



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)

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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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