



**RECORD OF THE MEETING  
OF THE LEGISLATIVE  
ASSEMBLY**

**HELD IN STANLEY  
ON 18 SEPTEMBER 2009**

# **RECORD OF THE MEETING OF THE LEGISLATIVE ASSEMBLY**

**HELD IN STANLEY ON FRIDAY 18 SEPTEMBER 2009**

## **THE SPEAKER OF THE HOUSE**

(Mr Keith Biles, JP, B.Sc., ACIB)

## **MEMBERS (Ex-Officio)**

The Honourable Chief Executive  
(Dr Timothy Rupert Thorogood)

The Financial Services Manager  
(Mr Ambrose Simon Wilkie)

## Elected

The Honourable John Birmingham  
(Elected Member for Stanley Constituency)

The Honourable Dr Andrea Patricia Clausen  
(Elected Member for Stanley Constituency)

The Honourable Ian Hansen  
(Elected Member for Camp Constituency)

The Honourable Mike Rendell  
(Elected Member for Camp Constituency)

The Honourable Janet Robertson  
(Elected Member for Stanley Constituency)

The Honourable Richard James Stevens  
(Elected Member for Camp Constituency)

The Honourable Michael Victor Summers OBE  
(Elected Member for Stanley Constituency)

## **PERSONS ENTITLED TO ATTEND**

Acting Attorney General  
(Rosalind Catriona Cheek)

Chief of Staff, British Forces South Atlantic Islands  
(Group Captain Simon Hindmarsh RAF)

**CLERK:** Claudette Prior MBE

**PRAYERS:** Reverend Richard Hines

**APOLOGIES**

The Honourable Richard Cockwell  
(Elected Member for Stanley Constituency)

The Honourable Director of Finance  
(Mr Keith Padgett)

The Attorney General  
(David Pickup)

The Commander British Forces South Atlantic Islands  
(Air Commodore Gordon Moulds CBE, RAF)

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**The Record of the meeting of Legislative Assembly  
held on Friday 24 July 2009**

**Prayers**

**Mr Speaker**

Good morning Honourable Members and welcome to, what is the last Legislative Assembly of this session. First of all, I would like to thank the Rector and the Associate Minister of the Cathedral, who have attended every session of this Legislative Council and Assembly and who lead us in our prayers. Thank you for your participation. It is much appreciated.

We have with us two acting officers today, the Acting Attorney General and the Acting Director of Finance, in accordance with the Constitution section 41(3) I would like to have the approval of the House for their participation in the House. Are there any objections to that? There are no objections, welcome to the Assembly.

**Oath of Allegiance**

Oath of Allegiance taken by Mr Ambrose Simon Wilkie, Deputy Director of Finance.

**Clerk of the Assembly**

Confirmation of the record that the meeting of Legislative Assembly held on 24 July 2009.

**Mr Speaker**

Honourable Members, I have before me the record of the meeting of 24<sup>th</sup> July 2009, would you please signify your agreement that I may sign these minutes as a true record.

Members Agreed.

**Clerk of the Assembly**

Papers laid on the Table by the Honourable Chief Executive.

Copies of Subsidiary Legislation Published in the Falkland Islands Gazette since the Last Sitting of Legislative Assembly and Laid on the Table Pursuant to Section 34(1) of the Interpretation and General Clauses Ordinance 1977

1. Financial Ordinance 2009 Correction Order 2009
2. Immigration Suspension of Issue of Permanent Residence Permits No 2 Order 2009
3. Family Allowances Penalty Notice Regulations 2009
4. Capital Equalisation Fund Order 2009

**The Honourable Chief Executive**

Mr Speaker, Honourable Members I hereby lay on the table the papers as listed by the Clerk.

**Clerk of the Assembly**

Questions for Oral Answer

Question number 8 of 2009 by the Honourable John Birmingham

**The Honourable John Birmingham**

Mr Speaker, Honourable Members can the Honourable Richard Stevens please inform the House of the systems by which the Camp Medical Chests are kept in date and fit for use?

**The Honourable Richard Stevens**

Mr Speaker, Honourable Members, there are 68 Camp Medical Chests. They are kept in Camp in order that people can obtain the most commonly used medications promptly after having them prescribed by the Doctor. A review of the stock to be kept in the chest was made a few years ago and it is considered to be fit for purpose. If a person from Camp consults a doctor by telephone, the Doctor, will then make an entry in the person's medical record and prescribe the medication. This means the pharmacy can then dispense to replace the medications to the Camp Chests. The most difficult items to keep in date are therefore those used most infrequently.

Staffing pressures from within the department for the past year has meant that this priority has not been picked up. It is anticipated that it will become a priority during the next few months. The Health and Social Services anticipates the people who have the Camp Medicine Chests, at their responsibility, will be keeping them in a clean and tidy condition.

**The Honourable John Birmingham**

Mr Speaker, Honourable Members, I thank the Honourable Member for his reply.

**Clerk of the Assembly**

Question number 9 of 2009 by the Honourable John Birmingham

**The Honourable John Birmingham**

Mr Speaker, Honourable Members, following the major investments in more management in the Education Department in the last two years, can the Honourable Richard Stevens, as Chair of the Education Board, please inform this House if there are any plans to review the success or otherwise of those news posts?

## **The Honourable Richard Stevens**

Mr Speaker, Honourable Members, this answer is a little bit longer than my last one. The Honourable John Birmingham is correct in pointing out a significant investment has been made in Education. This initiative follows an external inspection that highlighted the weaknesses in the system that was judged as lacking the depth in management required to develop teaching and learning and promote the level of change expected of education in the 21<sup>st</sup> Century.

It is worth remembering that the bulk of the new structure has been in place for one year. Indeed two of the teaching and learning responsibility allowances have not been taken up by members of staff for the last two terms.

A clarification that would be worth noting that within the schools the two new posts of Deputy Head Teachers have been created. The remainder of the initiative has been the funding, the teaching and learning responsibility allowances for staff willing to take on additional roles. The Deputy Head Teacher in the Infant/Junior School/Camp has been very involved in integrated Camp Education with mainstream provision.

The Portfolio holder on the Education Board, the Director of Education and the Head Teachers, have been involved in monthly monitoring meetings. At these meetings progress has been reviewed on a comprehensive list of initiatives contained within the school improvement plans. There is no doubt that the rate of progress would not have been possible without the depth of management in place.

Over the year the schools have looked to a number of issues including raising standards in teaching and learning through greater consistency across the schools, improving transition between the schools, developing a consistent approach to the promotion of positive behaviour, raising the aspirations and expectations of the school community and developing clear procedures for a consistent approach to pastoral issues.

It is planned that the programme of regular monitoring meetings will continue and possibly be embedded in the oversight role of the Education Board. It's also planned that a full review will take place that will include the full inspection.

We are currently in discussions with the services child education; it is provisionally planned that the inspector will meet with the head teachers in early December and conduct a desk top review. This will be followed by a substantive inspection later in 2010. A management structure will have been in place for two years and this is a reasonable period after which a review should take place.

A review will include the examination results, which at that time; will represent the first group of young people to have studied with the new system for both years at Key Stage 4. The Education Board is anticipating an improvement on some of the disappointing results of recent years.

## **The Honourable John Birmingham**

I thank the Honourable Member for his very interesting reply. Would he be able to tell me when that reply will be available to members of the public?

**The Honourable Richard Stevens**

I would think so. Having spoken and read it over the airwaves I would imagine it would be quite available in the public domain.

**The Honourable John Birmingham**

Thank you. I am well aware that it is published but I just asked the question to make sure that members of the public are also aware of that. Thank you

**The Honourable Mike Summers**

Mr Speaker, can I ask the Honourable Member if he is able to tell us which of the teaching and learning responsibilities have not been taken up? Which ones are they and does he know why that is and what affect it might have?

**The Honourable Richard Stevens**

Unfortunately, I can't give the detail that the Honourable Member is asking but I can make that available.

**Mr Speaker**

Could I suggest that, that is placed as a written answer in the minutes of this meeting?

**The Honourable Richard Stevens**

You can. Thank you.

**The Honourable John Birmingham**

Mr Speaker, Honourable Members, is the Honourable Richard Stevens and the Board of Education concerned that in the year 2006 there were 12 individuals who had the grades to go away for further study at an "A" level, level and yet this year there are only three? Could he assure me that the Education Board and the Education Department are concerned and are taking steps to improve those figures?

**The Honourable Richard Stevens**

Mr Speaker, Honourable Members, I would like to thank the Honourable John Birmingham for that question. I would like to tell Members that we understand within the Education Department that any process that we put in place will take a number of years to show any significant result. However, having said that, we must also remember that different cohorts, different years, because we are such a small community, we are always going to get good years and bad years and on top of that, it always has to be taken into consideration that within classes we will get people with special needs and other things that we have to consider. So, on the whole, we are looking for a gradual improvement but probably an undulating improvement. So what they are looking for is an improving trend.

**The Honourable John Birmingham**

I thank the Honourable Member for his answer.

**Mr Speaker**

Before we continue to the next question, there is a slight change that needs to be made to the wording as recorded.

**The Honourable Chief Executive**

Mr Speaker, thank you. Just a small actual correction but I think it may be important. I think the Honourable Richard Stevens may have said that two of the teaching and learning responsibility allowances had not been taken up by members of staff for the last two terms. My understanding is that the positions have only been taken up by two members of staff for the past two terms. That may, indeed, have had a bearing on the Honourable Michael Summers' question as well.

**The Honourable Richard Stevens**

Mr Speaker, Honourable Members, I would like to thank the Chief Executive for that and my appalling reading. That is in fact the case, which is probably why I didn't know the answer to the question.

**The Honourable Mike Summers**

Mr Speaker, I withdraw my question.

**Clerk of the Assembly**

Question number 10 of 2009 by the Honourable John Birmingham

**The Honourable John Birmingham**

Mr Speaker, Honourable Members (and I do feel a bit sorry for the Honourable Richard Stevens who is clearly having to answer all of these today with the absence of the Honourable Janet Robertson), is the Honourable Richard Stevens aware that it is in the opinion of various professional mechanics that the old Rover Ambulance is very much fixable and could be brought back to a serviceable standard at a relatively small cost?

**The Honourable Richard Stevens**

Mr Speaker, Honourable Members, the Health and Social Services Department are grateful for the opportunity to reply to this question. Advice from the Manager, Plant and Vehicle Section says that for a reasonable amount the old Land Rover Ambulance may be able to be brought to being in a roadworthy condition. The life of the old Land Rover Ambulance could be extended for a few more years, possibly about five. The LDV Ambulance, which will be in need of replacement in the next year or so, has deteriorated at a faster rate than the last Land Rover Ambulance.

There is a risk in the upgrading of the old Land Rover Ambulance to a road-worthy condition, however, a thorough inspection by the Manager, Plant and Vehicle Section indicates that is probably a reasonable risk and Health and Social Services are glad to accept the advice because the Land Rover Ambulance is the preferred ambulance for use.

Funds will therefore be released to undertake the upgrade it to road-worthiness, and then work will be undertaken to review the benefit of upgrading the body of the ambulance and extend the life of the vehicle even further although the costs of this are uncertain at the present time.

**The Honourable John Birmingham**

Mr Speaker, Honourable members, I would like to thank the Honourable Richard Stevens for his answer. Can he confirm that the funding for this will come from the Medical Department?

**The Honourable Richard Stevens**

From reading this answer it looks as though that is the case but I couldn't absolutely guarantee it.

**The Honourable John Birmingham**

Thank you very much for your answer.

**Clerk of the Assembly**

Order of the Day: Bills

The Immigration Amendment Bill 2009

This Bill has been published in the Gazette and ready to go to the second reading.

**The Honourable Chief Executive**

Mr Speaker, thank you. Mr Speaker, the principle purpose of this Bill is to amend the Immigration Ordinance to enable a new system for awarding Permanent Residence Permits using a points system to be introduced and operated by the Principle Immigration Officer. This will replace a much more discretionary approach for the award of Permanent Residence Permits which had been in use previously.

This change is achieved through clause 5, which substitutes a new section 18 of the Immigration Ordinance.

The details of the points system will be set out in regulations which have been approved by Executive Council and will be laid before the House at its next meeting, in the event, of course, Mr Speaker, the Bill is approved today.

The approval of this Bill will enable the new regulations to come into effect and allow the present moratorium on Permanent Residence Permits to be lifted.

At the same time the power has been given to the Principle Immigration Officer in an amendment to Section 23 of the Ordinance to revoke Permanent Residence Permits. This power is currently held by the Governor. This amendment is achieved through Clause 6. This is consistent with Clause 7 of this bill through substitution of the present Section 28 of the ordinance, which establishes an appeals process against decisions taken by the Principle Immigration Officer.

At present there is no appeals process. The bill allows for appeals to be made against the Principle Immigration Officer's decisions in relation to Permanent Residence Permits award and revocation to the Governor. Of course, the Governor in this context means Governor in Council as provided under the Constitution.

In undertaking these changes the opportunity is being taken in Clauses 3 and 4 to adjust a key definition in the ordinance by substituting the word "partner" for the term "spouse" and by making some consequential amendments to related definitions. The term "partner" will include married and unmarried couples and civil partnerships so is more in keeping with non-discretionary provisions of the Constitution.

Finally, the bill provides a schedule for transition provisions which deem certain categories of dependents previously named on Permanent Residence Permits to be granted Permanent Residence Permits subject to certain conditions being met.

Mr Speaker, I move the second reading of the Bill.

**The Honourable Mike Rendell**

I second the Bill Mr Speaker and I would just like to make a few comments about the process that has been undergone in getting to this stage.

**Mr Speaker**

Could I suggest that we take that as a general discussion?

**The Honourable Mike Rendell**

Yes

**Mr Speaker**

The Motion is that the bill be read a second time. Is there any objection to that Motion?

**The Honourable Mike Rendell**

Mr Speaker, Honourable Members, apologies for that error. I was so wanting to get the point across that I put it in the wrong place.

The point that I wanted to get across was really an appreciation for the work that has been undertaken particularly by the Principle Crown Council, the Acting Attorney General, as she is today and the Immigration Officer for all the work and the Chief Executive as well for all the work that has been undertaken in the last four or five months, given the hiatus that existed before then in trying to get to a final conclusion.

The work that had been done previously by the Immigration Working Group has now become so much more apparent by the Chief Executive as he has seen the source of problems that had to be overcome during the whole process. So, I would just like to give that note of appreciation for the work that has been carried out.

**Clerk of the Assembly**

The Immigration (Amendment) Bill 2009

**Mr Speaker**

The Assembly is now in Committee.

**Clerk of the Assembly**

Clause 1

**The Honourable Chief Executive**

Mr Speaker, I beg to move that Clause 1 stands part of the Bill.

**Mr Speaker**

The Motion is that Clause 1 stands part of the Bill is there any objection? No objection Clause 1 stands part of the Bill.

**Clerk of the Assembly**

Clause 2.

**The Honourable Chief Executive**

Mr Speaker, I beg to move that Clause 2 stands part of the Bill.

**The Honourable Mike Rendell**

Mr Speaker, in fact I think there is an amendment to be proposed to Clause 2, which is that as a result of the delay in the coming to this House of the Bill, the date of 01 August 2009 in Clause 2 needs to be substituted by 01 October 2009.

**Mr Speaker**

The Motion is that Clause 2 as amended stands part of the Bill. Is there any objection to the Clause? No objection. Clause 2 as amended stands part of the Bill.

**Clerk of the Assembly**

Clauses 3 to 8.

**The Honourable Chief Executive**

Mr Speaker, I beg to move that Clauses 3 to 8 stand part of the Bill.

**Mr Speaker**

The Motion is that Clauses 3 to 8 stand part of the Bill. Is there any objection to that Motion? Clauses 3 to 8 stand part of the Bill.

**Clerk of the Assembly**

Schedule.

**The Honourable Chief Executive**

Mr Speaker, I beg to move that the Schedule stands part of the Bill.

**The Honourable Mike Rendell**

Mr Speaker, once again in the Schedule, the dates that are mentioned in Clause 2 needs to be changed accordingly for the same reason. That is from the 1 August 2009 to 1 October 2009.

**Mr Speaker**

The Motion is that the Schedule as amended stands part of the Bill. Are there any objections to that Motion? No objections. The Motion as amended stands part of the Bill.

Assembly now resumes.

**The Honourable Chief Executive**

Mr Speaker, I beg to move that the Bill be read a third time and do pass.

**Mr Speaker**

The Motion is that the Bill be read a third time and do pass. Is there any objection to the Motion? There is no objection; the Bill will be read a third time and passed.

**Clerk of the Assembly**

The Immigration (Amendment) Bill 2009.

The Family Allowance (Amendment) (No 2) Bill 2009. The Family Allowance No 2 Bill 2009 has also been published in the Gazette. Therefore we go to the second reading.

### **The Honourable Chief Executive**

Mr Speaker, thank you. This Bill, if enacted, will amend the Family Allowance Ordinance in respect of arrangements for assessment of income. As the legislation stands, eligibility is based on the previous calendar year's income. This, in fact, causes difficulties in review, assessment and processing of income and application in January the subsequent year. The income may not be clear until later in the year and the time for processing claims in view of that is inadequate.

This Bill therefore amends the definition of "relevant year" in Section 3 of the Ordinance. The revised definition provides that the relevant year for assessment of Family Allowance from January to June will be the calendar year two years before the calendar year in which the allowance is payable, unless, of course, the claimant decides to apply on the calendar year prior to that year.

The use of the earlier year avoids administrative problems, whilst the option to use the more recent year, if desired, avoids anyone being disadvantaged as a result of income falling. The allowance for July to December remains tested on the family household income for the previous calendar year.

Mr Speaker, I beg to move the second reading of the Bill.

### **The Honourable Andrea Clausen**

I second the Bill.

### **Mr Speaker**

Does any Member wish to speak to the Bill? The Bill will be read a second time.

### **Clerk of the Assembly**

The Family Allowance (Amendment) (No 2) Bill 2009.

### **Mr Speaker**

Is there any objection to dealing with this by the short procedure? No objection. Does any Member wish to propose any amendment to the Bill? No amendments.

I declare the Bill be read a third time and passed.

### **Clerk of the Assembly**

The Family Allowances (Amendment) (No. 2) Bill 2009

The Public Accounts Committee Bill 2009

This Bill has been published in the Gazette and we go to the second reading.

## **The Acting Attorney General**

Mr Speaker, the principle purpose of the present Bill is to give the Public Accounts Committee, which is established under Section 81 of the Constitution, additional functions and powers and also to lay down certain procedures. This is provided for under Section 81.5 of the Constitution.

By way of brief background, Section 80(1) of the Constitution established a Public Accounts Committee as an independent body of five members, two of whom will be Members of the Legislative Assembly. The other Members are appointed by the Governor after consultation with the Legislative Assembly.

The Constitution requires the Public Accounts Committee to examine and report to the Legislative Assembly, keeping the Governor informed and all the Government Accounts and Audit Reports that must be laid before the Assembly.

Mr Speaker, Part 1 of the Bill contains the introductory provisions, so it contains provisions dealing with interpretation, appointment of a deputy chairperson, the usual period of appointment of a member of the committee and the appointment of staff of the committee. Those matters are dealt with in Clauses 3, 4, 6 and 9 respectively.

Clause 5 disqualifies active members, other than temporary members of the Executive Council for membership of the committee. Given that the committee's functions of examining and reporting to the Legislative Assembly on the Government's management of public money, it is considered inappropriate that Members of the Executive Council should sit on the committee.

Clause 7 provides for the secretary to the committee to maintain a register of appointed members' interests. That register is open for public inspection.

Clause 8 provides for members of the committee to be reimbursed reasonable travel and accommodation costs when attending meetings and similar provisions are made later in the Bill at Clause 25 in relation to witness expenses.

Clause 10 makes funding provision for the committee by way of appropriation by the Legislative Assembly.

Part 2 deals with the functions of the Public Accounts Committee. Clause 11 lists a number of functions which are additional to the functions already provided for under the Constitution. And, this effectively is that part of the Bill will briefly list those additional functions. There are five of them, the first being to advise the Governor on the arrangements, priorities and effectiveness of the auditing of accounts under Section 80(1) of the Constitution, secondly to examine and report to the Assembly on the accounts of the bodies specified in the schedule to the Bill, thirdly to examine and report to the Assembly on all internal reports of Government, fourthly to consider and report to the Assembly on the effectiveness of the regulation by the Government of bodies who provide public services of a public nature under Government Licence and fifthly to consider and report to the Governor any other matter that the Governor may refer to the committee.

Mr Speaker, Clause 11 also provides clarification on those matters not included in the functions of the committee, such as matters of consideration of policy. Clause 11 also

provides that in carrying out its functions the committee will consider the benefit to the public by way of value for money by reference to economy, effectiveness and efficiency. It may also consider the adequacy of the Government's arrangement for managing financial risk.

Clause 12 enables the Legislative Assembly to express views in relation to how the committee intends to apply its funding each year. But the committee is only bound to consider those views, meaning that the committee's annual programme of work is not controlled by the Legislative Assembly.

Clauses 13 and 14 ensure that the committee receives FIG's audit reports and provides for a Government response to any recommendations made by the committee in relation to such audit reports.

Part 3 sets out various proceedings of the Public Accounts Committee. Meetings are to be held twice a year and a quorum is three members. Such routine procedural matters are set out in Clauses 15, 17 and 18.

Clause 16 provides for meetings of the committee to ordinarily be open to the public. The agenda and papers will similarly ordinarily be available to the public. However, Clause 21 sets out the circumstances in which the public will be excluded from meetings and this clause in turn links with Clause 28, which allows the Governor to issue certificates which provide that information should not be disclosed in the public interest.

Part 4 of the Bill, Mr Speaker, deals with hearings. Clause 19 enables the committee to issue a formal summons to compel a person to appear before the committee and to provide information. In the event of non-compliance the committee may issue a warrant authorising and directing any police officer to bring the person before the committee. The intention there being to put the person on the spot but I would note that there is no criminal penalty for failure to comply, although a civil fine may be imposed by the Committee.

I would also note that the committee cannot compel the production of a document or publication in respect of which the Governor has issued a public interest certificate under Clause 28.

Clause 20 deals with matters of evidence, empowering the committee to require a witness to testify under oath or affirmation. Again, non compliance can lead to a civil fine but the committee cannot compel a witness to provide information in respect of which the Governor has issued a public interest certificate under Clause 28.

Mr Speaker, I have already touched on the power to exclude members of the public from meetings under Clause 21 but another example under Clause 21, where members of the public can be excluded is when evidence is being considered that relates to exempt information as defined under the Committees Access to Information Ordinance.

Clauses 22 and 23 make provision in relation to the recording and publication of evidence and Clause 24 imposes a liability to a civil fine for a person who knowingly or recklessly gives false evidence to the committee.

Part 5 deals with other provisions and Clause 26 provides for the Governor to receive copies of the committee's reports to the Legislative Assembly and for the Clerk of the Legislative Assembly to receive copies of the committee's reports to the Governor.

Clause 27 provides for the manner in which the committee may request or summon a member of the Governor's staff or service personnel or civilian staff to the Armed Forces to appear before the committee. This is to ensure that both the Governor and the Commander of British Forces South Atlantic Islands have oversight of any of their personnel who are required to give evidence to the committee.

As already mentioned, Clause 28 provides that the Governor may certify that the provision of information to the committee would not be in the public interest. The public interest is determined either by reference to the interest of national security or reference to a matter which is likely to adversely affect the Government's relationships with the Government of the United Kingdom or another Government.

As a safeguard of the exercise of that power, where the exercise of the power relates to the production of a document or provision of information by the Governor, the power is exercisable on the instruction of the Secretary of State. In all other cases, it is exercisable by the Governor acting in the Governor's discretion.

Clause 29 provides that no civil or criminal proceedings may be brought against a member of the committee for anything spoken, written or published or brought in the committee by a member.

Clauses 30 and 31 make administrative provision including in relation to enforcement by civil fine and Clause 32 clarifies that the Committees Access to Information Ordinance does not apply to the committee, although you will recall that the bill does effectively borrow a defining provision – that of exempt information from that particular ordinance in reference to Clause 21 of the Bill.

Mr Speaker, finally the Schedule provides specific bodies whose accounts the committee is to examine.

Mr Speaker, I beg to move the second reading of the Bill.

**The Honourable Mike Summers**

Mr Speaker, I second the Bill.

**Mr Speaker**

The Motion is that the Bill be read a second time, does any Member wish to speak to the Motion?

**The Honourable Mike Summers**

Mr Speaker, Honourable members, I thank the Acting Attorney General for that lengthy exposition on what is a very important Bill and for explaining many of the clauses in this Bill.

This has been the subject of very lengthy discussion and debate over quite a long period of time both this Council and the two councils previous to it, of which I have been a member. I have been very keen on there being a Public Accounts Committee or something like it to provide an additional layer of independent review capability of the Government's expenditure of money. That's an important element to any democratic institution and I am delighted now to see that it's finally arrived.

It's regrettable that it has arrived at such a late hour almost 5 to 11 in the life of this Assembly but it is here. It does mean there has been a limited opportunity for members of the public to comment on the Bill as gazetted but I think it has had very wide public review in earlier stages.

Not only will it give an independent view on value for money under Government's audit arrangements, and the ability to investigate other matters referred to it. I think what is important about this Bill is it gives elected members additional power for independent review of public service provision. And that's something that's been missing, I think, in our Government for previous times.

There is quite a lot in the exposition from the Acting Attorney General about the times during which the committee may sit in camera, the amounts of information that the Governor may deem should not be submitted by certificate, etc, etc, etc. These are, of course, essential to the Bill but I would like to make it absolutely clear that the supposition in the case of the Public Accounts Committee, as in all Government Committees is that everything is open unless there is a very substantial and very good reason for it not to be so. And in general terms, the Public Accounts Committee should have access to all the information that it requires to carry out the functions that are delegated to it.

Mr Speaker, this is a very important Bill and I am delighted that it's come to the final Assembly of this particular Government.

**Mr Speaker**

The Motion is that the Bill is read a second time, there are no objections so the Bill will be read a second time.

**Clerk of the Assembly**

The Public Accounts Committee Bill 2009.

**Mr Speaker**

The Assembly is now in Committee.

**Clerk of the Assembly**

Clauses 1 to 10.

**The Acting Attorney General**

Mr Speaker, I beg to move that Clauses 1 to 10 stand part of the Bill.

**Mr Speaker**

The Motion is that Clauses 1 to 10 stand part of the Bill. Is there any objection to that Motion? No objections, Clauses 1 to 10 stand part of the Bill.

**Clerk of the Assembly**

Clauses 12 – 32

**The Acting Attorney General**

I beg to move that Clauses 12 to 32 stands part of the Bill.

**Mr Speaker**

The Motion is that Clauses 12 to 32 stand part of the Bill. Is there any objection to that Motion? There is no objection, Clauses 12 to 32 stands part of the Bill.

**Clerk of the Assembly**

Clause 11.

**The Acting Attorney General**

I beg to move that Clause 11 stand part of the Bill.

**The Honourable Mike Summers**

Mr Speaker, I would like to propose an amendment to Clause 11. I propose that Clause 11 (1)b be omitted and the following paragraph be substituted: “b in its discretion to examine and report for Legislative Assembly on the accounts of any body of a kind that is specified in the schedule.”

The purpose of this amendment is to enable the Public Accounts Committee to examine and report on the accounts of an extended range bodies listed in a proposed new schedule.

I also propose that Clause 11(4) be omitted and the following paragraph be substituted: Paragraph 4 “The Governor may by order amend the schedule.”

**Mr Speaker**

Honourable Members you have heard the amendment to that clause. The Motion is that clause as amended now stands part of the Bill. Is there any objection to that Motion? There is no objection. Clause 11 as amended stands part of the Bill.

**Clerk of the Assembly**

Schedule.

### **The Acting Attorney General**

I beg to move that the Schedule stands part of the Bill.

### **Mr Speaker**

The Motion is that the Schedule stands part of the Bill.

### **The Honourable Mike Summers**

Mr Speaker, I beg to move that the whole schedule be omitted and the following schedule be substituted:

“Bodies who the Public Accounts Committee may examine:

1. A body that receives or deals with public money other than a statutory body within the meaning of section 80(1) of the Constitution,
2. A body in which the Government is a shareholder other than a statutory body within the meaning of 80(1) of the Constitution,
3. Body in which a statutory body within the meaning of section 80(1) of the Constitution is a shareholder”

The purpose of this amendment is to enable the Public Accounts Committee to examine and report on the accounts of the bodies listed in the new schedule if the committee so chooses to do but it doesn't compel it to do so.

The reason for specifically excluding paragraphs 1 and 2 of the schedule a statutory bodies within the meaning of section 80(1) of the Constitution is because section 81(5) of the Constitution already obliges the Public Accounts Committee to examine and report on the accounts of such bodies.

### **Mr Speaker**

Honourable Members the Motion is that the existing Schedule is omitted from the Bill and replaced by the substituted Schedule as you have just heard. Is there any objection to that Motion? There is no objection, the Schedule as gazetted is omitted and the Schedule as detailed now stands part of the Bill.

The Assembly resumes.

### **The Acting Attorney General**

Mr Speaker, I beg to move that the Bill be read a third time and do pass.

### **Mr Speaker**

The Motion is that the Bill be read a third time and passed. Is there any objection to this Motion? There is no objection, the Bill will be read a third time and passed.

### **Clerk of the Assembly**

The Public Accounts Committee Bill 2009

The Supplementary Appropriation 2009/2010 Bill 2009. This Bill has not been gazetted but as it is a finance Bill it does not require a first reading.

### **The Acting Director of Finance**

Mr Speaker, this Bill, if enacted, will provide the legal authority for the additional sum of £637,190.00 to be withdrawn from the Consolidated Fund and for the Contingencies Fund to be replenished in respect of any sum advanced there from as authorised by the Contingencies Warrant. A Contingencies Warrant has been approved by the Standing Finance Committee in respect of sums carried over from 2008 and 2008/9.

Mr Speaker, I beg to move that the Bill be read a second time.

### **The Honourable Chief Executive**

I second the Motion.

### **Mr Speaker**

The Motion is that the Bill be read a second time. Is there any objection to the Motion? There is no objection. Is there any objection to dealing with this Bill by the short procedure? There is no objection; does any Members wish to propose any amendments to the Bill? There are no amendments. The Bill will be read a third time and passed.

### **Clerk of the Assembly**

The Supplementary Appropriation 2009/2010 Bill 2009.

The Motion for Adjournment.

### **The Honourable Chief Executive**

Mr Speaker, I beg to move that the House stands adjourned *Sine Die*.

### **The Honourable Mike Rendell**

Mr Speaker, Honourable members, in rising to support this Motion for Adjournment, the final one that I am going to have the privilege to do that as I am standing down when we complete this term, I am not going to get into any electioneering obviously for obvious reasons. I just want to make a few general points about and by the way, I'm not suggesting that anybody else here is either.

I just want to make a few general observations about the Camp and some of the issues that have been floating around in the last couple of months in particular and they refer to the question of wool movements from West Falkland, stock movements from West

Falkland and the future of the Department of Agriculture or at least the possibility that funding will be taken away from that department obviously as a cost savings measure.

In this I would just want to make a general observation that at the same time as this discussion has been going on there has also been a review of the Falkland Islands Meat Company taking place. And given that we do not yet have the outcomes of that FIMCO review and given, in my opinion, that it is very likely that it will require high volumes of product to go through the Abattoir in order to make it succeed, then it seems to me to be premature to be making judgements on reducing the costing of the Agricultural Department which is there to support the farmer in producing meat to go to the Abattoir, I therefore think that it would be appropriate to await the outcome of the FIMCO review before any further steps are taken. I hope that the new Assembly, when it comes into being, will bear these points in mind. As FIMCO, with out a doubt, is going to be a key part of the future of the Camp agricultural production scheme. And so the two are intrinsically linked and so is the Department of Agriculture.

I would also want to make a general observation that there had been a number of ups and downs in the period of this Council, this Assembly as it is now but that I believe we are getting there slowly but surely.

But there is one area within my portfolio where more of that should have been focused earlier. And that being maintaining an equitable spread of radio and television coverage to the Camp. I believe that an apology is due for this extended period of poor service and I unequivocally offer one on behalf of the Falkland Islands Government.

As this is my swan song I thought I should try to explain what this term as an Elected Member has meant to me. I had done some pretty exhilarating things in my time including activities that have resulted in taking off in many more aircraft than I have landed in. And I witnessed, as another example, first hand what is without any doubt an awesome spectacle of a submarine surfacing alongside you 200 miles from anywhere in the middle of the night and on purpose. But I can say honestly that the experiences of the last four years consistently matched those earlier episodes in a former life.

It would be invidious to pick out specific examples but in very broad terms, being part of the management of Falkland Islands Plc has been a mind blowing, challenging, rewarding and all encompassing spread of goings on that, I am convinced, would be hard to match anywhere. It has been a privilege to work alongside so many talented and resourceful individuals and right across the spectrum of Falklands' society a resource we must continue to build on and so important for our long-term future.

There is no doubt that the next four years will be more challenging in terms of balancing budgets than anything I have witnessed and that some very difficult decisions on cutting public expenditure are almost inevitable. This will require Elected Members to work together to achieve long-term economic stability. And, in my view, this Assembly has set a good example in this regard, so I am doing a little bit of electioneering for you at the moment.

I wish the next Assembly good fortune but good fortune alone will not be enough. An ability to work together as a team is much more likely to bring success.

Finally, I would like to extend particular appreciation to all those sitting around this table today. It has been an interesting political apprenticeship, albeit that I completed it at the age of 64¾ years of age.

Mr Speaker, I support the motion.

**The Honourable Richard Stevens**

Mr Speaker, Honourable Members, I would also like to speak about coming to the end of this particular journey as Councillor Mike Rendell said being four challenging years that we had to deal with.

It seems to me that when times are tough we look around as a community and make judgments about waste, whether it's the Abattoir, Ferry or Expat wages. Whoever is in the Assembly in November will have to consider all these things but not in isolation. And there are always choices but they don't necessarily save money. And they have the potential to cause social problems.

If the Abattoir were shut down for instance, some farms would fold. People would head to town to work only putting pressure on housing, employment and social services, not to mention the political implications.

Let's look at wages for ex-pats. It may seem obscene to many that we pay so much for people we need to bring in like teachers, nurses, managers, where these wages and conditions are what are expected internationally. And if you pay less it is virtually guaranteed that we will recruit people that no one else wants.

Perhaps a more important point is our own youngsters, who we hope will return to the Islands. Will they return to give something back if the wages are lower than elsewhere? Of course some will but I believe many won't.

As the portfolio holder for Education, I would like to thank all the staff from every facet of the Department for their efforts over the last four years. It has been a roller coaster ride and I think we are now in a better position to deliver the needs of a modern day education service.

As this Assembly's time comes to an end the Training Centre is moving to new and enhanced premises with workshops, classrooms, and office facilities. I am sure that this will help them develop this arm of education.

I would like to thank members of the Board of Education over this period and for the support that Councillor Robertson has given me as the vice-chair. The work that we did during the restructuring and consultation process was some of the most demanding that I undertook.

A team of MLAs, Councillor Andrea Clausen, Councillor Janet Robertson and myself have had children in two schools and further and higher education during our tenure. It must be the most representative group for many years.

I would also like to say a few words about our rural community. It has been another challenging time for all of us. Probably people on the West and the outer Islands have

seen the biggest changes in some of their fundamental services, the service delivered by FIGAS, the change from a coastal shipping system to one of a ferry and the last of a link direct to the outside world on the West. We have worked on these issues and found some solutions but hopefully transport will keep evolving, creating opportunities and delivering a fair, cost effective system to all parts of the Falkland Islands.

Regrets obviously the time and pain in delivering some of our projects people still seem to be suffering from poor service from parts of the new telecommunications setup. The Honourable Mike Rendell has already mentioned the unacceptable long period that most of the Camp has had without television or even radio this year and last.

I leave my disappointments here and thank all colleagues in the Assembly on committees and everyone that I worked with and finally I would also like to thank family and friends, especially Toni, for the support and encouragement over the last four years, which has made it all possible.

I support the Motion for Adjournment.

### **The Honourable Ian Hansen**

Mr Speaker, Honourable Members, as the Honourable Mike Rendell has already indicated, it's very easy to turn a final address to any Assembly into an election speech so I will do my best to resist that temptation and not stray into that area.

My two colleagues who have just spoken actually covered many of the issues I wanted to mention. And I am in total agreement with them. As far as rural issues go the sustainability of Camp population is of paramount importance in the future. And of course transport and telecommunications will play a huge part in that and it's very important that it isn't lost sight of and I do hope that the new Assembly, whoever they may be, will keep that in mind.

Just on the issue of what is expected of the new Assembly come November they will of course have many controversial and difficult issues to address. I wish them well and there will be both political and financial difficulties and as I say I wish them well.

During the course of the four years of this existing Assembly we have had many I am not sure how many but many public meetings in this very room. And the ones I found the most stimulating being when we have had young people or interested young people to discuss. And the amount of them that turned up and really, I found very stimulating and they speak well and to me it bodes well for the future of the Falklands. They are the people who will be taking us forward in the future.

I have to share with you at this point a comment made by a member of the electorate not that long ago. Perhaps a bit unkindly but this person did say that if we don't get some younger candidates soon then the next Assembly faces a real danger of its average age and its average IQ passing each other but going in opposite directions. Now I did find that a bit unkind but I think the point was perhaps well made.

My immediate portfolio responsibilities over the last four years have been tourism, agriculture and mineral resources. I would like to take this opportunity to thank all

the departmental staff of those organisations. I would like to think that I have worked with them as part of the team. I thank them for that as well as the board members on FLH and Tourism, etc.

The Honourable Mike Rendell, of course, has just said that he's not putting his name forward. I was going to say retiring but if he's actually going to work on an island with stock it's not going to be retirement.

We had actually worked together over the last four years on many things in tourism, transport, obviously agriculture and more recently the rural development strategy and the FLH Board and have also attended overseas events together on a couple of occasions. We had a CPA Regional in 2006 and the Party Conferences in 2007. It's been a pleasure to work with you, Mike and as you have already spoken you can't disagree with that, I guess. I would like to thank you for your input to this Council.

And finally, Mr Speaker, I would like to thank you for your input as well because and in particular in the way in which you encouraged debate and I know you have done a lot of work on revamping our standing orders and I thank you for that.

Sir, I beg to support the Motion.

### **The Honourable Andrea Clausen**

Mr Speaker, Honourable members, I actually took the liberty this morning of looking back over minutes from the meeting of the Legislative Council meeting at the end of the previous Government just to see what those Members had to say and also to remind myself of the challenges they faced in their four years of government and to see how that compared with the challenges that we faced. It made quite interesting reading actually. And I won't go into a lot of detail but I will refer to it on occasion. And so I would like today just to reflect back on my four years. Looking at some of the bad news areas, I think, and the good and hopefully the good that will continue into the future, although things will get more challenging I believe.

From the bad news point of view, it was interesting to note that my Honourable Colleague, Mike Summers, had referred considerably to challenges that had been faced in the previous government with our neighbours. I guess, at that time there had been hopes that it would not continue. Sadly, over the last four years, we have seen that worsen considerably. Just to list a few things, we obviously have seen the cessation of cooperation on fisheries science, which is a great loss and has huge impacts both from an industry prospective but more importantly from an environmental prospective, we have seen the presidential decree regarding oil companies where those that operate in the Falklands and choose to operate in Argentina are penalised by a fine. We have seen the walking away of the special area of co-operation in 2007, the anti-fisheries legislation, which again targets fishing companies who operate in the Falklands and may operate in Argentina, on another level, at the economic level and that of course remains the most challenging. On another level, of course, this week we have seen yet another act by them where they interfere with the running of an international conference, which really is in my mind quite childish behaviour. What they don't realise is that the more that they do these things, the more it hardens our resilience and we won't be giving in so hopefully they will learn at some point that if they want to make progress in these areas we actually need to work together.

On another point I would like to raise, which I think hasn't been particularly good news over this past four years that equally wasn't good news in the previous government was that on the fisheries. I noted that out of the four years of that government three of them had seen very low catches, which of course had an impact on licence uptake.

Now whilst we haven't seen apart from this year anything quite so dramatic, I think on average drops in fact we have had a bumper year but I think that did or it looks like it did to the fishing industry in particular Illex, was to weaken its robustness. So now even in years where we appear to have really good abundance of those species, of Illex in particular, the companies, businesses involved have probably been damaged by the years of these low catches and so are less able to turn up and buy the licences. So, we didn't see, for example, in the year 2006 that we had excellent catches unfortunately the vessels didn't arrive in the numbers we had hoped they would. Illex remains a challenge. I will move on to financial in a moment but of course that is a big impact on our budgets going forwards.

And, I guess lastly because I only want to talk about three bits of bad news before I get my long list of good news is the global financial crisis. Nobody has escaped including us. I mean, there's been nothing quite like it in the world, I believe, since 1929 and this is possibly worse. It might have been averted to a reasonable degree by the actions of Governments but we were not immune. Our investments were hit. We still haven't seen the full impact with regard to some of our industries. I believe, particularly tourism, hopefully things will improve before the bad news gets a better grip of people, if you like.

It was good to read this morning in Standing Finance, in terms of our finances and we did, of course, have an investment report from the previous month that the provisional out-turn for the 2008/9, which was the year that this catastrophic financial event took place is not going to be so painful and bad as we anticipated. In April of this year it looked like we were facing a £7.3 Million deficit to our budget, which originally had been set with a surplus of nearly £½Million. That situation has thankfully improved and now we are looking at an out turn of around £3.7Million deficit. Still not good news but much better than anticipated, so that's good.

My Colleagues have already commented on the challenges that we face financially. We, I say, the new government of course this is the end of this one I think they will increase from a fishing licence point of view and a number of others. I am sure Honourable Colleagues who are about to speak will say more about this but I would just like to comment that I believe we have taken steps already to try and mitigate the level of damage that some of these, if you like, exposed areas can do to us such as Illex licence fees. We have also looked more nationally and of course the Economic Development Strategy and the Rural Development Strategy are two big pieces of work, which will, I sincerely hope will go a long way to help mitigate further financial challenge for our country.

On the good news front, things that I have certainly enjoyed seeing happen and been involved in, they might seem small and people might not agree with me, wind turbines we were able to reduce the price of electricity this year despite one of the other challenges we faced primarily because of the installation of these three turbines and it is good that we've got another three coming and we hope that in future we may be able to do similar things depending on what happens with fuel prices. We will

have to wait and see but it can only be a good thing that we reduce our reliance on imported fuels.

Our tax take has gone up so that can only mean to me that private sector growth is good, positive and it's going in the right direction. Of course they face challenges like the public sector but that has got to be a good piece of news.

Personally I am very pleased that today we were able to pass the Immigration Amendment Bill. I know my Honourable Colleague, Mike Rendell, commented about the hard work. This has been a long, extensive and painful exercise working on immigration mainly because it is so complex. Every time you think something pretty simple and I'm a black and white kind of girl you end up with 20 shades of grey in the middle and it just is quite hard work ploughing through it so I would like to add my thanks to all of those people involved the outgoing Principle Immigration Officer and our Acting Principle Immigration Officer and the Chief Executive and their team who have ensured that that Bill was able to come into this House today.

Another area that I think was really good news event or series of events that took place were those in 2007. Personally I was very proud to be able to be involved in those events. I think it was a really good year for the Falklands. It was also a year of reflection but it was also a good year for bringing ourselves forward in terms of what we've done and where we want to go. And I think that's something that we should always be proud of.

Finally, almost finally I would just like to say I think another piece of good news I appreciate that it's had a very rocky start but I think it has been the right start was the introduction of the cross-sound ferry. And my colleagues from the Rural Constituency will have more to say about that than me but I personally feel that that was due not just for the Agricultural sector but also for tourism and the survival of the whole country not just Stanley.

I would like to offer my thanks to the administrative staff both at Gilbert House and across government. After being elected with practically no background in politics four years ago, I had an awful steep learning curve and I possibly couldn't have done it without all of their support and I believe I had one officer said to me that no question is too stupid. I hope they stood by that because I certainly asked a lot of them.

Very finally, I would like to offer the best of luck to my colleague Mike Rendell and also the Honourable Richard Cockwell. I hope it is a bit or retirement and not just challenges with meat and wool and a move to the island. I would like to wish you the very best.

Sir I support the Motion.

### **The Honourable John Birmingham**

Mr Speaker, Honourable Members, in speaking to the Motion for Adjournment at the last sitting of the Legislature it is customary to thank those who you have worked with over the period of time you've been elected. In my case that's only 20 months so I'm just a mere boy compared with the others around this table.

I would like to thank all of those people who work within the responsibilities that I have had during that period of time. And there's one individual who I will mention who isn't really in one of my responsible areas and that is Ali Ford who works for the Education Department at the Senior School, the Falkland Islands Community School who deserves credit for getting up at 0330 to take the exam results in August. And if that isn't commitment then I don't know what is.

Some of the individuals I've been dealing with since I returned to Assembly clearly did not appreciate or like some of the policies that this Assembly now have put in place. But I have to say that with very few exceptions those individuals within the Civil Service had behaved in a very professional manner and have carried out their duties regardless of what their private thoughts were. And I thank them for that. And it brings to mind the phrase I was told some time ago and that is you can disagree but you should always try and disagree in an agreeable way where possible.

I am pleased about the Public Accounts Committee. That really is a big step forward. I think the poor old Stanley Dairy disaster would have been a prime candidate for that Committee to look into. Whether it's too late, I do not know.

I will be standing at the next election and the next Assembly will have a long list of "to dos." A big one will be to make sure that following the Falkland Islands Government Restructuring the promised efficiencies and savings of money actually take place. Endless jargon and endless papers don't actually achieve a great deal and I think that the next Assembly will have to actually get down to it and make things work.

Some say that we have a fifth industry here at the moment and that's a second meat industry, only I think it has something to do with the number of meetings we have.

On the economy, the Honourable Member Dr Clausen has already spoken on that and I agree with what she's been saying. We do agree on occasion and we have been hit by events outside of our control but I think that this Assembly has done as good a job as would have been possible and that given the circumstances this Government is leaving the accounts in a fair old state. And the next Assembly and the next Government will most certainly have some very difficult times ahead.

We all get frustrated and that's just life, but frustration sometimes shows itself in funny ways and out of the three questions this morning that I tabled I suppose some people would think about why I am putting in a question about a Rover. Well, this particular item has been flowing around for some time now. It's seemingly minor but a brand new ambulance for the Hospital, a 4-wheel drive would cost between £40-£45,000 and yet we do have an older vehicle that needs work doing to it and at one point it seemed as if for budgetary reasons because a new vehicle does not come from the Medical Department budget a new vehicle comes from elsewhere and so from their point of view it would appear that it was easier to just have a laid-back attitude. Nothing was happening and one of the few tools that an Elected Member has is to ask questions in this House, which is what I have done and we seem to have had a reasonable answer. And I thank the Honourable Richard Stevens for that. We will just wait and see what happens.

We all want to go home for lunch. A fair bit's been said. Regrets, I have a few but then, again, too few to mention so I will end by thanking my colleagues who put up

with me for the last 20 months. I also thank the staff, Claudy, Cherie and Carol at Gilbert House for their advice and support since I was elected at the by-election. And I would like to thank my family who have to be patient on occasion. Family is very important.

Mr Speaker, I support the Motion.

### **The Honourable Mike Summers**

Mr Speaker, Honourable Members, before I commence my address to the Motion for Adjournment I would just like to make a short presentation to Mr Speaker. It's a traditional tie for Legislative Assembly. It should have been provided to you earlier.

There should also have been one, Madam Clerk, for the Chief of Staff but we hope he will come back again on another day and we will be able to do that.

Mr Speaker, it's been a long four years. I've had a quick look through some of the things that we dealt with. It's quite interesting. In the early days of this Council we had to clear up the last remaining issues of the debacle of the Gordon Forbes arbitration, we had to complete the implementation of the new ITQ system with a lot of policy issues still to be dealt with. During the course of this time we put in place the new Cross-Sound Ferry. It sounds simple, doesn't it, to put in place a ferry. A huge amount of work went into that. We've had phone upgrades, not only in Stanley and in Camp and we tend to forget some of the things that happened. We now have mobile and we now have broadband. This happened within the life of this Council not just to do with us as individuals but to do with the whole community quite a preparation for the next drilling round.

The wind Farm, which has been a huge success my colleague has already mentioned and the planning for the next phase of it. And indeed planning hopefully for a wind farm to service Mount Pleasant. It will be a tremendous item of co-operation.

We've had to deal almost on a yearly basis with issues to do with Illex and their appearance or non-appearance. We had the delight to welcome into our community ASSI and all that's brought with it. We had the Ocean-8 incident to deal with, we've had lots of issues to deal with in terms of FIMCO and the Agricultural economy and much more recently we had the Review of Government which I appreciate and understand has brought with it quite a lot of uncertainty to some members of the public service but was a necessary piece of work, a piece important introspection and reflection on the way we do things and how we should be doing things going forward.

I think the two bit issues for me during the course of these four years were first the completion of the work on the Constitution and the putting in place of the new Constitution and bringing with it the Public Accounts Committee, hopefully very early in the next Assembly bringing with it the new complaints commissioner post. The important changes to the relationship between the Falkland Islands Government and the Foreign and Commonwealth Office through the Governor brought changes to human rights issues but most particularly to immigration processes and procedures. So that's been critically important.

But the events of 2007, as my Honourable Colleague has mentioned, were, I think, a tremendous and cathartic event for everybody in the community remembering what

the Armed Forces did for us now 27 years ago but 25 years ago at that time it was tremendous to welcome all those guests, to have them here and particularly to have the veterans.

And, of course, there have been other issues that we've had to deal with. We've had to deal with Airbridge issues, with TV issues I will come on in a moment if I may to our on-going and enduring relationship with the Ministry of Defence, which is crucial to us.

The economic situation in the Falklands, as I have said many a time in this House is not bad. It's easy sometimes for people to complain and to say things are bad. Many people would rip your arm off to have an economy like we have with no borrowing and significant levels of reserves with recurrent expenditure and income not quite in sync but not far from being balanced and significant progress in keeping it in balance, much work to do to maintain the economy. The work on the Economic Development Strategy is going to be very important for the next council and to continue that in a spirit of partnership between the Government and the private sector because that is the way to move the economy forward.

And the growth in the private sector during the last several years has been most encouraging and we are beginning to see more capability in the private sector to take on some of the roles that have been previously provided by the public services of necessity and we look forward to seeing that new involvement.

So the economy is strong, much to do for everybody looking forward but we start from a position of strength and not from a position of weakness.

I would like to reflect a little bit on our relations with the United Kingdom and other countries outside because the most important thing for Falkland Islanders, I think, is the right to self determination. That's what we are all about. The relationship that we have with the United Kingdom is therefore critical and it's always the relationship that we have with the European Union and the United Kingdom has with the European Union and crucially the relationship the United Kingdom has with the United States. And unless we do our bit to help all those relationships stay positive, we will have difficulties. And I am happy that in these past four years we have been able to continue to develop relationships with the United Kingdom Government in Parliament, with Her Majesty's loyal opposition in Parliament and with other parties and other parties and other interested bodies and organisations in the United Kingdom who take a real interest in the Falklands. And that relationship between us and the United Kingdom is absolutely critical for our long-term future and we must continue to guard that and to do the things that other people find acceptable. If you have a bit of a problem it's easy to say that we can tell them where to get off. That doesn't work. You have to satisfy other people's views and opinions as well as your own.

Our relations with the Ministry of Defence have been a bit squeaky some times in this last couple of years but not at a local level and I would like to stress that. We've had issues over the airbridge and it's been kind of difficult and we know that they've got no money and there we are and we will have to deal with that. But I am delighted that relations with the Ministry of Defence locally still remains very, very strong and actually we are making a more co-operative effort together to do things to our mutual advantage.

And lest it hasn't been fully published, and all the public are not aware please be looking out your front window at 13:30. The new Typhoon will be flying up the Harbour.

But there's a real physical commitment to the Falklands that, together with the Clyde that also arrived during our term demonstrates the continuing commitment of Her Majesty's government through the Ministry of Defence to the defence of these Islands.

I can't finish without talking to some extent about relations with Argentina. They were bad enough four years ago in the middle of the term of Nestor Kirshner but have not improved during the course of these four years. We have issues with flights, we have issues with fishing, Issues with oil, issues with tourism, and we have even seen in the last few months the rewarding of the Condor hijackers from 1966 it's just appalling. What sort of behaviour is that, rewarding hijackers? You wonder sometimes what people think, don't you? When the new Argentine government of Nestor Kirshner first came into power the then Minister of Foreign Affairs said "what we need to do is to make ourselves look attractive to the people of the Falkland Islands." What they then proceeded to do was to make themselves thoroughly unattractive to all the people in the Falkland Islands and anybody else right-thinking about the issues of self determination. What they tried to do relatively recently, whilst many are working hard and co-operatively and trying to put together a Next of Kin Visit for the benefit of those people who lost their sons over here. We should be working constructively on that. What do they do? They try and pass a Bill to try and take the Falklands into the jurisdiction of Tierra Del Fuego probably the most badly run and corrupt province in the whole of Latin America. It is just bizarre. Any anybody who thinks that they can make progress by beating you over the head with a stick is seriously mistaken.

I've turned, I think, over the last several years from being relatively moderate in terms of talking to people in Argentina about our future to somebody who is getting more and more and more hard-line. That's not because I am getting older, it is because they are getting more and more difficult. And they make no progress and we collectively therefore make no progress. There is a lot to do in terms of how we move forward. But be they in no doubt and be there in this community absolutely no doubt that we will not capitulate and we will still be here in another four years' time and another four years' time and another four years' time protecting the right to self determination.

Finally, I would like to thank all my colleagues who I worked together with in this Assembly when it was first elected. I said I thought it was a very exciting looking bunch and we could do some interesting things, I think we have. I look forward to hearing of a few more candidates for the next election. There seem to be plenty for Camp at the moment but not too many for Stanley. So all those people who are thinking about standing, please do, please make yourself known, please start talking to the public about it. There's been perhaps a bit too much chatter this year or this season about how much work there is and how difficult it is. You need a good dose of common sense and an ability just to understand normal things to be able to represent your community and that's all we are really looking for.

I would also like to thank the staff at Gilbert House and in the public service in general. I know it always hasn't been easy but we do it always, I hope, for the right reasons.

I would like to thank my family for their support and other people in the community who have offered support, sometimes when times are difficult and they know who they are, you know who they are.

Sir, I support the Motion.

### **The Honourable Chief Executive**

Mr Speaker, If I may just very briefly both personally and I am sure on behalf of the Public service as a whole thank all Members of the Assembly both for the work they have done and for the way in which they have done it over the past few years. Certainly all Members know my own induction to the Government here in the Falkland Islands was very straight forward. I am grateful for that we, all of us have had to wrestle with some very difficult and complex issues over the past few years and those continue. And Members, although rightfully challenging in many of those discussions have been very constructive in their relationships with the Civil Service. I think the Honourable John Birmingham summed it up very well when he talked about disagreeing in an agreeable way. That's certainly been the case. I think the Public Service has been all the more effective for that type of relationship.

So just to close on a personal note – whatever the future holds for Elected Members, electorally or otherwise or in retirement, I do wish you the very best.

### **Chief of Staff**

Just to clarify the inaugural flight for the Typhoon around the Islands will now take place on Monday. You can expect to see it in Stanley flying down the Harbour at mid-morning. We will ensure when we get more precise timings we will pass those to you so that the public can see the Typhoon.

### **Mr Speaker**

Honourable Members, thank you for your support in my short time in this chair. Thank you for the tie and my last, for this Assembly, action is to say that the House now adjourns accordingly.