

EXECUTIVE COUNCIL

RESTRICTED

Title of Report: Falkland Islands Status (FIS) and Permanent Residence Permit (PRP) Stamps in Passports

Paper No: 221/08

Date: 18 December 2008

Report of: Government Secretary/PIO

1. **Purpose**

This paper advises of changes being made to the process for obtaining FIS and PRP stamps in passports and the introduction of an application form for an FIS stamp. It also seeks approval for the continued placement of the FIS stamp in passports of FIS holders.

2. **Recommendation**

Honourable Members are invited to –

- a) note the action being taken in respect of the introduction of an application form for FIS stamps and the establishment of registers of FIS and PRP stamps issued; and
- b) approve the continuing use of the FIS stamp.

3. **Financial Implications**

None, however possible replacement stamps for both FIS and PRP would cost about £80 which would be funded from the existing Customs and Immigration Department budget.

4. **Background**

- 4.1 For some time now stamps confirming that the holder has either FIS or PRP have been placed in the passports of those requesting them. Examples of the stamps are attached at **Annex A**.
- 4.2 The introduction of the PRP stamp to be placed in passports was approved by Executive Council on 31 October 2005 and provided for in The Permanent Residence Permits (Application) Regulations 1996 (S.R.& O. No 6).

- 4.3 No formal approval of the introduction of an FIS stamp can be traced in Secretariat files, however these stamps have been issued for a number of years.
- 4.4 The main purpose of the placing of these stamps in passports is to easily identify the immigration status of the holder and save time for both the holders of FIS or PRPs when transiting MPA by obviating the need to complete an embarkation form¹. This also saves time for the Immigration staff on duty at the airport. For example, when the holder of FIS presents their passport to an Immigration Officer in the Falkland Islands the Officer only needs to note the person's name and the database ID number which is on the FIS stamp in the passport, and this information is sufficient for the updating of the movement record of the individual on the Immigration Database.
- 4.5 The system has worked well to date, however it was recently discovered that an FIS stamp had been erroneously placed in a new passport for a customer. With the benefit of hindsight this raised the following issues:
- a) the Immigration database contained at the time (August 2004) incorrect information about the immigration status of the individual;
 - b) no application form for an FIS stamp was in use for initial issue or for renewal;
 - c) no register was kept of stamps issued; and
 - d) the wording of the stamp could possibly be improved.

Mitigation and comment:

- i) With regard to a) the Immigration Department is not routinely advised when people become legally separated or divorced. Attempts to be automatically advised by the Court of such matters have failed and the Immigration Officer is required to check the from time to time. If someone becomes separated or divorced elsewhere in the world we have no direct way of finding out.
- ii) Work is currently being carried out on the Immigration Database to improve data content and reports available.
- iii) With regard to b) this had not been considered necessary as evidence of FIS or PRP at the time a stamp is issued is usually available. However the introduction of an application form will provide a check in the process where questions can be asked of an applicant.
- iv) With regard to c) a register was apparently in use but it was discontinued some time ago.
- v) With regard to d) the wording adopted was considered to be adequate, however this may require revision. This is being further considered but it is probably unnecessary to change it.

¹ Work and Residence Permit holders are advised to carry their respective permits to facilitate entry and exit from the Falklands, and for proof of Falklands immigration clearance in respect of LAN flights from Punta Arenas to Stanley.

5. **Application Form for FIS Stamp**

- 5.1 An application form for an FIS stamp to be placed in a passport is being developed by the PIO in consultation with the Attorney General. This is quite complicated because of the need to include all the ways in which a person can acquire FIS in an application form with tick boxes. It is likely that the exact wording from the new Constitution will be used.
- 5.2 It is not considered necessary to have an application form for a PRP stamp as PRP stamps are always placed in the passport when grantees call to collect their certificates. A register of PRP stamps issued will be maintained however.

6. **Register of FIS and PRP Stamps Issued**

6.1 With immediate effect separate registers of PRP and FIS stamps issued will be maintained.

6.2 The FIS Register will contain:

- Date of Issue of FIS Stamp
- How Status of applicant is held, e.g. Birth, Marriage, Certificate Number, Naturalisation, Registration
- Full name of the person to whom it is issued
- Passport Number
- Passport Date of Issue

6.3 The PRP Register will contain:

- Date of Issue of PRP Stamp
- PRP Certificate Number
- Full name of the person to whom it is issued
- Passport Number
- Passport Date of Issue

7. **Advice Regarding Loss of Status**

- 7.1 Consideration is being given to providing people who apply for an FIS stamp a leaflet advising how FIS may be lost and that they should advise the C&I Department accordingly.
- 7.2 Consideration is also being given to including in the FI Status Ordinance a clause which requires people to advise C&I Department of any change in their personal circumstances which might cause the FIS to be lost. This would be useful because a copy of the FIS Ordinance is provided to applicants with the application form and guidance notes.

8. **Legal Implications**

There are no legal implications other than in relation to the provision of advice and any necessary legislative drafting.

9. **Human Resource Implications**

None other than likely extra time spent processing applications.

The Secretariat,
Stanley.

3 December 2008.

Ref: IMM/35/1 and IMM/31/9

The bearer of this passport holds
Falkland Islands Permanent Residence
Permit No.
Issued on

Principal Immigration Officer
Date:

The bearer of this passport has Falkland Island status Date					
Principal Immigration Officer					