

EXECUTIVE COUNCIL

PUBLIC

Title: Clerk of the Councils' Report Quarter 1 December 17 – 30 March 2018 *(starred item)

Paper Number: 76/18

Date: 25 April 2018

Responsible Director: Chief Executive

Report Author: Clerk of the Councils

Portfolio Holder: MLA Roger Spink

Reason for paper: This paper is submitted to Executive Council as required Executive Council Standing Order 17(4):

Publication: Yes with redactions highlighted in grey, Executive Council minutes are not public information

Previous papers: 163/17
115/17
57/17
196/16

List of Documents: None

1. Recommendations

Honourable Members are recommended to note this report:

2. Additional Budgetary Implications

None

3. Executive Summary

Since 1 December 2017:

- 17 Committees have met
- 30 sets of Committee minutes have been lodged with the Clerk's Office and are available for inspection
- The Clerk's Office has been notified of 23 decisions that have been made without reference to Executive Council under Section 66(2) of the Constitution

4. Background

4.1 Report is produced as required by Executive Council Standing Order 17(4). As a matter of good governance it records the activities of the bodies discharging executive decision-making responsibilities on behalf of Executive Council or which exist to advise Executive Council.

5. Documents Held by the Clerk's Office

The following documents have been deposited with the Clerk's office and are available for inspection at the Clerk's office by appointment during normal office hours.

5.1 Committee Meetings

Since the date of the last report the following Committees have met and minutes were available at the date of the report as indicated:

Committee	Meeting Date	Minutes Available Y/N
Housing Committee	04/12/2017	Y
Falklands Landholdings Board	06/12/2017	Y
Lands Committee	06/12/2017	Y
Health and Medical Services Committee	06/12/2017	Y
Education Board	07/12/2017	Y
Fisheries Committee	07/12/2017	Y
Planning and Buildings Committee	07/12/2017	Y
Standing Finance Committee	13/12/2017	Y
Mineral Resources Committee	13/12/2017	Y
Falkland Islands Safeguarding Children Board	14/12/2017	Y
Environmental Committee	15/12/2017	Y
Planning and Buildings Committee	10/01/2018	Y
Lands Committee	10/01/2018	Y
Falkland Islands Tourist Board	18/01/2018	Y
Historic Building Committee	25/01/2018	Y
Falkland Islands Development Board	25/01/2018	Y
Standing Finance Committee	30/01/2018	Y
Planning and Buildings Committee	07/02/2018	Y
Standing Finance Committee	21/02/2018	Y
Environmental Committee	23/02/2018	Y
Education Board	23/02/2018	Y
Fisheries Committee	28/02/2018	Y
Planning and Buildings Committee	07/03/2018	Y
Lands Committee	14/03/2018	Y
Transport Advisory Committee	07/03/2018	Y
Stamp Advisory Committee	08/03/2018	Y
Agricultural Advisory Committee	08/03/2018	Y
Falkland Islands Safeguarding Children Board	15/03/2018	Y
Standing Finance Committee	21/03/2018	11/04/2018
Falkland Islands Development Board	22/03/2018	Y

Health and Medical Services Committee	22/03/2018	Y
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5.2 Decisions made outside Executive Council

5.2.1 Since the date of the last report the following decisions that have been made without reference to Executive Council under Section 66(2) of the Constitution and have been notified to the Clerk's office as required by section 66(3) of the Constitution:

Decision	Date	Authority
Appointment of Acting Principal Immigration Officer: <ul style="list-style-type: none"> Barry Alan Rowland 	30/11/2017	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j) Immigration Ordinance 1999 Section 3(1)
Appointment of Member to the Pensions Board: <ul style="list-style-type: none"> Mr Stephen Roger Fowmes 	15/12/2017	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i) Falkland Islands Pensions Scheme Ordinance 1997 section 5(1), 5(2)(b)
Appointment of Trustee of Museum and National Trust: <ul style="list-style-type: none"> Timothy John Dunrose Miller 	15/12/2017	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i) Museum and National Trust Ordinance 1991 Section 4 (1)
Appointment of Surveyors of Ships: <ul style="list-style-type: none"> Jose Maria Perez Garzon 	19/12/2017	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j) Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)
Registration as Minister for Marriages <ul style="list-style-type: none"> Lieutenant Colonel the Reverend Nicholas Justin Mercer 	03/01/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 4(d) Marriages Ordinance 1996 section 26
Appointment of Chief Justice <ul style="list-style-type: none"> James Thomas Lewis QC 	04/01/2018	Falkland Islands Constitution Order 2008 Section 88

<p>Appointment of Vice Chairperson to the Falkland Islands Tourist Board</p> <ul style="list-style-type: none"> Alex Olmedo 	09/01/2018	<p>Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i)</p> <p>Falkland Islands Tourist Board Ordinance 2014 section 8</p>
<p>Revocation of Appointment of Bailiff to the Courts of the Falkland Islands</p> <ul style="list-style-type: none"> Andrew James Scott Furniss 	09/01/2018	<p>Section 66 (2) (e) of the Constitution</p> <p>Administration of Justice Ordinance 1949, paragraph 3(1) of Schedule 3</p>
<p>Appointment of Surveyors of Ships:</p> <ul style="list-style-type: none"> Fernando Luque 	12/01/2018	<p>Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (j)</p> <p>Merchant Shipping Ordinance 2001 Sections 4 (2) – (4)</p>
<p>Appointment to Environment Committee</p> <ul style="list-style-type: none"> Daniel Fowler Emily Hancox Mike Evans 	25/01/2018	<p>Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i)</p>
<p>Appointment of Commissioner for Oaths – Pinsent Mason</p> <ul style="list-style-type: none"> Stirling Harcus 	26/01/2018	<p>Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 4 (c) and (d) and 5 (j)</p>
<p>Application for exemption from lotteries tax</p> <ul style="list-style-type: none"> Robert (Bobby) Short, Darwin Harbour Sports Association Alison Baker, Darwin Harbour Sports Association Michelle King, Stephen Jaffray Memorial Fund, Cancer Support & Awareness Trust 	<p>26/01/2018</p> <p>26/01/2018</p> <p>26/01/2018</p>	<p>Section 66 (2) (e) of the Constitution</p> <p>Appendix A, part 2, paragraph 5 (a)</p>
<p>Appointment of Member to the Pensions Board</p> <ul style="list-style-type: none"> Karen Margaret Drysdale 	02/02/2018	<p>Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i)</p> <p>Pension Scheme Ordinance 1997, Section 5(1), 5(2)(b).</p>

Appointment of Chair of the Media Trust <ul style="list-style-type: none"> Mr Daniel Fowler 	06/02/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i) Media Trust Ordinance 1989, section 4
Appointment of Official Administrator <ul style="list-style-type: none"> Attorney General, Simon Young 	07/02/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i) Administration of Estates Ordinance, section 13
Appointment of Member to the Historic Buildings Committee <ul style="list-style-type: none"> Fiona Wallace 	16/02/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i)
Discharge of a Mortgage – 50A Davis Street <ul style="list-style-type: none"> Peter and Trudi Betts 	23/02/2018	Section 66 (2) (e) of the Constitution
Appointment of Commissioner for Oaths; Notary Public & Registrar for Marriages <ul style="list-style-type: none"> Sarah Whitby, Crown Counsel 	28/02/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 4(c), (d) and 5(j) Commissioner for Oaths 1969, section 2 Administration of Justice Ordinance 1949, section 47 Marriages Ordinance 1996, section 25
Application for exemption from lotteries tax <ul style="list-style-type: none"> Cherie Clifford: FI Guide Association, Flyaway Raffle and Dipping Frenzy Sweepstakes Mrs Donna Evans: West Falklands Sports Association Mr Kevin Marsh: West Falklands Sports Association Mrs Trish Jamieson: FI Horticultural Society 	22/02/2018 23/02/2018 22/02/2018 22/02/2018	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (a)
Discharge of a Mortgage – 1 Goss Road <ul style="list-style-type: none"> Claudette Prior 	02/03/2018	Section 66 (2) (e) of the Constitution

Appointment of Bailiffs to the Courts of the Falkland Islands <ul style="list-style-type: none"> • Suzanna Clarke • Anthony Davies • Leeann Harris • Mark Nightingale • John Whitby 	20/03/2018	Section 66 (2) (e) of the Constitution Administration of Justice Ordinance 1949, paragraph 3(1) of Schedule 3
Appointment of Members of the Pension Board <ul style="list-style-type: none"> • Ana Bonita Crowie • Kevin John Ironside 	27/03/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i) Falkland Islands Pension Scheme Ordinance 1997, section 5(1), 5(2) (c)
Appointment of Member of the Stamp Advisory Committee <ul style="list-style-type: none"> • Nancy Locke 	28/03/2018	Section 66 (2) (e) of the Constitution: Appendix A, part 2, paragraph 5 (i)

5.2.2 A copy of each of these decisions is available for inspection at the Clerk's office

5.3 Decisions made using other procedures

5.3.1 Since the date of the last report one decision that has been made using email or written resolution

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5.4 Decisions made under the Governor's Constitutional discretion

The Governor advises that under Section 84 of the Falkland Islands Constitution and Executive Council Standing Orders, Appendix 1, Part 1, he conferred the following appointments to a public officer:

Appointment of Chief Police Officer <ul style="list-style-type: none"> • Jeffrey McMahon 	16/01/2018	Falkland Islands Constitution Order 2008, section 84(4) and (5) Police Ordinance 2000, section 4(1) and (3)
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6. Resource Implications

6.1 Financial Implications

None

6.2 Human Resource Implications

None

6.3 Other Resource Implications

None

7. Legal Implications

7.1 This report demonstrates compliance with section 66(3) of the Constitution.