



# **SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE**

**PUBLISHED BY AUTHORITY**

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*No. 1*

*25 July 2014*

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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](http://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))

<b>Purpose</b>	<b>Amount (£)</b>
Personal Emoluments	510,440
Other charges	4,850,905
Special expenditure	945,000
<b>TOTAL</b>	<b>6,306,345</b>

Enacted 11<sup>th</sup> 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))

<b>Purpose</b>	<b>Amount (£)</b>
Personal Emoluments	469,420
Other charges	4,928,680
Special expenditure	353,750
<b>TOTAL</b>	<b>5,751,850</b>

Enacted 11<sup>th</sup> July 2014

C. Roberts C.V.O.,  
*Commissioner.*

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## SUBSIDIARY LEGISLATION

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### 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<sup>(a)</sup> 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

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<sup>(a)</sup> 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 GRYTVIKEN 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 11<sup>th</sup> July 2014

C. Roberts C.V.O.,  
*Commissioner.*



# **SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS GAZETTE**

**PUBLISHED BY AUTHORITY**

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*No. 2*

*9 September 2014*

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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 1<sup>st</sup> September 2014

J. S. Tyler-Haywood,  
*Acting Commissioner.*

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Published by the Attorney General's Chambers, Stanley, Falkland Islands.  
Price: Three pound and seventy-five pence.

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