

“customs officer” means a person appointed as a customs officer under Part 2;

“customs orders” means an order made by the Commissioner under this Ordinance;

“export” means taking goods out of the Territory;

“goods” includes any substance, article or thing (including animals);

“import” means bringing goods into the Territory;

“intimate search” means a search in the course of which clothing (other than an outer coat or jacket, headgear or gloves) is removed or displaced or required to be removed or displaced;

“property” includes premises, vessels, aircraft and vehicles;

“Territory” means the territories of South Georgia and South Sandwich Islands as defined in the South Georgia and South Sandwich Islands Order 1985 as amended from time to time.

PART 2 OFFICERS

4. Collector of Customs

- (1) The Commissioner shall appoint a Collector of Customs.
- (2) The Collector of Customs has the function of overseeing the administration of the provisions of Part 3.
- (3) An appointment under subsection (1) may be —
 - (a) personal, or
 - (b) ex officio.
- (4) An appointment under subsection (1) —
 - (a) must be published in the Gazette, and
 - (b) shall have effect in accordance with any specified terms or conditions (which may include provision about tenure and remuneration).

5. Customs officers

- (1) The Commissioner shall appoint customs officers.
- (2) Customs officers have the functions conferred on them by this Ordinance.
- (3) An appointment under subsection (1) may be —
 - (a) personal, or
 - (b) ex officio.

(4) An appointment under subsection (1) —

(a) must be published in the Gazette, and

(b) shall have effect in accordance with any specified terms or conditions (which may include provision about tenure and remuneration).

PART 3 CONTROLS

6. Customs duties

(1) The Commissioner may by order —

(a) impose duties on the import of specified goods;

(b) impose duties on the export of specified goods;

(c) impose duties on the production of specified goods in the Territory;

(d) impose duties on the sale or supply of specified goods in the Territory.

(2) Customs officers shall be responsible for collecting duties under this section.

(3) An order under subsection (1) —

(a) must specify the rate of duty to be charged;

(b) may make provision for exemptions, waivers or reductions;

(c) may include provision about payment (including timing and interest);

(d) may confer a discretion on customs officers, on the Collector of Customs, on the Commissioner or on another specified person;

(e) may make provision that applies generally or only for specified purposes;

(f) may make different provision for different purposes;

(g) may include incidental, transitional or consequential provision.

7. Prohibited goods

(1) The Commissioner may by order —

(a) prohibit the import of specified goods;

(b) prohibit the export of specified goods;

- (c) prohibit the production of specified goods in the Territory;
- (d) prohibit the sale or supply of specified goods in the Territory.
- (2) Customs officers shall be responsible for enforcing prohibitions under this section.
- (3) An order under subsection (1) —
 - (a) may make provision for exemptions or waivers;
 - (b) may confer a discretion on customs officers, on the Collector of Customs, on the Commissioner or on another specified person;
 - (c) may make provision that applies generally or only for specified purposes;
 - (d) may make different provision for different purposes;
 - (e) may include incidental, transitional or consequential provision.

PART 4 ENFORCEMENT

8. Declarations and clearance

- (1) The Commissioner may by order —
 - (a) require persons entering or leaving the Territory to make declarations in respect of compliance with customs orders or in respect of such other matters as the Commissioner thinks desirable in connection with matters addressed by this Ordinance;
 - (b) provide for a system of inspections and clearance for persons entering or leaving the Territory in respect of compliance with customs orders or in respect of such other matters as the Commissioner thinks desirable in connection with matters addressed by this Ordinance.
- (2) An order under subsection (1) —
 - (a) may include provision for the charging of fees (which may include provision for exemptions, waiver or reductions);
 - (b) may impose obligations on persons with command of, or exercising other specified functions in relation to, vehicles, vessels and aircraft;
 - (c) may confer a discretion on customs officers, on the Collector of Customs, on the Commissioner or on another specified person;
 - (d) may make provision that applies generally or only for specified purposes;

- (e) may make different provision for different purposes;
- (f) may include incidental, transitional or consequential provision.

9. Seizure of goods

(1) The Collector of Customs, customs officers or other specified officials (“the relevant officer”) may —

- (a) seize goods if the relevant officer suspects that a provision of this Ordinance or a customs order has been or is likely to be breached in respect of the goods;

- (b) dispose of seized goods.

(2) A customs order must provide for —

- (a) review procedures by the Commissioner of decisions relating to seizure; and

- (b) an appeal to a court (whether by a person from whom goods are seized or by another person with an interest in the goods) in respect of decisions relating to seizure.

10. Information and searches

(1) A customs officer may exercise the following powers for the purposes of —

- (a) ensuring compliance with this Ordinance or customs orders;

- (b) investigating actual, prospective or intended breaches of this Ordinance or customs orders;

- (c) obtaining evidence in respect of breaches of this Ordinance or customs orders.

(2) The powers are to require a person to —

- (a) answer questions;

- (b) make declarations;

- (c) provide information or documents.

(3) A customs officer may search persons or property if the customs officer reasonably suspects that goods will be found —

- (a) in respect of which duty is payable under a customs order,

- (b) which are evidence of a breach of this Ordinance or a customs order, or

- (c) in respect of which there is an intention to breach this Ordinance or a customs order.

(4) The power under subsection (3) may not be used to carry out intimate searches of persons; and the Commissioner —

(a) may make regulations permitting intimate searches in specified circumstances and subject to compliance with specified conditions;

(b) may make regulations imposing conditions on searches under subsection (3).

11. Offences

(1) A person who fails to pay duty which is due by virtue of this Ordinance, with intent to evade payment, commits an offence.

(2) A person who knowingly breaches any other provision of a customs order commits an offence.

(3) A person who fails without reasonable excuse to comply with a requirement imposed by a customs officer by virtue of this Ordinance commits an offence.

(4) A person who without reasonable excuse obstructs a customs officer in the exercise of functions by virtue of this Ordinance, or who fails without reasonable excuse to cooperate with a customs officer in the exercise of functions by virtue of this Ordinance, commits an offence.

(5) A person who is guilty of an offence under this section is liable on conviction to —

(a) imprisonment for a period not exceeding 5 years,

(b) a fine not exceeding £10,000, or

(c) both.

(6) The Commissioner may make regulations allowing the Collector of Customs to impose a civil penalty in respect of action constituting an offence under this section; and the regulations —

(a) must specify the amount of a penalty or provide for the amount to be determined in accordance with specified criteria;

(b) may include provision about payment (including time and interest);

(c) may provide for penalties to be enforceable as a debt owed to the Collector of Customs;

(d) must provide for penalties (and interest) to be paid into the Consolidated Fund of the Territory;

(e) may confer a discretion on the Collector of Customs;

(f) may make provision that applies generally or only for specified purposes;

(g) may make different provision for different purposes;

(h) may include ancillary, transitional or consequential provision.

12. Arrest and detention

(1) A customs officer may arrest a person on reasonable suspicion of having committed an offence under this Ordinance.

(2) A customs officer may detain a person arrested under subsection (1).

(3) The Commissioner shall make regulations about —

(a) maximum periods of detention under this section;

(b) procedure to be followed in making arrests under this section;

(c) conditions of detention under this section (including provision about moving detained persons to locations inside or outside the jurisdiction of the Territory); and

(d) any other incidental matters that the Commissioner thinks fit.

13. Procedure

(1) The Commissioner may make regulations prescribing procedure to be followed in respect of any matter for which provision is made by a customs order.

(2) Regulations under subsection (1) may include provision for —

(a) forms;

(b) notices;

(c) timing.

14. Review and appeal

(1) A person aggrieved by any decision made by a customs officer may refer the matter to the Collector of Customs for review.

(2) An appeal lies to the Supreme Court against any decision of the Collector of Customs.

PART 5 REPEALS

15. Repeals

The following Ordinances are repealed (in so far as they apply to the Territory) —

(a) the Customs Ordinance Cap 16;

- (b) the Customs (Amendment) Ordinance 1954 (1954 No.8);
- (c) the Customs (Dependencies) Ordinance 1955 (1955 No.2);
- (d) the Customs (Amendment) Ordinance 1955 (1955 No.5);
- (e) the Customs (Amendment) Ordinance 1956 (1956 No.6);
- (f) the Customs (Amendment) Ordinance 1959 (1959 No.1);
- (g) the Customs (Amendment) Ordinance 1968 (1968 No.16);
- (h) the Customs (Amendment) Ordinance 1975 (1975 No.6).

Enacted 21st December 2016

C. Roberts C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Income Tax Ordinance 2016

(No: 3 of 2016)

ARRANGEMENT OF PROVISIONS

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4. Interpretation

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6. Chargeable income
7. Rate of tax
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ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

INCOME TAX ORDINANCE 2016

(No: 3 of 2016)

(enacted: 21 December 2016)

(published: 22 December 2016)

(commencement: 1 January 2017)

AN ORDINANCE

To make new provision about income tax.

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

**PART 1
PRELIMINARY**

1. Title

This Ordinance may be cited as the Income Tax Ordinance 2016.

2. Commencement

This Ordinance comes into force on 1 January 2017.

3. Ordinance to bind the Crown

Provisions of or under this Ordinance bind the Crown, and apply to persons in the public service of the Crown as they apply to other persons.

4. Interpretation

(1) In this Ordinance, unless the context otherwise requires —

“prescribed” means prescribed by Tax Regulations;

the “tax quarters” are —

1 January to 31 March;

1 April to 30 June;

1 July to 30 September; and

1 October to 31 December;

“tax information” means information provided to a tax officer, employer, employee or any other person for the purposes of or in connection with a provision of or under this Ordinance;

“Tax Regulations” means regulations under section 18; and

“tax year” means the period beginning with 1 January and ending with 31 December;

“Territory” means the territories of South Georgia and the South Sandwich Islands as defined in the South Georgia and South Sandwich Islands Order 1985 as amended from time to time.

(2) In this Ordinance a reference to employing a person includes a reference to engaging a person (whether by contract of employment, contract for services or otherwise).

PART 2 INCOME TAX

5. The charge to tax

An individual who earns chargeable income is liable to pay income tax at the standard rate.

6. Chargeable income

(1) Income is chargeable if it is earned —

(a) by an individual who is in the Territory for 183 days or more in a tax year (“the residence condition”), and

(b) in respect of work carried out in the Territory (“the work condition”).

(2) For the purposes of the residence condition —

(a) days of arrival or departure count as whole days;

(b) unlawful presence is included, and

(c) it is immaterial whether the individual is present for one period of 183 days or more, or for periods which amount in aggregate to 183 days or more.

(3) For the purposes of the work condition—

(a) work is carried out in the Territory even if preparatory or incidental activities are carried out outside the Territory;

(b) a reference to income includes a reference to remuneration, emoluments and allowances of any kind (but not to the reimbursement of expenditure incurred);

(c) it is immaterial whether income is earned under a contract of employment, a contract for services or otherwise.

7. Rate of tax

The standard rate of income tax is 7%.

8. Exemptions

(1) Tax Regulations may confer exemptions on specified classes of individual.

(2) Tax Regulations conferring an exemption must —

(a) specify the period in respect of which the exemption applies, or

(b) provide that the exemption begins on a date specified by the Regulations and continues until ended by amending Regulations.

(3) Regulations conferring an exemption may be wholly or partly retrospective.

(4) An exemption may be conditional; and a condition may be expressed by reference to a discretion to be exercised by the Commissioner or another specified person or class of person.

PART 3 ADMINISTRATION

9. Tax officers

(1) The Commissioner shall appoint a person as Collector of Taxes with responsibility for the collection and administration of income tax.

(2) The Collector may appoint other tax officers.

(3) Appointments under subsection (1) or (2) shall be on such terms and conditions (including as to remuneration and allowances) as may be specified by the person making the appointment.

(4) An appointment under subsection (1) shall be notified in the *Gazette*.

(5) A tax officer may —

- (a) require a person to provide information which the tax officer requires in connection with this Ordinance;
- (b) require a person to answer written or oral questions in connection with the actual or potential application of this Ordinance;
- (c) require a person to produce documents in connection with the actual or potential application of this Ordinance;
- (d) seize or copy documents in connection with the application and requirements of this Ordinance or the commission of an offence under this Ordinance;
- (e) take any administrative action that appears to the tax officer to be necessary or expedient for the purposes of giving full effect to a provision of or under this Ordinance.

(6) A person must comply with a requirement of a tax officer under this section (and this section overrides any enactment about confidentiality or data protection).

(7) A tax officer may initiate a prosecution for an offence under this Ordinance.

(8) A tax officer may —

- (a) request a public authority of the Falkland Islands, the United Kingdom or any other jurisdiction to provide information which the tax officer reasonably requires for a purpose connected with the operation of this Ordinance;
- (b) disclose to a public authority of the Falkland Islands or the United Kingdom information which the public authority reasonably requires for a purpose connected with the operation of tax law.

(9) It is an offence for a tax officer to disclose information otherwise than —

- (a) in the exercise of the tax officer's functions,
- (b) in accordance with a direction of the Commissioner,
- (c) in accordance with an order of a court, or
- (d) in accordance with a statutory duty.

(10) A tax officer who is guilty of an offence under subsection (9) is liable on summary conviction to a fine not exceeding £5,000.

10. Advance notification

(1) A person (“the employer”) who proposes to employ an individual (“the employee”) to carry out work in the Territory in respect of which income tax may be payable must notify a tax officer.

(2) Notification under subsection (1) must specify —

- (a) the employee’s name, address and email address;
- (b) the expected date of the employee’s arrival in the Territory;
- (c) the expected date of the employee’s departure from the Territory;
- (d) whether the employer expects the employee to return to the Territory in the same tax year; and
- (e) any other prescribed information.

(3) Notification under subsection (1) must state either —

- (a) that the employee is not expected by reason of that employment (whether or not taken with any other employment) to incur a liability (or increased liability) for income tax in accordance with section 6(1); or
- (b) that the employee is expected by reason of that employment (whether or not taken with any other employment) to incur a liability (or increased liability) for income tax in accordance with section 6(1).

(4) Where a notification under subsection (1) contains a statement in accordance with subsection (3)(a) but it later transpires (whether or not by reason of extension of the employment) that the employee incurs by reason of the employment (whether or not taken with any other employment) a liability (or increased liability) for income tax in accordance with section 6(1), the employer must notify a tax officer as soon as reasonably practicable.

11. Payment on account

(1) This section applies where notification of an expected liability to income tax is given by an employer under section 10(3)(b).

(2) Before the end of the period of 14 days beginning with the end of each tax quarter the employer must —

- (a) submit a return to a tax officer, and
- (b) make a payment on account of the employee’s liability to income tax, of an amount equal to the amount of liability that the employee is expected to incur in respect of employment in that tax quarter.

(3) The amount of any payment on account made in accordance with subsection (2) may be deducted by the employer from payments made to the employee in accordance with arrangements made by the employer.

(4) The return under subsection (2)(a) must specify —

(a) the amount of income expected to be earned;

(b) any amount deducted; and

(c) any other prescribed information.

(5) The employer must give the employee a copy of each quarterly return, within the period of 21 days beginning with the end of the tax quarter.

(6) The employer must give the employee a consolidated statement for each tax year, within the period of one month beginning with the end of the tax year.

(7) Where payment is not paid within the period specified in subsection (2) interest at the prescribed rate becomes payable on the amount due (and may not be deducted under subsection (3)).

(8) The Collector of Taxes must make arrangements for the refund of payments made under this section in respect of expected liability to income tax where the liability is not incurred; and the arrangements —

(a) may involve repayment to the employer or to the employee, as the Collector of Taxes thinks appropriate in a particular case;

(b) must not depend on the making of a claim or application by the employee or employer; and

(c) must include consideration as soon as is reasonably practicable after the end of each tax year whether refunds should be made.

12. Other payments

(1) This section applies where —

(a) a person (“the employee”) incurs a liability to income tax under section 6 in respect of employment in a tax quarter,

(b) no payments in account of that liability have been made under section 11, or the amount of any payments on account are less than the amount of the liability, and

(c) a tax officer has (after the end of the tax quarter) demanded payment in satisfaction of the liability by notice in writing to the employee.

(2) The employee must make one or more payments to a tax officer before the end of the period of 60 days beginning with the date of the demand.

(3) The payment or payments must amount in total —

(a) where no payment on account was made, to the amount of tax payable, and

(b) where payment on account was made, to the difference between the payment on account and the amount of tax payable.

(4) Where payment is not paid within the period specified in subsection (2) interest at the prescribed rate becomes payable on the amount due.

(5) An employee is not liable to pay tax chargeable under this Ordinance if no demand is made under subsection (1)(c).

13. Tax Tribunal

(1) There shall be a Tax Tribunal to exercise functions conferred by or under this Ordinance.

(2) The Commissioner may appoint members of the Tribunal.

(3) The Tax Tribunal —

(a) may determine its rules of procedure,

(b) must make arrangements to publish any rules determined under paragraph (a), and

(c) may sit in any place outside the Territory as may be authorised by the Commissioner.

14. Penalties

(1) Where a tax officer is satisfied that an employer has failed to comply with an obligation under or by virtue of this Ordinance, the tax officer may require the employer to pay a penalty of an amount specified in the requirement (in addition to any tax and interest owing).

(2) The employer may appeal against the imposition of a financial penalty to the tax appeal tribunal, which may —

(a) confirm the penalty,

(b) cancel the penalty, or

(c) vary the penalty.

15. Offences

(1) It is an offence for an individual to fail to pay income tax or interest as required by this Ordinance.

(2) A person who is guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding £5,000.

(3) It is an offence for a person to provide tax information which is false and which the person knows or ought to know to be false.

(4) It is an offence for a person to fail without reasonable excuse to comply with a requirement imposed by a tax officer under section 10.

(5) It is an offence to obstruct a tax officer in the exercise of functions conferred by or under this Ordinance.

(6) A person who is guilty of an offence under subsection (3), (4) or (5) is liable on summary conviction to a fine not exceeding £5,000.

(7) A person may not be prosecuted for an offence if a tax officer has imposed, or proposes to impose, a financial penalty in respect of the action which constituted the alleged offence.

16. Disputes

(1) This section applies where a dispute arises about —

(a) whether income tax is chargeable under this Ordinance in respect of an individual's earnings;

(b) the amount of income tax payable; or

(c) any other matter concerning the application or interpretation of a provision of or under this Ordinance.

(2) A person affected by the dispute ("the taxpayer") may refer it to the Collector of Taxes for determination (or review, where the dispute concerns an earlier determination of a tax officer).

(3) A reference under subsection (2) must be made before the end of the period of 4 weeks beginning with the date on which the person becomes aware of the issue to be referred.

(4) The taxpayer may refer the dispute to the Tax Tribunal if —

(a) the Collector does not determine the dispute within 6 months, or

(b) the taxpayer does not accept the Collector's determination.

(5) The Collector may refer a dispute to the Tax Tribunal.

(6) A reference under subsection (4) or (5) must be made before the end of the period of 4 weeks beginning with the date on which the taxpayer or Collector becomes aware of the issue to be referred.

(7) A decision of the Tax Tribunal under this section is final and binding on the Collector and all other persons.

(8) Reference to the Collector or to the Tax Tribunal does not excuse payment of tax, interest or other amounts which a tax officer has required a person to pay.

(9) A decision of the Collector or the Tax Tribunal may include provision about incidental matters (including repayment of sums with or without interest).

17. Destination

Receipts under this Ordinance are to be paid into the Consolidated Fund of the Territory.

18. Tax Regulations

(1) The Commissioner may make regulations supplementing this Ordinance.

(2) Without prejudice to the generality of subsection (1), Tax Regulations may make provision about —

(a) timing,

(b) contents of notices,

(c) methods of payment,

(d) proceedings of the Tax Tribunal, and

(e) any other matter that appears to the Commissioner to be necessary or expedient for the purposes of giving full effect to this Ordinance.

(3) Tax Regulations may confer a discretionary function on —

(a) the Commissioner;

(b) a tax officer;

(c) any other specified person.

PART 4 TECHNICAL PROVISION

19. Tax Regulations: supplemental

Tax Regulations may make —

(a) provision that applies generally or only to specified cases or circumstances;

(b) different provision for different cases or circumstances;

(c) incidental, consequential and supplementary provisions.

20. Repeals

The following are repealed (in so far as they apply to the Territory) —

- (a) the Income Tax Ordinance Cap. 32;
- (b) the Income Tax (Amendment) Ordinance 1951 (1951 No.6);
- (c) the Income Tax (Amendment) Ordinance 1954 (1954 No.14);
- (d) the Income Tax (Amendment) Ordinance 1957 (1957 No.3);
- (e) the Income Tax (Amendment) Ordinance 1961 (1961 No.4);
- (f) the Income Tax (Amendment)(No 2) Ordinance 1961 (1961 No.9);
- (g) the Income Tax (Amendment) Ordinance 1962 (1962 No.1);
- (h) the Income Tax (Amendment)(No 2) Ordinance 1962 (1962 No.6);
- (i) the Income Tax (Amendment)(No 3) Ordinance 1962 (1962 No.16);
- (j) the Income Tax (Amendment) Ordinance 1964 (1964 No.6);
- (k) the Income Tax (Amendment) (No 2) Ordinance 1964 (1964 No.7);
- (l) the Income Tax (Amendment) (No 3) Ordinance 1964 (1964 No.2);
- (m) the Income Tax (Amendment) (Dependencies) Ordinance 1965 (1965 No.3);
- (n) the Income Tax (Amendment) Ordinance 1969 (1969 No.1);
- (o) the Income Tax (Amendment) Ordinance 1973 (1973 No.16); and
- (p) the Income Tax (Amendment) Ordinance 1974 (1974 No.1).

Enacted 21st December 2016

C. Roberts C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

TAX

Income Tax Regulations 2016

S.R.&O. No: 3 of 2016

Made: 21 December 2016

Published: 22 December 2016

Coming into force: 1 January 2017

IN EXERCISE of the powers conferred on me by sections 8, 18 and 19 of the Income Tax Ordinance 2016 I make the following regulations —

1. Citation

These Regulations may be cited as the Income Tax Regulations 2016.

2. Commencement

These Regulations come into force on 1 January 2017.

3. Interpretation

In these Regulations “the Ordinance” means the Income Tax Ordinance 2016.

4. Exemptions

(1) The following classes of individual are exempt from income tax under the Ordinance —

(a) individuals working (whether as crew or observers) on a fishing vessel or on a vessel supporting or accompanying a fishing vessel;

(b) individuals working on a tourist vessel (whether as crew, expedition leaders or in any other capacity);

(c) individuals working as crew on a vessel passing through the Territory;

(d) serving members of Her Majesty’s armed forces (including reserve or auxiliary forces).

(2) The exemptions granted by this regulation begin on the commencement of these Regulations and continue until ended by further Regulations.

5. Interest rate

The prescribed rate of interest for the purposes of sections 11(7) and 12(4) of the Ordinance (late payment) is 3% above the base rate set at the Standard Chartered Bank in Stanley from time to time.

Made 21st December 2016

C. Roberts C.V.O.,
Commissioner

SUBSIDIARY LEGISLATION

CUSTOMS

Customs (Declarations and Clearance) Order 2016

S.R.&O. No: 4 of 2016

Made: 21 December 2016

Published: 22 December 2016

Coming into force: on publication

IN EXERCISE of the powers conferred on me by section 8 of the Customs Ordinance 2016, I make the following Order —

1. Citation

This Order may be cited as the Customs (Declarations and Clearance) Order 2016.

2. Commencement

This Order comes into force on publication in the Gazette.

3. Interpretation

In this Order “the Ordinance” means the Customs Ordinance 2016.

4. Entry Declaration

(1) A person in command of a vessel entering the Territory must comply as soon as reasonably practicable with any request by a customs officer to make an entry declaration and pay the specified fees.

(2) An entry declaration must include —

- (a) the name of the person making the declaration;
- (b) the name and IMO identification number of the vessel (if any);
- (c) the previous port of call of the vessel;
- (d) the date of entry of the vessel in the Territory;
- (e) the purpose of the visit of the vessel to the Territory;
- (f) the number of passengers and crew;

- (g) the description and quantity of any cargo and goods;
 - (h) the type and quantity of fuel on board the vessel; and
 - (i) any other matters that may be required by a Customs Officer.
- (3) The person making the declaration must sign it as true and complete.
 - (4) The declaration must be made in the form specified by the Customs Officer.

5. Exit Clearance

(1) Before leaving the Territory, the person in command of a vessel must make an exit clearance declaration and pay the specified fees.

- (2) The declaration must include —
 - (a) the name of the person making the declaration;
 - (b) the name and IMO identification number of the vessel (if any);
 - (c) the destination of the vessel;
 - (d) the intended date of departure;
 - (e) the number of passengers and crew;
 - (f) the description and quantity of any cargo and goods; and
 - (g) any other matters that may be required by a Customs Officer.
- (3) The person making the declaration must sign it as true and complete.
- (4) The declaration must be made in the form specified by the Customs Officer.

6. Customs Officer countersigning exit clearance declarations

A Customs Officer who receives an exit clearance declaration, if satisfied that it complies with regulation 5, must countersign it and give a copy to the person who made the declaration.

7. Inspections by Customs Officers

A Customs Officer may inspect a vessel for the purpose of verifying the truth and completeness of an entry declaration or of an exit clearance declaration.

8. Fees

- (1) The Commissioner may specify the fees payable under this Order and may specify different fees for different classes of vessel.

(2) The fees must be published by notice in the Gazette.

9. Exemptions

(1) The Commissioner may exempt persons from the requirement to —

- (a) make an entry declaration;
- (b) make an exit clearance declaration;
- (c) pay specified fees.

(2) The exemptions must be published by notice in the Gazette.

Made 21st December 2016

C. Roberts C.V.O.,
Commissioner



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

1 March 2017

The following are published in this Gazette –

Notices 1 - 5;

Commemorative Coins Order 2017 (SR&O No 1 of 2017);

Appropriation (2017) Ordinance 2017 (No 1 of 2017); and

Police Ordinance 2017 (No 2 of 2017).

NOTICES

No. 1 20 January 2017

Customs Ordinance 2016 (section 4(1))

Appointment of Collector of Customs

In exercise of my powers under section 4(1) of the Customs Ordinance, I, Colin Roberts Commissioner for South Georgia and the South Sandwich Islands hereby appoint the Financial Secretary of the Government of South Georgia and the South Sandwich Islands to be the Collector of Customs for South Georgia and the South Sandwich Islands.

This appointment has effect from 1 January 2017 and continues in effect until terminated.

Dated 20 January 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 2 20 January 2017

Customs Ordinance 2016 (section 5(1))

Appointment of Customs Officers

In exercise of my powers under section 5(1) of the Customs Ordinance, I, Colin Roberts Commissioner for South Georgia and the South Sandwich Islands hereby appoint the Government Officers in South Georgia and the South Sandwich Islands to be the Customs Officers for South Georgia and the South Sandwich Islands.

This appointment has effect from 1 January 2017 and continues in effect until terminated.

Dated 20 January 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 3 20 January 2017

Customs Ordinance 2016 (section 8)

Customs (Declaration and Clearance) Order 2016 (paragraph 8)

Fees payable under the Customs (Declaration and Clearance) Order 2016

Yachts

A fee of £10 is payable for the entry declaration and exit clearance of a yacht. A "yacht" means a sailing or motor vessel which is used for pleasure cruises and has a load line length of no more than 24 metres.

Vessels other than yachts

If entry declaration and exit clearance are undertaken in separate visits to the vessel, a fee of £35 is payable for each.

If entry declaration and exit clearance are undertaken in a single visit to the vessel, only one fee of £35 is payable.

An additional fee is payable for each hour or part hour during which a customs officer is engaged in providing customs services.

The hourly fee during normal working hours is £25 per hour and the minimum additional fee payable is £50.

The hourly fee outside of normal working hours is £40 per hour and the minimum additional fee payable is £80.

Normal working hours are between 0800 and 1630 local time.

Fees must be paid to a Customs Officer or as directed by a Customs Officer and paid in cash or by a method approved by a Customs Officer.

Fees must be paid in the currency of the United Kingdom, the currency of the Falkland Islands or in such other currency approved by the Customs Officer.

Dated 20 January 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 4

20 January 2017

Customs Ordinance 2016
(section 8)

Customs (Declaration and Clearance) Order 2016
(paragraph 9)

Exemptions under the Customs (Declaration and Clearance) Order 2016

Persons in command of the following categories of vessels are exempt from the requirements to make an entry declaration, make an exit clearance and pay the specified fees:

1. Vessels engaged in scientific work approved by the Government of South Georgia and the South Sandwich Islands.
2. Vessels engaged in service for the Government of the United Kingdom.
3. The patrol ship of the Government of South Georgia and the South Sandwich Islands.
4. Vessels entering the Territory in compliance with a requirement of a Fishery Protection Officer.
5. Vessels entering the Territory as a result of *force majeure*.

Dated 20 January 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 5

20 January 2017

Income Tax Ordinance 2016
(section 9(1))

Appointment of Collector of Taxes

In exercise of my powers under section 9(1) of the Income Tax Ordinance, I, Colin Roberts Commissioner for South Georgia and the South Sandwich Islands hereby appoint the Financial Secretary of the Government of South Georgia and the South Sandwich Islands to be the Collector of Taxes for South Georgia and the South Sandwich Islands.

This appointment has effect from 1 January 2017 and continues in effect until terminated.

Dated 20 January 2017

C. ROBERTS C.V.O.,
Commissioner.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins Order 2017

S. R. & O. No: 1 of 2017

Made: 13 February 2017

Published: 1 March 2017

Coming into force: on publication

IN EXERCISE of my powers under section 5(3) of the Currency Ordinance 2000 and of all other powers enabling me, I make the following Order —

1. Title

This Order is the Commemorative Coins Order 2017.

2. Commencement

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

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

(c) the design of their obverse and reverse.

6. Deemed denominations of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denomination of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2017

a) Life of Her Majesty Queen Elizabeth II and His Royal Highness Prince Phillip - Her Majesty Queen Elizabeth II

Design features a portrait of Her Majesty Queen Elizabeth II taken from an image released to celebrate Her Majesty's Birthday. The wording 'H.M. QUEEN ELIZABETH II & H.R.H. PRINCE PHILLIP' appears in the surround. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

b) Life of Her Majesty Queen Elizabeth II and His Royal Highness Prince Phillip - His Royal Highness Prince Phillip

Design features a portrait of His Royal Highness Prince Phillip taken from an image released to celebrate Her Majesty's Birthday. The wording 'H.M. QUEEN ELIZABETH II & H.R.H. PRINCE PHILLIP' appears in the surround. The value appears at the base of the design.

The obverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription 'SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2017'.

Part 2

Specification, authorised quantity and authorised mint of coins

a) Life of Her Majesty Queen Elizabeth II and His Royal Highness Prince Phillip - Her Majesty Queen Elizabeth II; and

b) Life of Her Majesty Queen Elizabeth II and His Royal Highness Prince Phillip - His Royal Highness Prince Phillip

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel (see note 1)
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (gms)	6.22	1.24	0.5	10.00	12.00	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	38.60	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	7,500	2,000	2000	10,000

Footnotes:

1. Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited.

Remedy: Variations to be allowed to extend permitted by Pobjoy Mint Ltd.

Made 13th February 2017

C. Roberts C. V. O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Appropriation (2017) Ordinance 2017

(No: 1 of 2017)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £10,063,489 for 2017
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Appropriation (2017) Ordinance 2017

(No: 1 of 2017)

(enacted: 27 February 2017)

(published: 1 March 2017)

(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2017; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2017) Ordinance 2017.

2. Commencement

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

3. Appropriation of £10,063,489 for 2017

(1) The Financial Secretary may withdraw sums of up to £10,063,489 in total from South Georgia and the South Sandwich Islands funds, for use during 2017.

(2) Sums withdrawn under subsection (1) may be applied during 2017 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

- (a) it would have been authorised by section 3; but
- (b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	764,080
Other charges	9,299,409
TOTAL	10,063,489

Enacted 27th February 2017

C. Roberts C.V.O.,
Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

Police Ordinance 2017

(No: 2 of 2017)

ARRANGEMENT OF PROVISIONS

PART 1 PRELIMINARY

Section

1. Title
2. Commencement
3. Interpretation

PART 2 POLICING OBJECTIVES

4. The policing objectives

PART 3 OFFICERS

5. Chief of Police
6. Police officers
7. Reserve police officers
8. Temporary police officers

**PART 4
FUNCTIONS**

- 9. Chief of Police
- 10. Police officers
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**PART 5
CONDUCT OF POLICE OFFICERS**

- 14. Code of Conduct
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**PART 6
OFFENCES**

- 18. Assault
- 19. Obstruction
- 20. Impersonation
- 21. Penalties

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REPEAL**

- 22. Repeal

**SCHEDULE
CODE OF CONDUCT**

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

COLIN ROBERTS C.V.O.,
Commissioner.

POLICE ORDINANCE 2017

(No: 2 of 2017)

(enacted: 27 February 2017)

(published: 1 March 2017)

(commencement: on publication)

AN ORDINANCE

To make provision for policing in the Territories of South Georgia and the South Sandwich Islands.

ENACTED by the Commissioner for South Georgia and the South Sandwich Islands as follows:

PART 1 PRELIMINARY

1. Title

This Ordinance may be cited as the Police Ordinance 2017.

2. Commencement

This Ordinance comes into force when it is published in the *Gazette*.

3. Interpretation

In this Ordinance —

“police officer” means a police officer appointed under Part 3, including (except where the context otherwise implies) the Chief of Police, a reserve police officer and a temporary police officer;

“Territory” means the territories of South Georgia and the South Sandwich Islands as defined in the South Georgia and South Sandwich Islands Order 1985 as amended from time to time.

PART 2 POLICING OBJECTIVES

4. The policing objectives

For the purpose of this Ordinance the policing objectives are —

- (a) to uphold the law fairly and firmly;
- (b) to prevent crime;
- (c) to pursue and bring to justice those who break the law;
- (d) to keep the Queen’s peace;
- (e) to protect, help and reassure persons present in the Territory;
- (f) to act, and be seen to act, with integrity, common sense and sound judgment.

PART 3 OFFICERS

5. Chief of Police

- (1) The Commissioner shall appoint an individual as Chief of Police for the Territory.
- (2) An appointment shall be made on such terms and conditions as the Commissioner thinks appropriate.
- (3) The Commissioner may appoint an individual only if satisfied that he or she has appropriate knowledge and experience of exercising policing functions.
- (4) The Chief of Police may be a person who is serving in another policing appointment outside the Territory.
- (5) As soon as reasonably practicable after making an appointment the Commissioner shall publish a notice in the *Gazette* announcing the appointment.
- (6) The Commissioner may terminate the appointment of the Chief of Police.

6. Police officers

- (1) The Commissioner may appoint individuals as police officers for the Territory.
- (2) An appointment shall be made on such terms and conditions as the Commissioner thinks appropriate.

(3) The Commissioner may appoint individuals only if satisfied that they have appropriate knowledge and experience of exercising policing functions.

(4) A police officer may be a person who is serving in another policing appointment outside the Territory.

(5) The Commissioner may terminate the appointment of a police officer.

7. Reserve police officers

(1) The Commissioner may appoint individuals as reserve police officers for the Territory.

(2) An appointment shall be made on such terms and conditions as the Commissioner thinks appropriate.

(3) The Commissioner may appoint individuals only if satisfied that they have appropriate knowledge and experience.

(4) A reserve police officer may be a person who is serving in another appointment inside or outside the Territory.

(5) The Commissioner may terminate the appointment of a reserve police officer.

8. Temporary police officers

(1) The Commissioner may seek assistance from —

(a) the Royal Falkland Islands Police;

(b) a police force in the United Kingdom;

(c) a military police force of the United Kingdom.

(2) For the purposes of assistance in accordance with subsection (1), the Commissioner may appoint an individual as a temporary police officer for the Territory.

(3) A temporary appointment shall be made on such terms and conditions as the Commissioner thinks appropriate.

(4) A temporary appointment may be made in respect of a person who is serving in another appointment.

(5) A temporary police officer shall have the same powers as a police officer appointed under section 6 (subject to specific terms and conditions of appointment).

PART 4 FUNCTIONS

9. Chief of Police

(1) The Chief of Police shall —

- (a) be responsible for the management of police officers;
- (b) deploy the available resources with a view to pursuit of the policing objectives;
- (c) advise the Commissioner on the resource and other requirements for the policing of the Territory;
- (d) make a written report to the Commissioner, as soon as reasonably practicable after the end of each year, about the exercise of policing functions in the Territory in that year.

(2) The Chief of Police may —

- (a) give directions to police officers (including reserve and temporary officers);
- (b) suspend, or otherwise discipline, police officers.

(3) In this section “police officers” means police officers appointed under Part 2, including reserve and temporary officers.

(4) The Chief of Police may make arrangements with any public authority (of the Territory or elsewhere) with law enforcement functions, to provide assistance in respect of the policing of the Territory.

10. Police officers

Police officers must take all reasonable steps (in accordance with the terms and conditions of their appointment) to pursue the policing objectives.

11. Powers

(1) Police officers when exercising authority within the Territory under this Ordinance, have all the powers and authority as vested in a police officer of the Royal Falkland Islands Police with the necessary changes to reflect the differences in the territories.

(2) The powers of police officers may include the power to arrest or detain a person pending removal and during removal, from the Territory, to another jurisdiction outside the Territory.

(3) The Commissioner must give his or her permission before the power under subsection (2) is exercised.

12. Police stations

(1) The Commissioner shall designate places to be used as police stations —

- (a) for the purposes of detaining arrested persons, and
- (b) for any other policing purposes specified in the designation.

(2) A designation must be published in the *Gazette*.

13. Property

(1) This section applies where property comes into the possession of police officers in connection with the exercise of their functions.

(2) The property must be returned to the person from whom it came unless —

- (a) a court has ordered its forfeiture;
- (b) the owner cannot be identified or located after reasonable attempts.

(3) The Chief of Police shall make arrangements for —

- (a) the public sale of property that has remained in the possession of police officers for a period of 3 months or more and cannot be returned under subsection (2);
- (b) the payment of the proceeds of sale to the owner of the property on a claim made within a period of 3 months beginning with the date of the sale;
- (c) the appropriation for policing purposes of proceeds that are not successfully claimed during that period.

(4) Arrangements under subsection (3) may make exceptions for —

- (a) property that a court has ordered to be destroyed;
- (b) perishable property.

PART 5 CONDUCT OF POLICE OFFICERS

14. Code of Conduct

Police officers must comply with the Code of Conduct set out in the Schedule to this Ordinance in the execution of their functions.

15. Terms and conditions

The terms and conditions of appointment of police officers may provide for them to be subject to disciplinary and other provisions in accordance with an appointment which is being combined with their appointment under this Ordinance.

16. Complaints

(1) The Chief of Police shall maintain a system for the making and investigation of complaints against police officers in the exercise of their functions.

(2) The Commissioner shall investigate any complaint made against the Chief of Police.

17. Indemnity

No action by way of civil proceedings shall lie against police officers in respect of anything done in the course of their functions.

PART 6 OFFENCES

18. Assault

It is an offence to assault a police officer in the exercise of his or her duties.

19. Obstruction

It is an offence to obstruct a police officer in the exercise of the officer's functions.

20. Impersonation

It is an offence to impersonate a police officer with intent to deceive.

21. Penalties

A person who is guilty of an offence under this Part is liable on conviction to —

- (a) a fine not exceeding £5,000,
- (b) imprisonment for a period not exceeding 6 months, or
- (c) both.

PART 7 REPEAL

22. Repeal

The Police Ordinance 1967 (No. 9 of 1967) is repealed.

SCHEDULE

Section 14

CODE OF CONDUCT

1 Honesty and integrity

It is of paramount importance that the public has faith in the honesty and integrity of police officers. Officers should therefore be open and truthful in their dealings; avoid being improperly beholden to any person or institution; and discharge their duties with integrity.

2 Fairness and impartiality

Police officers have a particular responsibility to act with fairness and impartiality in all their dealings with the public and their colleagues.

3 Politeness and tolerance

Officers should treat members of the public and colleagues with courtesy and respect, avoiding abusive or deriding attitudes or behaviour. In particular, officers must avoid: favouritism of an individual or group; all forms of harassment, victimisation or unreasonable discrimination; and overbearing conduct to a colleague, particularly to one junior in rank or service.

4 Use of force and abuse of authority

Officers must never knowingly use more force than is reasonable, nor should they abuse their authority.

5 Performance of duties

Officers should be conscientious and diligent in the performance of their duties. Officers should attend work promptly when rostered for duty. If absent through sickness or injury, they should avoid activities likely to retard their return to duty.

6 Lawful orders

The Territory Police is a disciplined body. Unless there is good and sufficient cause to do otherwise, officers must obey all lawful orders and abide by the provisions of the Police Ordinance. Officers should support their colleagues in the execution of their lawful duties, and oppose any improper behaviour, reporting it where appropriate.

7 Confidentiality

Information which comes into the possession of the police should be treated as confidential. It should not be used for personal benefit and nor should it be divulged to other parties except in the proper course of police duty. Similarly, officers should respect, as confidential, information about police policy and operations unless authorised to disclose it in the course of their duties.

8 Criminal offences

Officers must report any proceedings for a criminal offence taken against them. Conviction of a criminal offence may of itself result in further action being taken.

9 Property

Officers must exercise reasonable care to prevent loss or damage to property (excluding their own personal property but including police property).

10 Sobriety

Whilst on duty officers must be sober. Officers should not consume alcohol when on duty unless specifically authorised to do so or it becomes necessary for the proper discharge of police duty.

11 Appearance

Unless on duties which dictate otherwise, officers should always be well turned out, clean and tidy whilst on duty in uniform or in plain clothes.

12 General conduct

Whether on or off duty, police officers should not behave in a way which is likely to bring discredit upon the police service.

Notes:

(a) The primary duties of those who hold the office of police officer are the protection of life and property, the preservation of the Queen's peace, and the prevention and detection of criminal offences. To fulfil these duties they are granted extraordinary powers; the public and the Territory Police therefore have the right to expect the highest standards of conduct from them.

(b) This Code sets out the principles which guide police officers' conduct. It does not seek to restrict officers' discretion: rather it aims to define the parameters of conduct within which that discretion should be exercised. However, it is important to note that any breach of the principles in this Code may result in action being taken by the organisation, which, in serious cases, could involve dismissal.

(c) This Code applies to the conduct of police officers in all ranks whilst on duty, or whilst off duty if the conduct is serious enough to indicate that an officer is not fit to be a police officer. It will be applied in a reasonable and objective manner. Due regard will be paid to the degree of negligence or deliberate fault and to the nature and circumstances of an officer's conduct. Where off duty conduct is in question, this will be measured against the generally accepted standards of the day.

Enacted 27th February 2017

C. Roberts C.V.O.,
Commissioner.

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: £5.00

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

18 April 2017

The following are published in this Gazette –

Notices 6 – 9.

NOTICES

No. 6

23 March 2017

South Georgia and South Sandwich Islands Order 1985 (section 7)

Appointment of Attorney General

1. Section 7 of the South Georgia and South Sandwich Islands Order 1985 permits the Commissioner to constitute offices for the Territory.

2. In exercise of my powers under section 7 of the South Georgia and South Sandwich Islands Order, and given the office of Attorney General for South Georgia and South Sandwich Islands has been so constituted, I appoint **David Charles Brown** to be Attorney General for South Georgia and the South Sandwich Islands.

3. This appointment has effect from 23 March 2017 and continues in effect until the completion of the said David Charles Brown's contract of employment with the Falkland Islands Government unless terminated sooner.

Dated 23 March 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 7

5 April 2017

Police Ordinance 2017 (section 12(1))

Designation of places to be used as police stations

In exercise of my powers under section 12(1) of the Police Ordinance, I, Colin Roberts C.V.O., Commissioner for South Georgia and the South Sandwich Islands hereby designate the following places to be used as police stations:

The Government Office in the James Cook Laboratory, and the detention facility in Larsen House, King Edward Point, South Georgia.

The Police Station, Ross Road, Stanley, Falkland Islands.

These designations have effect from the date below and continue in effect until terminated.

Dated 5 April 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 8

5 April 2017

Police Ordinance 2017 (sections 6(1) and 7(1))

Appointment of Police Officers and Reserve Police Officers

In exercise of my powers under section 6(1) and 7(1) of the Police Ordinance, I, Colin Roberts C.V.O., Commissioner for South Georgia and the South Sandwich Islands hereby appoint:

David Charles Street
Gary Colin Webb; and
Paul McDade

as police officers for South Georgia and the South Sandwich Islands, and

Steven Waugh;
Emma Louise Jones; and
Paula Michelle O Sullivan

as reserve police officers for South Georgia and the South Sandwich Islands.

These appointments have effect from the date below and continue in effect until terminated.

Dated 5 April 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 9

5 April 2017

Police Ordinance 2017 (section 5(1))

Appointment of Chief of Police

In exercise of my powers under section 5(1) of the Police Ordinance, I, Colin Roberts C.V.O., Commissioner for South Georgia and the South Sandwich Islands hereby appoint **David Charles Street** to be the Chief of Police for South Georgia and the South Sandwich Islands.

This appointment has effect from the date below and continues in effect until terminated.

Dated 5 April 2017

C. ROBERTS C.V.O.,
Commissioner.



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 3

21 December 2017

The following are published in this Gazette –

Notices 10 – 16.

NOTICES

No. 10

28 April 2017

Fisheries (Conservation and Management) Ordinance (section 4)

Appointment of Fisheries Protection Officers

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint:

Emma Louise Jones; and
Susan Gregory

as Fisheries Protection Officers for the period 24 April 2017 to 31 March 2018.

Dated 28 April 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 11

1 May 2017

Public Holidays 2018

I declare that the following will be public holidays for South Georgia and the South Sandwich Islands during 2018:

1 January	New Year's Day
17 January	Possession Day
30 March	Good Friday
2 April	Easter Monday
21 April	The Queen's Birthday
25 April	Liberation Day
21 May	Shackleton Day (in lieu of 20 May)
21 June	Midwinter Day
4 September	Toothfish Day
25 December	Christmas Day
26 December	Boxing Day

Dated 1 May 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 12

1 May 2017

Fisheries (Conservation and Management) Ordinance (section 4)

Appointment of Fisheries Protection Officer

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint **Paula O'Sullivan** as a Fisheries Protection Officer for the period 27 July 2017 to 31 March 2018.

Dated 1 May 2017

C. ROBERTS C.V.O.,
Commissioner.

No. 13

21 November 2017

South Georgia and South Sandwich Islands Order 1985 (section 7)

Appointment of Acting Attorney General and Acting Coroner

1. In exercise of my powers under section 7 of the South Georgia and South Sandwich Islands Order 1985, I appoint **Rosalind Catriona Cheek** to be Acting Attorney General for the purpose of carrying out the duties of the Attorney General at any time when the post is vacant, or the substantive holder of the post is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

2. In exercise of my powers under section 29 of the Administration of Justice Ordinance 1949 in its application to South Georgia and the South Sandwich Islands, I appoint **Rosalind Catriona Cheek** to be Acting Coroner for the purpose of carrying out the duties of Coroner at any time when the post is vacant, or the substantive holder of the post is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

3. These appointments have effect from the date given below, and continue in effect whilst Rosalind Catriona Cheek holds office as the Statute Law Commissioner or as Acting Attorney General of the Falkland Islands Government, unless terminated sooner.

Dated 21 November 2017

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

No. 14

12 December 2017

South Georgia and South Sandwich Islands Order 1985 (section 7)

Appointment of Attorney General

1. Section 7 of the South Georgia and South Sandwich Islands Order 1985 (SI 1985/449) permits the Commissioner to constitute offices for the Territory.

2. In exercise of my powers under section 7 of the South Georgia and the South Sandwich Islands Order, and given the office of Attorney General for South Georgia and the South Sandwich Islands has been so constituted, I appoint **Simon David Young** to be Attorney General for South Georgia and the South Sandwich Islands.

3. This appointment has effect from 11 December 2017 and continues in effect until the completion of the said

Simon David Young's contract of employment with the Falkland Islands Government unless terminated sooner.

Dated 12 December 2017

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

No. 15

12 December 2017

Administration of Justice Ordinance 1949
(section 29)

Appointment of Acting Coroner

1. In exercise of my powers under section 29 of the Administration of Justice Ordinance 1949 in its application to South Georgia and the South Sandwich Islands, I appoint **Simon David Young** to be Acting Coroner for the purpose of carrying out the duties of the Coroner at any time when the post is vacant, or the substantive holder of the post is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

2. This appointment has effect from 11 December 2017, and continues in effect whilst Simon David Young holds office as the Attorney General of the Falkland Islands, unless terminated sooner.

Dated 12 December 2017

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

No. 16

12 December 2017

South Georgia and South Sandwich Islands Order 1985
(section 7)

Appointment of Acting Registrar General

1. The office of Registrar General for South Georgia and the South Sandwich Islands was constituted under section 7 of the South Georgia and South Sandwich Islands Order 1985 (SI 1985/449). Section 7 empowers the Commissioner to make appointments to any office so constituted.

2. In exercise of my powers under section 7 for the purpose of registration under the laws of South Georgia and South Sandwich Islands, including but not limited to:- Land Ordinance, Marriage Ordinance, Registrations Ordinance, and Registration of United Kingdom Patents Ordinance, and any other duties that may be required in the role of Registrar General, I appoint **SIMON DAVID YOUNG** to be Acting Registrar General whenever the substantive holder of the post of Registrar General is unavailable to discharge those duties through absence from the Falkland Islands or inability to perform the functions and duties of the post.

3. This appointment has effect from 11 December 2017, and continues in effect whilst Simon David Young holds office as Attorney General for the Falkland Islands, unless terminated sooner.

Dated 12 December 2017

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



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

5 March 2018

The following are published in this Gazette –

Notices 1 – 4; and

Appropriation (2018) Ordinance 2018 (No 1 of 2018).

NOTICES

No. 1

4 January 2018

Administration of Justice Ordinance 1949

(section 8)

Appointment of Judge of the Supreme Court

1. Section 8 of the Administration of Justice Ordinance 1949 provides that the Judge of the Supreme Court shall be appointed by the Commissioner in pursuance of instructions given by Her Majesty through a Secretary of State.

2. Pursuant to instructions given on 22 December 2017 by Her Majesty through the Secretary of State for Foreign and Commonwealth Affairs I appoint **James Thomas Lewis QC** to be Judge of the Supreme Court of South Georgia and South Sandwich Islands.

3. This appointment takes effect on the date below and expires on the day which James Thomas Lewis QC reaches the age of 70, or on such earlier date as may be determined.

Dated 4 January 2018

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

No. 2

28 February 2018

Fisheries (Conservation and Management) Ordinance

(section 4)

Appointment of Fisheries Protection Officers

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint:

Steven Paul Brown
Ross Brent James; and
Jennifer Karen Sol

as Fisheries Protection Officers for the period 28 February to 31 March 2018.

Dated 28 February 2018

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

No. 3

28 February 2018

Police Ordinance 2017

(section 5)

Appointment of Chief of Police

In exercise of my powers under section 5(1) of the Police Ordinance 2017 I Nigel Phillips, Commissioner for South Georgia and South Sandwich Islands hereby appoint

Jeffrey McMahon to be the Chief Police Officer for South Georgia and South Sandwich Islands.

This appointment takes effect on and from 13 January 2018 and continues in effect until terminated.

Termination of Chief of Police Appointment

In exercise of my powers under section 5(6) of the Police Ordinance 2017 I Nigel Phillips, Commissioner for South Georgia and South Sandwich Islands hereby terminate the appointment of **David Charles Street** as Chief Police Officer for South Georgia and South Sandwich Islands with effect from 12 January 2018.

Dated 28 February 2018

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

No. 4

28 February 2018

Police Ordinance 2017

(section 6)

Appointment of Police Officers

In exercise of my powers under section 6(1) of the Police Ordinance 2017 I Nigel Phillips, Commissioner for South Georgia and South Sandwich Islands hereby appoint:-

Gary Roberts
Christopher John James Butler; and
Glen Robert Smith

as police officers for South Georgia and South Sandwich Islands.

These appointments takes effect on and from 13 January 2018 and continue in effect until terminated.

Termination of Police Officer Appointments

In exercise of my powers under section 6(5) of the Police Ordinance 2017 I Nigel Phillips, Commissioner for South Georgia and South Sandwich Islands hereby terminate the appointment of:-

Gary Colin Webb; and
Paul McDade

as police officers for South Georgia and South Sandwich Islands with effect from 12 January 2018.

Dated 28 February 2018

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

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

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

Appropriation (2018) Ordinance 2018

(No: 1 of 2018)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £9,513,453 for 2018
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

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

APPROPRIATION (2018) ORDINANCE 2018

(No: 1 of 2018)

(enacted: 15 January 2018)

(published: 5 March 2018)

(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2018; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2018) Ordinance 2018.

2. Commencement

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

3. Appropriation of £9,513,453 for 2018

(1) The Financial Secretary may withdraw sums of up to £9,513,453 in total from South Georgia and the South Sandwich Islands funds, for use during 2018.

(2) Sums withdrawn under subsection (1) may be applied during 2018 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

- (a) it would have been authorised by section 3; but
- (b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	644,355
Other charges	5,869,098
Special expenditure	3,000,000
Total	9,513,453

Enacted 15 January 2018

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



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

27 June 2018

The following are published in this Gazette –

Notices 5 – 9; and

Commemorative Coins (2018 and 2019) Order 2018 (SR&O No 1 of 2018).

NOTICES

No. 5

2 April 2018

Fisheries (Conservation and Management) Ordinance (section 4)

Appointment of Fisheries Protection Officers

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint:

Christopher John Butters
Gerald Peter McLeod
Romuald Rychter
Steuart Christopher Barlow
Bernard John Meehan
Alan Richard Henry
Andrew Nigel Miller
Christopher Peck
Steven Waugh
Emma Louise Jones
Paula O'Sullivan
Steven Paul Brown
Ross Brent James
Susan Gregory
Jennifer Karen Sol; and
James Graham Jansen

as Fisheries Protection Officers for the period 1 April 2018 to 31 March 2019 (subject to any earlier termination).

Dated 2 April 2018

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

No. 6

8 June 2018

Fisheries (Conservation and Management) Ordinance (section 4)

Appointment of Fisheries Protection Officers

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint:

Helen Jane Havercroft; and
James Michael Stewart Wake

as Fisheries Protection Officers for the period 18 June 2018 to 31 March 2019 (subject to any earlier termination).

Dated 8 June 2018

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

No. 7

11 June 2018

Public Holidays 2019

I declare that the following will be public holidays for South Georgia and the South Sandwich Islands during 2019:

1 January	New Year's Day
17 January	Possession Day
19 April	Good Friday
22 April	Easter Monday
23 April	The Queen's Birthday (in lieu of 21 April)
25 April	Liberation Day
20 May	Shackleton Day
21 June	Midwinter Day
4 September	Toothfish Day
25 December	Christmas Day
26 December	Boxing Day

Dated 11 June 2018

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

No. 8

19 June 2018

Fisheries (Conservation and Management) Ordinance (section 4)

Appointment of Director of Fisheries

In exercise of my powers under section 4(1) of the Fisheries (Conservation and Management) Ordinance 2000 (as amended) I, Nigel Phillips, Commissioner for South Georgia and South Sandwich Islands hereby appoint **Susan Gregory** as Director of Fisheries for South Georgia and South Sandwich Islands on an interim basis following the resignation of James Graham Jansen with effect from 22 June 2018.

Dated 19 June 2018

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

No. 9

27 June 2018

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at: <http://www.legislation.gov.uk>

2018 No 179 – The Venezuela (Sanctions) (Overseas Territories) Order 2018

<http://www.legislation.gov.uk/ukSI/2018/179/contents/made>

This Order requires publication of the list of designated persons and restricted goods. This obligation is satisfied by publication of a link to the relevant list available through the websites below:

Designated persons:

<https://www.gov.uk/government/publications/financial-sanctions-venezuela>

Restricted goods:

<https://www.gov.uk/government/publications/notice-to-exporters-201725-new-eu-sanctions-against-venezuela/notice-to-exporters-201725-new-eu-sanctions-against-venezuela>

2017 No. 984 – The Policing and Crime Act (Financial Sanctions) (Overseas Territories) Order 2017
http://www.legislation.gov.uk/ukxi/2017/984/pdfs/ukxi_20170984_en.pdf

2017 No 777 – The Falkland Islands Courts (Overseas Jurisdiction)(Amendment) Order 2017
<http://www.legislation.gov.uk/ukxi/2017/777/contents/made>

2017 No 181 – The Emergency Powers (Overseas Territories) Order 2017
<http://www.legislation.gov.uk/ukxi/2017/181/contents/made>

Dated 27 June 2018

B. I. STEEN,
for Attorney General.

SUBSIDIARY LEGISLATION

CURRENCY

Commemorative Coins (2018 and 2019) Order 2018

S. R. & O. No: 1 of 2018

Made: 26 June 2018

Published:27 June 2018

Coming into force: on publication

IN EXERCISE of my powers under section 5 of the Currency Ordinance 2000 and of all other powers enabling me, I make the following Order —

1. Title

This Order is the Commemorative Coins (2018 and 2019) Order 2018.

2. Commencement

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

3. Interpretation

In this Order, “new commemorative coins” means the coins described and specified in Part 1 of the Schedule.

4. New commemorative coins

(1) The minting and issue of the new commemorative coins are authorised.

(2) Paragraph (3) applies to new commemorative coins that were minted or issued before this Order comes into force.

(3) The minting and issue of the new commemorative coins to which this paragraph applies are to be treated as if they had been authorised at the time.

5. Specifications

Part 2 of the Schedule specifies —

(a) the denomination, fineness, weight, diameter, quality, shape, edge and number of the new commemorative coins;

(b) the tolerance or remedy which may be permitted in respect of variations from their standard weight, diameter and fineness; and

(c) the design of their obverse and reverse.

6. Deemed denominations of Crown coins and their value as legal tender

(1) Part 2 of the Schedule also specifies the deemed denominations of the new commemorative coins.

(2) Those coins are legal tender in the Territory in the amount of their deemed denominations.

SCHEDULE

articles 3, 5 and 6(1)

Part 1

Description of the coins

Year of Minting 2018

a) Sapphire Jubilee of the Coronation of Queen Elizabeth II

Obverse design – The design features an image of the three Cherub Angels which appear on the roof of the State Coach. The wording ‘1953 – H.M. QUEEN ELIZABETH II – 2018’ appears in the surround. The value appears at the base of the design.

Reverse design - The reverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2018’.

b) Leopard Seal

Obverse design – The design shows a Leopard Seal hunting for prey amongst a raft of penguins. The value appears at the base of the design.

Reverse design - The reverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2018’.

Year of Minting 2019

c) Bicentenary of the Birth of Queen Victoria

Obverse design 1 – The design shows the reverse of the Great Seal of Queen Victoria with the Queen seated on a throne, with the symbolic figures of Justice and Religion seated on either side. The Royal Arms and Crown are shown below wreathed with oaks and roses filling the surround. The value is included in the design.

Obverse design 2 – The design shows the obverse of the Great Seal of Queen Victoria with the Queen riding on horseback, crowned and holding a sceptre. A page is shown alongside who is standing holding the horse’s reins. The wording in the surround reads ‘VICTORIA DEI GRATIA BRITANNIARUM REGINA FIDEI DEFENSOR’ which means ‘Victoria, by the grace of God, Queen of the Britains, Defender of the Faith’. The value is included in the design.

Reverse design – The reverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2019’.

d) 145th Anniversary of the Birth of Sir Ernest Shackleton

Obverse design – The design is based on the Royal Geographical Silver Medal awarded to Ernest Shackleton in 1904 and shows an Antarctic scene with members of the Discovery Expedition sledging party, the ship and a sledge above penguins and seals. The wording ‘1874 – SIR ERNEST SHACKLETON – 2019’ appears in the surround with the value at the base.

Reverse design – The reverse of this coin consists of the uncouped portrait of Her Majesty Queen Elizabeth II by Pobjoy Mint surrounded by the inscription ‘SOUTH GEORGIA & SOUTH SANDWICH ISLANDS 2019’.

Part 2

Specification, authorised quantity and authorised mint of coins

**Sapphire Jubilee of the Coronation of Queen Elizabeth II,
Leopard Seal, and Bicentenary of the Birth of Queen Victoria**

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel
Denomination	£20	£4	£2	£2	£1	£2	£2
Weight (gms)	6.22	1.24	0.50	10.00	12.00	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	38.60	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	7,500	2,000	2,000	10,000

145th Anniversary of the Birth of Sir Ernest Shackleton

Type	Gold Proof	Gold Proof	Gold Proof	Titanium	Silver Proof	Silver Proof	Cupro Nickel
Denomination	£20	£4	£2	£2	£4	£2	£2
Weight (gms)	6.22	1.24	0.50	10.00	62.21	28.28	28.28
Diameter (mm)	22.00	13.92	11.00	36.10	40.00	38.60	38.60
Fineness	999.9	999.9	999.9	910.0	999.0	925.0	75%CU 25%Ni
Quality	Proof	Proof	Proof	Proof	Proof	Proof	Uncirculated
Shape	Round	Round	Round	Round	Round	Round	Round
Edge	Milled	Milled	Milled	Milled	Milled	Milled	Milled
Quantity	2,000	5,000	10,000	7,500	650	2,000	10,000

Cupro nickel coins may be silver or gold plated.

Authorised mint: Pobjoy Mint Limited.

Remedy: Variations to be allowed to extent permitted by Pobjoy Mint Ltd.

Made 26 June 2018

R. A. J. Mitham,
Acting Commissioner

Published at the Attorney General's Chambers, Stanley, Falkland Islands.
Price: £3.00

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 1

31 January 2019

The following are published in this Gazette –

Notices 1 – 4; and

Appropriation (2019) Ordinance 2019 (No 1 of 2019).

NOTICES

No. 1 17 July 2018

Fisheries (Conservation and Management) Ordinance (section 4)

Appointment of Director of Fisheries

In exercise of my powers under section 4(1) of the Fisheries (Conservation and Management) Ordinance 2000 (as amended), I Nigel James Phillips C.B.E., Commissioner for South Georgia and the South Sandwich Islands hereby appoint **Mark Belchier** as Director of Fisheries for South Georgia and the South Sandwich Islands following the resignation of Susan Gregory with effect from 15 July 2018 and continues until terminated.

Dated 17 July 2018

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

No. 2 31 July 2018

Marriage Ordinance Cap 43 (section 4)

Appointment of Registrar

1. Chapter 43: section 4 of the Marriage Ordinance 1949 (as amended by the Marriage Ordinance (Cap 43)(Amendment) Ordinance 2000) provides that the Commissioner may appoint registrars for the purpose of the Ordinance.

2. In exercise of my powers under section 4, I appoint **Paula Michelle O'Sullivan** to be a registrar.

3. This appointment has effect from the date below, and continues in effect whilst Paula Michelle O'Sullivan holds office as Government Officer, unless terminated sooner.

Dated 31 July 2018

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

No. 3

7 September 2018

Marriage Ordinance Cap 43 (section 4)

Appointment of Registrar

1. Chapter 43: section 4 of the Marriage Ordinance 1949 (as amended by the Marriage Ordinance (Cap 43)(Amendment) Ordinance 2000) provides that the Commissioner may appoint registrars for the purpose of the Ordinance.

2. In exercise of my powers under section 4, I appoint **Steven Waugh** to be a registrar.

3. This appointment has effect from the date below, and continues in effect whilst Steven Waugh holds office as Government Officer, unless terminated sooner.

Dated 7 September 2018

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

No. 4

18 January 2019

Administration of Justice Ordinance 1949 (section 3)

Appointment of Senior Magistrate

In exercise of my powers under section 3 of the Administration of Justice Ordinance, I, Richard Alexander John Mitham, Acting Commissioner for South Georgia and the South Sandwich Islands hereby appoint **Clare Faulds** to be Senior Magistrate for South Georgia and the South Sandwich Islands.

In accordance with section 29 of the Administration of Justice Ordinance every magistrate shall be the coroner of the district specified.

This appointment has effect from the date below, and continues in effect whilst Clare Faulds holds office as Senior Magistrate of the Falkland Islands, unless terminated sooner.

Dated 18 January 2019

R. A. J. MITHAM,
Acting Commissioner.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

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

Appropriation (2019) Ordinance 2019

(No: 1 of 2019)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £7,998,796 for 2019
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

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

APPROPRIATION (2019) ORDINANCE 2019

(No: 1 of 2019)

(enacted: 25 January 2019)
(published: 31 January 2019)
(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2019; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2019) Ordinance 2019.

2. Commencement

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

3. Appropriation of £7,998,796 for 2019

(1) The Financial Secretary may withdraw sums of up to £7,998,796 in total from South Georgia and the South Sandwich Islands funds, for use during the financial year 1 January to 31 December 2019.

(2) Any sums withdrawn under subsection (1) may be applied during 2019 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

- (a) it would have been authorised by section 3; but
- (b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	640,226
Other charges	6,358,570
Special expenditure (wharf)	1,000,000
Total	7,998,796

Enacted 25 January 2019

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



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 2

29 May 2019

The following are published in this Gazette –

Notices 5 – 6;

Wildlife and Protected Areas (Amendment) Ordinance 2019 (No 2 of 2019);

Fisheries (Conservation and Management)(Amendment) Ordinance 2019 (No 3 of 2019); and

Marine Protected Areas Order 2019 (SR&O No 1 of 2019).

NOTICES

No. 5

13 March 2019

United Kingdom Statutory Instruments

Notice is hereby given that the following United Kingdom Statutory Instruments have been published in the United Kingdom by The Stationery Office Limited and are available to view at: www.legislation.gov.uk:

2018 No 1351 – The Burma and Somalia (Sanctions) (Overseas Territories) (Amendment) Order 2018
www.legislation.gov.uk/ukSI/2018/1351/contents/made

2019 No 184 – The Eritrea (Sanctions) (Overseas Territories) (Revocation) Order 2019
www.legislation.gov.uk/ukSI/2019/184/contents/made

2019 No 185 – The Sanctions (Overseas Territories) (Amendment) Order 2019
www.legislation.gov.uk/ukSI/2019/185/contents/made

Dated 13 March 2019

B. I. STEEN,
for Attorney General.

No. 6

8 April 2019

Fisheries (Conservation and Management) Ordinance *(section 4)*

Appointment of Fisheries Protection Officers

Under section 4(4) of the Fisheries (Conservation and Management) Ordinance 2000, I hereby appoint:

Gerald Peter McLeod;
Paul Robert Morrison;
Steuart Christopher Barlow;
George James Gittens;
Scott Hayden Thain;
Steven Waugh;
Emma Louise Jones;
Paula Michelle O’Sullivan;
James Michael Stewart Wake;
Steven Paul Brown;
Ross Brent James;
Susan Gregory;
Jennifer Karen Sol;
Helen Jane Havercroft; and
Mark Belchier

as Fisheries Protection Officers for the period 1 April 2019 to 31 March 2020 (subject to any earlier termination).

Dated 8 April 2019

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

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

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

Wildlife and Protected Areas (Amendment) Ordinance 2019

(No: 2 of 2019)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Ordinance amends Wildlife and Protected Areas Ordinance 2011
4. Section 5 amended (Interpretation and general)
5. Section 18 amended (Marine protected areas)
6. Section 21 amended (Permits to do things otherwise prohibited)

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

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

WILDLIFE AND PROTECTED AREAS (AMENDMENT) ORDINANCE 2019

(No: 2 of 2019)

(assented to: 24 May 2019)
(commencement: in accordance with section 2)
(published: 29 May 2019)

AN ORDINANCE

To amend the Wildlife and Protected Areas Ordinance 2011.

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

1. Title

This Ordinance is the Wildlife and Protected Areas (Amendment) Ordinance 2019.

2. Commencement

This Ordinance comes into force on a date, after signification of Her Majesty's pleasure, appointed by the Commissioner by notice published in the *Gazette*.

3. Ordinance amends Wildlife and Protected Areas Ordinance 2011

This Ordinance amends the Wildlife and Protected Areas Ordinance 2011.

4. Section 5 amended (Interpretation and general)

In section 5, insert after subsection (4) —

“(5) Before making a MPA Order under section 18 or a conservation order under section 20, or granting a permit under section 21, that will apply in the area of the Maritime Zone south of latitude 60 degrees south, the Commissioner must consult with the Secretary of State about whether there would be any implications for foreign policy or relevant international obligations resulting from the proposed MPA Order, conservation order or permit.

(6) If the Commissioner receives instructions from the Secretary of State in relation to a MPA Order or conservation order the Commissioner intends to make, or in relation to a permit that the Commissioner intends to grant, the Commissioner must make the MPA Order or conservation order, or grant the permit, in accordance with the instructions.”.

5. Section 18 amended (Marine protected areas)

In section 18(6)(a)(iii), omit “north of latitude 60 degrees south”.

6. Section 21 amended (Permits to do things otherwise prohibited)

(1) In section 21(1)(b), omit “section 14.” and replacing it with “section 14; or”.

(2) In section 21(1), add at the end —

“(c) grant for a purpose specified in subsection (6), a permit authorising a person specified in the permit to do an act that would otherwise contravene a MPA Order or a conservation order made under section 20.”.

Enacted 24 May 2019

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

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

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

Fisheries (Conservation and Management) (Amendment) Ordinance 2019

(No: 3 of 2019)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Ordinance amends Fisheries (Conservation and Management) Ordinance 2000
4. Section 5 amended

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

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

FISHERIES (CONSERVATION AND MANAGEMENT) (AMENDMENT) ORDINANCE 2019

(No: 3 of 2019)

(assented to: 24 May 2019)
(commencement: in accordance with section 2)
(published: 29 May 2019)

AN ORDINANCE

To amend the Fisheries (Conservation and Management) (Amendment) Ordinance 2000.

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

1. Title

This Ordinance is the Fisheries (Conservation and Management) (Amendment) Ordinance 2019.

2. Commencement

This Ordinance comes into force on a date after signification of Her Majesty's pleasure appointed by the Commissioner by notice published in the *Gazette*.

3. Ordinance amends Fisheries (Conservation and Management) Ordinance 2000

This Ordinance amends the Fisheries (Conservation and Management) Ordinance 2000.

4. Section 5 amended

(1) In section 5(1), omit “lying to the north of sixty degrees south of latitude”.

(2) In section 5(10A), insert “or relevant international obligations” after “foreign policy”.

Enacted 24 May 2019

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

SUBSIDIARY LEGISLATION

Marine Protected Areas Order 2019

(S.R. & O. No.: 1 of 2019)

ARRANGEMENT OF PROVISIONS

Article

1. Title
2. Commencement
3. Interpretation
4. South Georgia and South Sandwich Islands Marine Protected Area
5. Conservation order prohibitions
6. Repeal

Schedule 1 – Benthic closed areas

Schedule 2 – Closed season (Antarctic krill)

Schedule 3 – No-take zones

Schedule 4 – Pelagic closed area

SUBSIDIARY LEGISLATION

WILDLIFE & PROTECTED AREAS

Marine Protected Areas Order 2019

S. R. & O. No.: 1 of 2019

Made: 24 May 2019

Published: 29 May 2019

Coming into force: on publication

IN EXERCISE of my powers under sections 18(1) and 20(1) of the Wildlife and Protected Areas Ordinance 2011 (No 1 of 2011), and being satisfied that the criteria identified in section 18(2) of that Ordinance apply, I make the following order —

1. Title

This order is the Marine Protected Areas Order 2019.

2. Commencement

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

3. Interpretation

In this order —

“benthic closed area” means each of the areas described in Schedule 1;

“bottom fishing” —

(a) means fishing on the sea floor;

(b) includes bottom trawling; and

(c) also includes the use of lines, pots, nets or traps on the sea floor;

“bottom trawling” means towing a trawl or fishing net along (and in contact with) the sea floor;

“closed season”, means, in respect of fishing for Antarctic krill, the season described in Schedule 2;

“fishing vessel” —

(a) means a vessel of any size that is used for, equipped to be used for, or intended for use for the purposes of fishing or fishing related activities;

(b) includes vessels engaged in transshipment of fish or fishery products; and

(c) also includes carrier vessels equipped for the transportation of fish or fishery products;

“no-take zone” means each of the zones described in Schedule 3;

“pelagic closed area” means the area described in Schedule 4;

“pelagic fishery” means a fishery that uses a trawl, long line, jig or other method that is not designed to come into contact with the sea floor during normal fishing operations;

“SGSSI MPA” means the South Georgia and South Sandwich Islands Marine Protected Area designated by article 4; and

“SGSSI waters” means —

(a) the internal waters of the Territory between —

(i) the baselines established by article 3 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989 (SI 1989/1995); and

(ii) mean high water at spring tide;

(b) the territorial sea established for the Territory by article 2 of the South Georgia and South Sandwich Islands (Territorial Sea) Order 1989; and

(c) the maritime zone established for the Territory by Proclamation No. 1 of 1993.

4. South Georgia and South Sandwich Islands Marine Protected Area

(1) A Marine Protected Area around South Georgia and the South Sandwich Islands is designated under section 18(1) of the Wildlife and Protected Areas Ordinance.

(2) The name of the Marine Protected Area is the South Georgia and South Sandwich Islands Marine Protected Area (SGSSI MPA).

(3) The SGSSI MPA consists of SGSSI waters.

(4) The purpose of designating the SGSSI MPA is for the conservation of —

(a) the seabed and its overlying waters; and

(b) their associated organisms.

(5) The principal conservation objectives for the SGSSI MPA are to —

- (a) conserve marine biodiversity, habitats and critical ecosystem function;
- (b) ensure that fisheries are managed sustainably, with minimal impact on associated and dependent ecosystems;
- (c) manage other human activities including shipping and scientific research, to minimise environmental impacts on the marine environment;
- (d) protect the benthic marine organisms from the destructive effects of bottom trawling;
- (e) facilitate recovery of previously over-exploited marine species;
- (f) increase the resilience of the marine environment to the effects of climate change; and
- (g) prevent the introduction of non-native marine species.

5. Conservation order prohibitions

(1) The following prohibitions apply within the SGSSI MPA —

- (a) bottom trawling is prohibited;
- (b) fishing is prohibited in the no-take zones;
- (c) fishing vessels are prohibited from entering the no-take zones, except in exercise of the right of innocent passage or under force majeure;
- (d) bottom fishing is prohibited in the following waters —
 - (i) where the depth of the seabed is less than 700 metres or is greater than 2250 metres;
 - (ii) in the benthic closed areas;
- (e) pelagic fishing is prohibited in the pelagic closed area; and
- (f) fishing for Antarctic krill (*Euphausia superba*) is prohibited during the closed season.

(2) The prohibitions in this article do not apply to —

- (a) anything carried out for research purposes in accordance with a permit granted by the Commissioner under section 21 of the Wildlife and Protected Areas Ordinance;
- (b) anything permitted by section 20(8) of that Ordinance.

6. Repeal

The Marine Protected Areas Order 2013 is repealed.

SCHEDULE 1 Benthic closed areas

(article 3)

Area	Boundaries	Protected features	Conservation objectives To conserve & protect:
West Shag Benthic Closed Area	53°12' - 53°24'S; 43°30' - 42°48'W.	The seabed, and associated organisms in an area of 1039 km ² .	The vulnerable marine fauna identified in this location; provides refugia for toothfish.
West Gully Benthic Closed Area	1: 53°36' - 54°00'S; 40°42' - 40°06'W 2: 53°36' - 53°54'S; 40°06' - 39°54'W 3: 53°36' - 53°48'S; 39°54' - 39°42'W.	The seabed, and associated organisms in an area of 2236 km ² .	The vulnerable marine fauna in this area and protect juvenile toothfish, which are abundant in this area.
Northern Benthic Closed Area	53°36' - 53°54'S; 35°48' - 35°36'W.	The seabed, and associated organisms in an area of 441 km ² .	The vulnerable marine fauna identified in this location; provides refugia for toothfish.
Eastern Benthic Closed Area	54°48' - 54°54' S; 34°00' - 34°12' W.	The seabed, and associated organisms in an area of 143 km ² .	The vulnerable marine fauna identified in this area (particularly gorgonians).
Southern Seamounts Benthic Closed Area A	55°30' - 55°50'S; 37°30' - 36°50'W.	The seabed, and associated organisms in an area of 1557 km ² .	The potentially sensitive (but largely unknown) benthic fauna; provides refugia for adult toothfish.
Southern Seamounts Benthic Closed Area B	55°50' - 56°10'S; 36°50' - 36°20'W.	The seabed, and associated organisms in an area of 1158 km ² .	The potentially sensitive (but largely unknown) benthic fauna; provides refugia for adult toothfish.
North Georgia Rise Benthic Closed Area	52°20' - 53°00' S; 36°45' - 37°40' W.	The seabed, and associated organisms in an area of 4590 km ² .	The potentially sensitive (but largely unknown) benthic fauna of this area; provides refugia for adult toothfish.
North East Georgia Rise Benthic Closed Area	51°12' - 52°24' S; 32°36' - 34°00' W.	The seabed, and associated organisms in an area of 9853 km ² .	The potentially sensitive (but largely unknown) benthic fauna of this area; provides refugia for adult toothfish.
Protector Shoals Benthic Closed Area	55°45' - 56°05' S; 27°30' - 28°20' W.	The seabed, and associated organisms in an area of 1935 km ² .	The potentially sensitive (but largely unknown) benthic fauna; provides refugia for adult toothfish.
Kemp Seamount & Calderas Benthic Closed Area	59°40' - 59°45' S; 27°45' - 28°25' W	The seabed, and associated organisms in an area of 352 km ² .	The potentially sensitive (largely unknown) benthic fauna of this seamount and caldera. Protects different chemosynthetic habitats, including white smoker vent fields.

SCHEDULE 2
Closed season (Antarctic krill)

(article 3)

Description	Season	Protected features	Conservation objectives To conserve and protect:
Seasonal closure of the fishery for Antarctic krill	October-April inclusive.	The pelagic ecosystem in an area of 1.24 million km ² during a 7 month period.	Mammalian and avian krill dependent predators, such as penguins and fur seals during the key part of the breeding season.

SCHEDULE 3
No-take zones

(article 3)

Zone	Boundaries	Protected features	Conservation objectives To conserve & protect:
South Georgia No-take Zone	Between: (1) a line 16.20 nautical miles from the baselines around the coast of South Georgia; and (2) mean high water at spring tide.	The seabed, overlying water and associated organisms in an area of 18,520 km ² .	The shallow marine environment around South Georgia including: 1. the spawning grounds of many fish species, including mackerel icefish; 2. the inshore foraging areas of marine predators such as gentoo penguins, cormorants, petrels and prions.
Clerke Rocks No-take Zone	Between: (1) a line 12 nautical miles from the baselines around Clerke Rocks and the Office Boys; and (2) mean high water at spring tide.	The seabed, overlying water and associated organisms in an area of 1923 km ² .	The shallow marine environment to the SE of South Georgia including: 1. the spawning grounds of many fish species, including mackerel icefish; 2. the inshore foraging areas of marine predators such as gentoo penguins, cormorants, petrels and prions; 3. the “spirulid reef” at approximately 55°00’S, 34°31’W.
Shag Rocks No-take Zone	Between: (1) a line 12 nautical miles from the baselines around Shag Rocks & Black Rock; and (2) mean high water at spring tide.	The seabed, overlying water and associated organisms in an area of 2337 km ² .	The shallow marine environment of the Shag Rocks shelf incorporating: 1. the principal recruitment area for juvenile Patagonian toothfish; 2. spawning grounds of mackerel icefish; 3. a key foraging area for black-browed albatross, Antarctic fur seals and baleen whales.

Zone	Boundaries	Protected features	Conservation objectives To conserve & protect:
South Sandwich Islands No-take Zones	Between: (1) lines 3 nautical miles from the baselines around the coasts of the South Sandwich Islands; (2) mean high water at spring tide; and (3) lines from 3 nautical miles to 26.99 nautical miles excluding those areas where water depths range from 700 – 2250 m.	The seabed, overlying water and associated organisms in areas that total 28,054 km ² .	The shallow marine environment around each of the South Sandwich Islands including: 1. the inshore foraging grounds of marine predators; 2. the spawning grounds of fish species; 3. all benthic habitats shallower than 700 m and deeper than 2250 m.
South Sandwich Trench No-take Zone	A line (a) 26.99 nautical miles around a baseline through the midpoint of the South Sandwich Trench defined as: 55°0'0''S – 27°9'25''W 55°44'56''S – 25°32'49''W 56°19'59''S – 24°48'11''W 57°30'4''S – 24°2'24''W 58°42'25''S – 23°43'16''W 60°0'0''S – 24°23'24''W and (b) extending between 55°S to 60°S	The seabed, overlying water and associated organisms in an area of 62,900 km ² .	A unique biogeographical feature which could potentially contain rare or unique habitats and biodiversity including hydrothermal communities.
No-Take Zone south of 60° South	The area lying to the south of 60° South and inside the 200 nm SGSSI Maritime Zone as measured from (1) the baselines around the coasts of the South Sandwich Islands; and (2) mean high water at spring tide.	The seabed, overlying water and associated organisms in an area of 170,479 km ² .	A unique biogeographical feature which include seamounts, deep trenches and a large area of the South Sandwich Fracture Zone and Herdman Bank - regions of high hydrothermal and tectonic activity.

SCHEDULE 4
Pelagic closed area

(article 3)

Area	Boundaries	Protected features	Conservation objectives To conserve & protect:
South Sandwich Islands Pelagic Closed Area	Between: (1) a line 26.99 nautical miles from the baselines around the coasts of each of the South Sandwich Islands; (2) mean high water at spring tide; and (3) those areas where water depth is between 700 – 2250 m.	The pelagic ecosystem around each of the South Sandwich Islands in an area of 23,755 km ² .	The pelagic ecosystem and dependent predators in the area around each of the South Sandwich Islands, particularly the highly abundant chinstrap and Adelie penguins.

Made 24 May 2019

Nigel James Phillips C.B.E.,
Commissioner.

EXPLANATORY NOTE
(not part of the order)

This order repeals and replaces the Marine Protected Order 2013.

Section 18(1) of the Wildlife and Protected Areas Ordinance (No 1 of 2011) allows the Commissioner to designate areas of sea as marine protected areas (MPAs).

The criteria for designation of a marine protected area are set out in section 18(2) and the requirements for orders designating MPAs are set out in the rest of section 18 and in section 19.

Section 20(1) allows the Commissioner to make conservation orders to further the objectives of an MPA. Section 20(3) allows the Commissioner to prohibit or restrict activities in a conservation order and section 20(6) allows for different prohibitions or restrictions to apply in different parts of an MPA.

This order designates the South Georgia and South Sandwich Islands Marine Protected Area (the SGSSI MPA) to conserve marine biodiversity, habitats and critical ecosystem function.

The SGSSI MPA consists of the SGSSI waters.

The order also defines a number of no-take zones: 16.20 nautical miles around South Georgia Island; 12 nautical miles around Clerke Rocks and Shag Rocks and Black Rock; and 26.99 nautical miles around each of the South Sandwich Islands (excluding those areas where water depths range from 700-2250 m); and south of 60 degrees south to the outer limits of the Maritime Zone. Fishing is prohibited in these zones.

To protect benthic marine organisms, the order prohibits bottom trawling throughout the SGSSI MPA and all bottom fishing in waters of less than 700 m depth and in waters depths greater than 2250 m. Bottom fishing is also prohibited in areas identified in Schedule 1.

Fishing for Antarctic krill is prohibited between 1 October and 30 April. Pelagic fishing is prohibited within 26.99 nautical miles of the South Sandwich Islands.

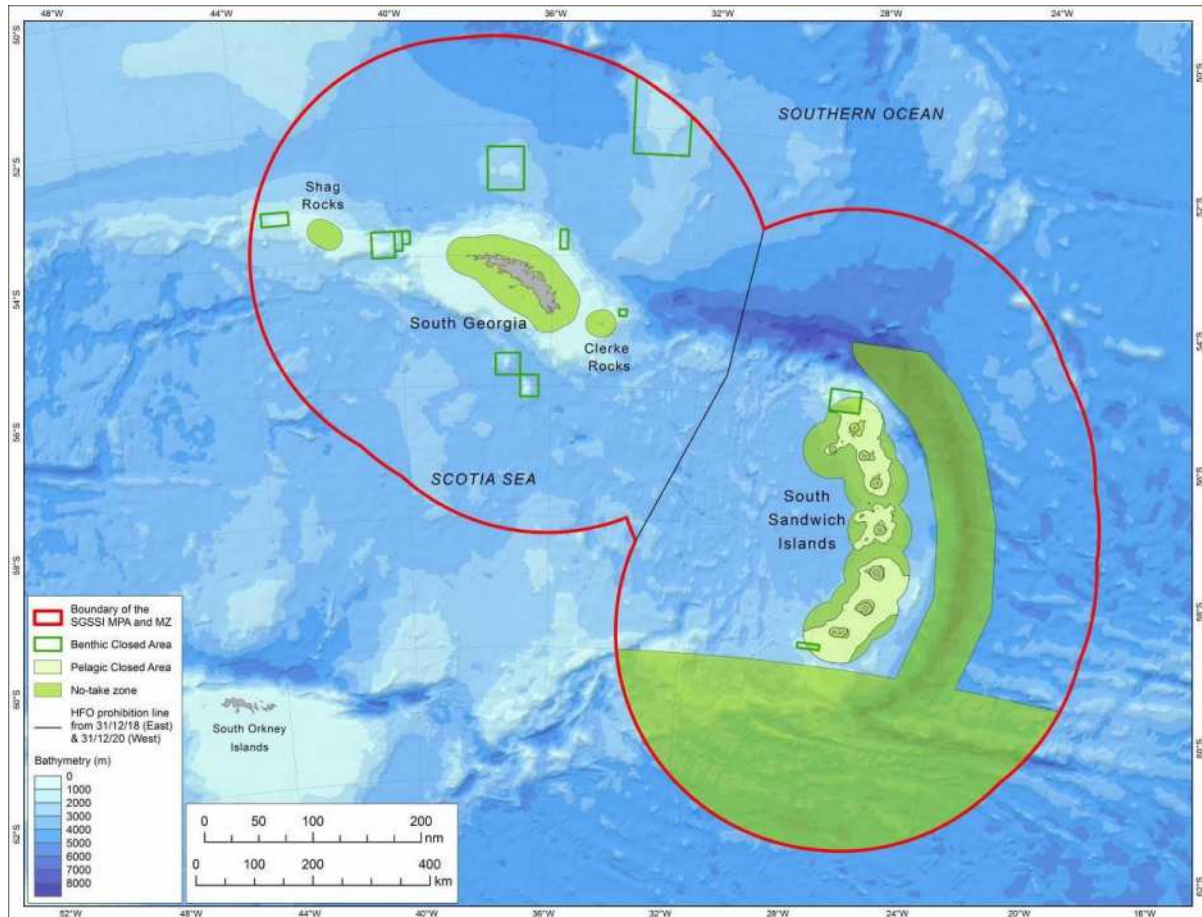
This Order also defines a no take zone 26.99 nautical miles either side of a defined line representing the approximate mid-point of the South Sandwich Islands trench.

These prohibitions do not apply to activities covered by one of the limited exceptions in section 20(8) or by a licence granted by the Commissioner under section 21.

Breach of the prohibitions is an offence against section 20(9) of the Ordinance.

The following map illustrates the boundaries of the SGSSI MPA, the no-take zones, the pelagic closed areas and the benthic closed areas.

The South Georgia and South Sandwich Islands Marine Protected Area



1. The green areas are the No-Take zones around South Georgia, Shag Rocks, Clerke Rocks, the South Sandwich Islands trench, the No-Take zone south of 60° and around the South Sandwich Islands.
2. The pale yellow area indicates the South Sandwich Islands pelagic closed area.
3. The boxes with a green border are the benthic closed areas in which bottom fishing is also prohibited.

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 3

29 May 2019

The following are published in this Gazette –

Notices 7 – 8.

NOTICES

No. 7

29 May 2019

**Wildlife and Protected Areas (Amendment) Ordinance
2019**
(section 2)

Commencement Notice

In exercise of my powers under section 2 of the Wildlife and Protected Areas (Amendment) Ordinance 2019 (No 2 of 2019), I appoint 29 May 2019 as the date on which the Ordinance comes into force.

Dated 29 May 2019

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

No. 8

29 May 2019

**Fisheries (Conservation and Management)
(Amendment) Ordinance 2019**
(section 2)

Commencement Notice

In exercise of my powers under section 2 of the Fisheries (Conservation and Management) (Amendment) Ordinance 2019 (No 3 of 2019), I appoint 29 May 2019 as the date on which the Ordinance comes into force.

Dated 29 May 2019

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

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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 4

21 October 2019

The following are published in this Gazette –

Notices 9 – 14;

Visitors (Amendment) Ordinance 2019 (No 4 of 2019); and

Heavy Fuel Oil (Prohibition of Carriage and Use) Ordinance 2019 (No 5 of 2019).

NOTICES

No. 9

28 May 2019

Police Ordinance 2017 (section 6)

Appointment of Police Officers

In exercise of my powers under section 6(1) of the Police Ordinance 2017, I, Nigel James Phillips, Commissioner for South Georgia and the South Sandwich Islands hereby appoint:

Samantha Davies;
Alexander Peter Karpoff Douglas;
Kevin Joseph Loftus;
Douglas Scott Smith;
Barry Thacker; and
Kristiane Thorsen,

as police officers for South Georgia and the South Sandwich Islands. These appointments have effect from the date below and continue in effect until terminated.

Termination of Police Officer appointments

In exercise of my powers under section 6(5) of the Police Ordinance 2017, I, Nigel James Phillips, Commissioner for South Georgia and the South Sandwich Islands hereby terminate the appointment of **Christopher John James Butler** as a police officer for South Georgia and the South Sandwich Islands with immediate effect.

Dated 28 May 2019

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

No. 10

16 June 2019

Interpretation and General Clauses Ordinance 1977 (section 73)

Public Holidays 2020

In accordance with section 73 of the Interpretation and General Clauses Ordinance 1977, I declare that the following dates will be public holidays for South Georgia and the South Sandwich Islands during 2020:

1 January	New Year's Day
17 January	Possession Day
19 April	Good Friday
23 April	The Queen's Birthday (in lieu of 21 April)
25 April	Liberation Day
20 May	Shackleton Day
21 June	Midwinter Day
4 September	Toothfish Day
30 October	Environment Day
25 December	Christmas Day
26 December	Boxing Day

Dated 16 June 2019

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

No. 11

9 August 2019

South Georgia and South Sandwich Islands Order **1985** (section 7)

Administration of Justice Ordinance 1949 (section 29)

Appointment of Acting Attorney General **and Acting Coroner**

1. In exercise of my powers under section 7 of the South Georgia and the South Sandwich Islands Order 1985, I appoint **Matthew John Jackson** to be Acting Attorney General for the purpose of carrying out the duties of the Attorney General at any time when the post is vacant, or the substantive holder of the post, Simon David Young, is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

2. In exercise of my powers under section 29 of the Administration of Justice 1949 in its application to South Georgia and the South Sandwich Islands, I appoint **Matthew John Jackson** to be Acting Coroner for the purpose of carrying out the duties of the Coroner at any time when the post is vacant, or the substantive holder of the post is unavailable to discharge the same through any absence from the Falkland Islands or inability to perform the functions and duties of the post.

3. These appointments have effect from the date given below, and continue in effect whilst Matthew John Jackson holds office as Head of Legal Services for the Falkland Islands Government, unless terminated sooner.

Dated 9 August 2019

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

No. 12

17 October 2019

Customs Ordinance 2016 (section 8)

Customs (Declaration and Clearance) Order 2016 (article 8)

Fees

In accordance with article 8 of the Customs (Declaration and Clearance) Order 2016, I specify the fees payable by all vessels (including yachts) in connection with entry declarations and exit clearance declarations:

1. If an entry declaration and an exit clearance declaration are made during separate visits to the vessel by a customs officer, a fee of £35 is payable for each visit.

2. If an entry declaration and exit clearance declaration are made during a single visit to the vessel by a customs officer, one fee of £35 is payable for the visit.

3. An additional fee is payable for each hour or part hour during which a customs officer is engaged in providing the customs services in connection with the entry declaration and exit clearance declaration.

4. The hourly fee during normal working hours is £25 per hour and the minimum additional fee payable is £50.

5. The hourly fee outside normal working hours is £40 per hour and the minimum additional fee payable is £80.

6. Normal working hours are between 0800 and 1630 hours local time Monday to Friday (public holidays excepted).

7. Fees must be paid to a customs officer or as directed by a customs officer.

8. Fees must be paid in the currency of the United Kingdom, the currency of the Falkland Islands or in such other currency approved by the customs officer.

Dated 17 October 2019

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

No. 13

17 October 2019

Customs Ordinance 2016
(section 8)

Customs (Declaration and Clearance) Order 2016
(article 9)

Exemptions

In accordance with article 9 of the Customs (Declaration and Clearance) Order 2016:

1. I exempt persons in command of the following categories of vessels from the requirements to; make an entry declaration; make an exit clearance declaration; and pay fees in connection with those declarations:

(a) vessels engaged in service for the Government of the United Kingdom;

(b) vessels engaged in service for the Government of South Georgia and the South Sandwich Islands; and

(c) vessels entering the Territory as a result of *force majeure*.

2. I exempt persons in command of the following categories of vessels from the requirement to pay a fee in connection with an entry declaration or exit clearance declaration:

(a) vessels which have entered the Territory solely for the purposes of carrying out research for the Government of a country other than the United Kingdom; and

(b) vessels which have entered the Territory only for the purposes of complying with an instruction by a fishery protection officer.

Dated 17 October 2019

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

No. 14

21 October 2019

Visitors Ordinance 1992
(section 3)

Passenger Landing Fee Notice 2019

Section 3 of the Visitors Ordinance 1992 provides that the Commissioner may, by notice published in the Gazette provide for a passenger landing fee.

Passenger landing fees

1. Passenger landing fees must be paid in respect of a visitor to South Georgia as follows:

(a) for a visit lasting up to 3 days: £130.00;

(b) for a visit of more than 3 days and up to 30 days:

(i) £130.00; and

(ii) £20.00 for each additional day;

up to a maximum of £210.00;

(c) where a visit is more than 30 days, an additional amount must be paid in accordance with (a) and (b) as if a new visit has commenced; and

(d) paragraph (c) applies whenever a further 30 day period is exceeded.

2. Payment of the passenger landing fees must be in accordance with guidance issued by the Commissioner.

3. These passenger landing fees apply from date of commencement of this notice.

Dated 21 October 2019

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

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)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of Visitors Ordinance
4. Section 2 amended — Interpretation
5. Section 3 omitted and replaced — Passenger landing fees
6. Section 4 amended — Payment of passenger landing fees
7. New section 5A inserted - Guidance
8. Section 6 omitted and replaced — Regulations
9. Validation of passenger landing fee

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.

ELIZABETH II



Territories of South Georgia
and the South Sandwich Islands

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

Heavy Fuel Oil (Prohibition of Carriage and Use) Ordinance 2019

(No: 5 of 2019)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Interpretation
4. Purpose
5. Ordinance binds the Crown
6. Application of Ordinance
7. Prohibition
8. Offence and penalty
9. Commission of offence by officer of body corporate

Schedule - Designated area - For purposes of the prohibition of heavy fuel oil

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

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

HEAVY FUEL OIL (PROHIBITION OF CARRIAGE AND USE) ORDINANCE 2019

(No: 5 of 2019)

(assented to: 18 October 2019)

(commencement: on publication)

(published: 21 October 2019)

AN ORDINANCE

To provide for eliminating carriage or use of heavy fuel oil on a vessel in the Territories and the maritime zone, and for related purposes.

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

1. Title

This Ordinance is the Heavy Fuel Oil (Prohibition of Carriage and Use) Ordinance 2019.

2. Commencement

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

3. Interpretation

(1) In this Ordinance, unless otherwise stated or the context otherwise requires —

“**Annex 1**” means Annex 1 to the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978, as amended by Resolution MEPC.189(60) of the International Maritime Organisation;

“**heavy fuel oil**” means —

(a) crude oil having a density at 15°C higher than 900 kg/m³;

(b) oil, other than crude oil, having a density at 15°C higher than 900 kg/m³ or a kinematic viscosity at 50°C higher than 180 mm²/s; or

(c) bitumen, tar and their emulsions;

“**designated area**” means the area of —

(a) the territorial waters; and

(b) the maritime zone established by Proclamation No. 1 of 1993,

that is east and south-east of the line 33.295732° W, 58.181013° S; 31.347187° W, 55.785836° S; 30.945788° W, 53.775386° S (as illustrated on the map in the Schedule);

“**vessel**” means a vessel, hovercraft or other means by which a person or thing is transported from place to place on, over or through water.

(2) Unless otherwise stated or the context otherwise requires, an expression in this Ordinance that is in this Ordinance and in Annex 1 has the same meaning as in Annex 1.

4. Purpose

The purpose of this Ordinance is to give effect to Annex 1, regulation 43 in the designated area.

5. Ordinance binds the Crown

(1) This Ordinance binds the Crown.

(2) This Ordinance does not operate to make the Crown liable to be prosecuted for an offence against this Ordinance, however, an officer, employee or agent of the South Georgia and South Sandwich Islands Government may be prosecuted for an offence against this Ordinance.

6. Application of Ordinance

(1) This Ordinance has effect in addition to, and not in derogation of or in substitution for, any other law prohibiting the carriage or use of heavy fuel oil in the Territories or the maritime zone.

(2) This Ordinance applies to a body corporate —

(a) regardless of where the body corporate was incorporated; and

(b) as if the body corporate were an individual person aged 18 or more.

7. Prohibition

The following are prohibited in the designated area —

(a) carriage of heavy fuel oil in bulk as cargo on a vessel;

(b) carriage for use, and use, of heavy fuel oil as fuel on a vessel;

(c) use of heavy fuel oil as ballast on a vessel.

8. Offence and penalty

(1) In this section —

“**person**”, in relation to a vessel —

(a) means —

- (i) the person having command or charge of the vessel;
- (ii) the person operating the vessel;
- (iii) the owner of the vessel;
- (iv) the charterer of the vessel; or
- (v) the owner of the cargo carried on the vessel; and

(b) for the avoidance of doubt, includes a body corporate.

(2) A person must not engage in conduct that results in —

- (a) heavy fuel oil being carried in bulk as cargo on a vessel in the designated area;
- (b) heavy fuel oil being used, or carried for use, as fuel on a vessel in the designated area;
or
- (c) heavy fuel oil being used as ballast on a vessel in the designated area.

(3) Each person who contravenes subsection (2) commits an offence and is liable on conviction to a fine.

(4) It is a defence for a person charged with an offence under this section to prove that the vessel was in the designated area because of force majeure or for the purpose of securing the safety of a vessel or saving life at sea.

(5) A person does not commit an offence under this section if —

- (a) heavy fuel oil was previously carried or used as fuel or ballast on the vessel;
- (b) there is residue of the heavy fuel oil on the vessel; and
- (c) the residue is heavy fuel oil that has not been cleaned or flushed from a tank or pipeline of the vessel.

9. Commission of offence by officer of body corporate

(1) In this section —

“**officer of a body corporate**” means —

- (a) a director, secretary, manager or other similar officer of a body corporate;
- (b) if the body corporate is a limited liability partnership, a partner;
- (c) if the affairs of the body corporate are managed by the members of the body corporate, a member of the body corporate; or

(d) if an officer of a body corporate is another body corporate, an officer of that other body corporate.

(2) If an offence under section 8 is proved to have been committed by a body corporate —

(a) the offence is also committed by each officer of the body corporate;

(b) the officer may be proceeded against and, if convicted, sentenced (even if the body corporate is sentenced); and

(c) the officer is liable on conviction to a fine.

(3) It is a defence for an officer of a body corporate charged with an offence under this section to prove that —

(a) the offence was committed without the officer's knowledge;

(b) the officer did not authorise, permit or participate in the commission of the offence;

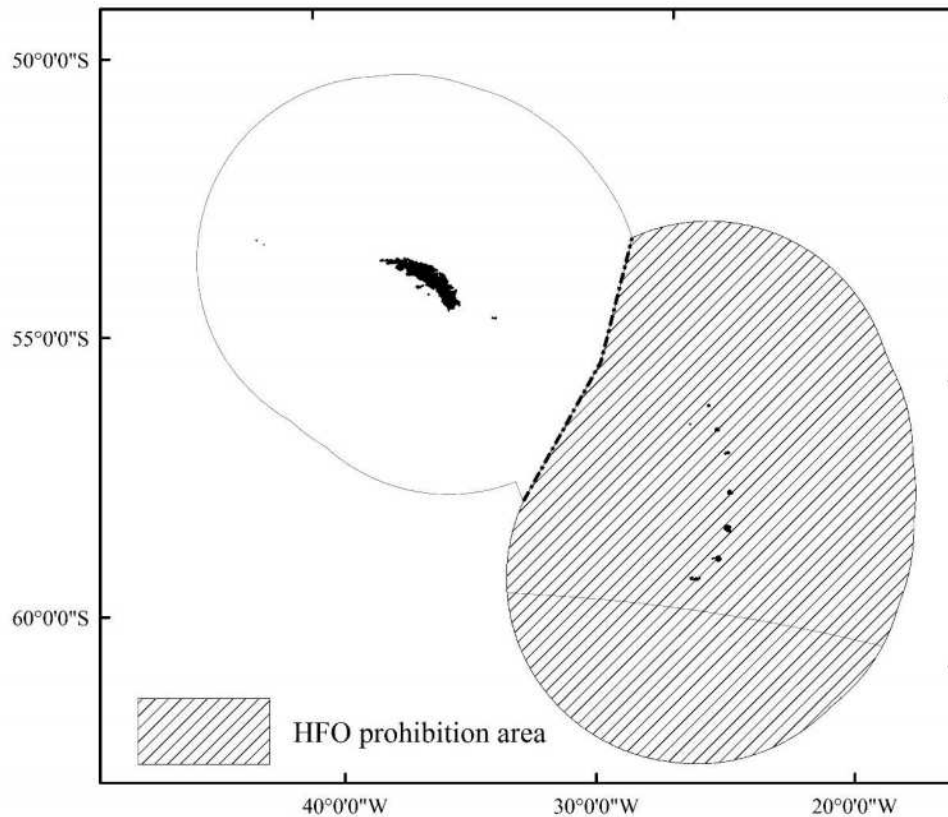
(c) the officer took all reasonable actions to prevent the commission of the offence; or

(d) the commission of the offence was not attributable to the negligence of the officer.

SCHEDULE

section 3

Designated area - For purposes of the prohibition of heavy fuel oil



Enacted 18 October 2019

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

EXPLANATORY NOTE (not part of the Ordinance)

The purpose of the Ordinance is to give effect to MARPOL 73/78, Annex 1, regulation 43 in the Territories and the maritime zone by prohibiting the carriage in bulk as cargo, and the carriage and use, of heavy fuel oil on a vessel in the designated area. “Designated area” is defined in *section 3* of the Bill.

The Ordinance binds the Crown in a manner that does not make the Crown liable to be prosecuted for contravening the Ordinance, although an officer, employee or agent of the South Georgia and South Sandwich Islands may be prosecuted for an offence against the Ordinance.

The Ordinance also applies to bodies corporate, regardless of where incorporated, as if bodies corporate were persons aged 18 or more.

If the owner, operator, charterer, person having command or charge of a vessel, or the owner of the cargo carried on a vessel engages in conduct that results in heavy fuel oil being carried in bulk as cargo, being used or carried for use as fuel or being used as ballast on the vessel, the owner, operator, charterer or person commits an offence and is liable to a fine of an unlimited amount.

A person does not commit the offence if it is proved that the vessel was in the designated area because of force majeure or for the purposes of saving life at sea. In addition, a person does not commit the offence if the heavy fuel oil on the vessel is the residue of heavy fuel oil previously carried or used as fuel or ballast on the vessel that has not been cleaned or flushed from a tank or pipeline on the vessel.

If the person who is proved to commit the offence is a body corporate, the offence is also committed by each officer of the body corporate. It is a defence if an officer of a body corporate proves that the officer did not know about, authorise, permit or participate in committing the offence, took all reasonable steps to prevent the offence being committed or the commission of the offence was not attributable to the negligence of the officer.

Section 1 specifies the title of the Ordinance.

Section 2 specifies the commencement of the Ordinance.

Section 3 defines “heavy fuel oil”, “designated area” and “vessel”.

Section 4 provides that the purpose of the Ordinance is to give effect to MARPOL 73/78, Annex 1, regulation 43, in the designated area.

Section 5 provides that the Ordinance binds the Crown although the Crown is not liable to be prosecuted for an offence against the Ordinance. However, an officer, employee or agent of the South Georgia and South Sandwich Islands Government may be prosecuted for an offence against the Ordinance.

Section 6 provides that the Ordinance applies —

- (a) in addition to any other law that has the effect of prohibiting the carriage or use of heavy fuel oil in the Territories or the maritime zone; and
- (b) to bodies corporate regardless where incorporated as if they were persons aged 18 years or more.

Section 7 prohibits the carriage in bulk as cargo, and the carriage and use as fuel or ballast, of heavy fuel oil on a vessel in the designated area.

Section 8 creates an offence for contravening the prohibition, specifies the penalty for the offence and provides a defence to committing the offence.

Section 9 provides that if it is proved that a body corporate commits an offence under *section 8*, each of the officers of the body corporate also commit the offence and may be prosecuted and sentenced unless the officer proves that —

- (a) the offence was committed without the officer's knowledge;
- (b) the officer did not authorise, permit or participate in the commission of the offence;
- (c) the officer took all reasonable actions to prevent the commission of the offence; or
- (c) the commission of the offence was not attributable to the negligence of the officer.

The *Schedule* sets out the plan illustrating the designated area referred to in in *section 3(1)* of the Ordinance.



SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

No. 5

19 December 2019

The following are published in this Gazette –

Notices 15 and 16; and

Appropriation (2020) Ordinance 2019 (No 6 of 2019).

NOTICES

No. 15

8 November 2019

Administration of Justice Ordinance 1949 *(section 3)*

Appointment of Magistrate

In exercise of my powers under section 3 of the Administration of Justice Ordinance 1949, I, Nigel James Phillips, Commissioner for South Georgia and the South Sandwich Islands hereby appoint **Frances Helen Potheary** of the British Antarctic Survey to be a Magistrate for South Georgia and the South Sandwich Islands.

This appointment has effect from the date below, and continues in effect whilst Frances Helen Potheary holds office as Station Leader on South Georgia, unless terminated sooner.

Dated 8 November 2019

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

No. 16

18 December 2019

Interpretation and General Clauses Ordinance 1977 *(section 73)*

Public Holidays 2020*

In accordance with section 73 of the Interpretation and General Clauses Ordinance 1977, I declare that the following dates will be public holidays for South Georgia and the South Sandwich Islands during 2020:

1 January	New Year's Day
17 January	Possession Day
10 April	Good Friday
21 April	The Queen's Birthday
27 April	Liberation Day (in lieu of 25 April)
20 May	Shackleton Day
22 June	Midwinter Day (in lieu of 21 June)
4 September	Toothfish Day
30 October	Environment Day
25 December	Christmas Day
28 December	Boxing Day (in lieu of 26 December)

Dated 18 December 2019

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

**This notice replaces notice number 10 published in the South Georgia and South Sandwich Islands Gazette No 4 on 21 October 2019.*

ELIZABETH II



**Territories of South Georgia
and the South Sandwich Islands**

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

Appropriation (2020) Ordinance 2019

(No: 6 of 2019)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Appropriation of £10,040,181 for 2020
4. Retrospective authority for pre-commencement withdrawals

Schedule

ELIZABETH II



Territories of South Georgia and the South Sandwich Islands

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

APPROPRIATION (2020) ORDINANCE 2019

(No: 6 of 2019)

(enacted: 18 December 2019)

(published: 19 December 2019)

(commencement: on publication)

AN ORDINANCE

To authorise withdrawals from South Georgia and the South Sandwich Islands funds of money for use during 2020; and for connected purposes.

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

1. Title

This Ordinance is the Appropriation (2020) Ordinance 2019.

2. Commencement

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

3. Appropriation of £10,040,181 for 2020

(1) The Financial Secretary may withdraw sums of up to £10,040,181 in total from South Georgia and the South Sandwich Islands funds, for use during the financial year 1 January to 31 December 2020.

(2) Any sums withdrawn under subsection (1) may be applied during 2020 in accordance with the Schedule.

4. Retrospective authority for pre-commencement withdrawals

(1) Subsection (2) applies to a withdrawal if —

(a) it would have been authorised by section 3; but

(b) it was made before this Ordinance comes into force.

(2) A withdrawal to which this subsection applies is to be treated as having been made lawfully.

SCHEDULE

(section 3(2))

Purpose	Amount (£)
Personal Emoluments	636,181
Other charges	6,654,000
Special expenditure (wharf)	2,750,000
Total	10,040,181

Enacted 18 December 2019

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