

EXECUTIVE COUNCIL

PUBLIC

Title:	Stanley Port Operations
Paper Number:	63/26
Date:	17 th March 2026
Responsible Director:	Director of Development and Commercial Services
Report Author:	Director of Development and Commercial Services
Portfolio Holder:	Roger Spink
Reason for paper:	This paper is submitted to Executive Council: For policy update/information
Publication:	Yes
Previous papers:	None
List of Documents:	Appendix 1: Project Brief

1. Recommendations

Honourable Members are recommended:

- (a) To agree to the initiation of a policy and legislative project to develop updated operational parameters for the new port development in Stanley.
- (b) To offer feedback on the proposed project brief (Appendix 1) to support officers in delivering this project effectively.

2. Additional Budgetary Implications

None in this paper.

- 2.1 The project will, in time, develop a commercial model for operations of the new port, including revenue generating elements such as berthing fees. However, this paper seeks the initiation of a policy project. A future ExCo decision on the commercial modelling will be presented in due course.

3. Executive Summary

- 3.1 The new port project is now well underway. With certainty over the physical structure of the new facility and timetables for its implementation, it is the right moment to begin a wholesale review of the current operational parameters, legislation and regulation, and to begin developing proposals for operations of the new facility.
- 3.2 This project is also an opportunity to regularise relationships between ordinances and regulation covering the harbour and port, which at present are often dealt with separately. As such it is being established jointly between the Falkland Islands Maritime Authority (FIMA) and the government department responsible for commercial operation of FIPASS, Development and Commercial Services (DCS).
- 3.3 This project will provide policy and legislative recommendations on new port operations by:
 - 3.3.1 Carrying out a desk-based assessment of comparable port operations elsewhere.
 - 3.3.2 Convening specific stakeholder events to establish the minimal functional requirements of the new port, as well as to generate ideas about optimising operations.
 - 3.3.3 Modelling different commercial and cost-recovery proposals for revenue-generating elements of the new port, for future ExCo decision.

4. Background

- 4.1 The current port management setup predates the existence of FIMA. DCS manages the FIPASS management contract from a commercial perspective, receiving quarterly reports on issues such as berth utilisation, accidents and incidents, and personnel.
- 4.2 The management contract with Atlink has been in place since January 2015 and extended by a series of supplemental agreements. The current agreement runs until the end of February 2028. This was put in place to anticipate the current management contract overlapping with the installation of the new facility, minimising the risk attached to changing both the facility and the management at the same time.
- 4.3 It was always intended to review the management of port operations for the new facility, simply because it is a different set of physical arrangements and will offer new and different ways of operating.
- 4.4 The port project board determined that the right moment to begin looking at possible models in earnest was after contracting for new port construction had been carried out, so that it could be done in the context of certainty over the physical layout and delivery timetable of the new facility.

5. Project content

- 5.1 Appendix 1 gives the detailed project brief.

- 5.2 The port project board reviewed an initial outline of this project in October 2025 and gave feedback, in particular on the initial work to establish if a port authority structure or more direct operations model would work best for Stanley. This decision was felt to be foundational to all other work, and a decision point on it has been worked into the project relatively early on.
- 5.3 Further guidance on the project was that it is not necessarily for this project to dictate detailed standard operating procedures such as traffic management plans. This is better done either by, or in conjunction with the entity that will be running the port. This will require tendering for a new operator in good time, to allow this to happen before they take over management.
- 5.4 The project board also asserted that the initial policies and Standard Operating Procedures (SOPs) should be subject to early review – suggested at six months after full implementation – to assess what is working and what might be further improved.
- 5.5 The project brief now presented to ExCo will be kept as a live document by the project board, who will provide overall governance for the project, including taking responsibility for stakeholder engagement.

6. Consultation

- 6.1 No formal consultation is required for the decisions recommended in this report.
- 6.2 The project brief (Appendix 1) has been reviewed by the Attorney General and Head of Legal, Head of FIMA, and at an earlier stage by the whole Port Project Board.
- 6.3 The development of this project has been discussed with the Port Industry Chairs group, with a request for their future formal involvement following ExCo approval of the project.

7. Resource Implications

7.1 Financial Implications

None at this stage, although specialist consultancy may be needed as part of review work on port operations. If this is the case, initially funding will be looked for within existing budgets.

7.2 Human Resource Implications

This project requires officers, including in the Legislative Drafting team, to divert time from other work. The importance of the port operations is seen as sufficiently high to justify this. However, the ability of the project board members to commit enough time to this will be kept under review.

7.3 Other Resource Implications

None at this stage.

8. Legal and Legislative Implications

- 8.1 Significant legal review is necessary, and certain to result in need for new legislation and/or amending of existing. Resource for this is finite, and has been discussed with the Legislative Drafting team. A high level of the range of laws that will fall within the parameters of this project for review in terms of the new port operations are contained within the project brief at Appendix 1.

9. Equalities and Human Rights Implications

- 9.1 None identified.

10. Environmental & Sustainability Implications

- 10.1 Environmental standards and responsibilities are a key part of port operations and will be considered throughout. Input will be sought from the Environment Team where needed.

11. Camp Implications

- 11.1 None identified

12. Significant Risks

- 12.1 As per Appendix 1.

13. Publicity

- 13.1 There will be information on this project shared with Port Industry Chairs and the Maritime Users Group.

14. Reasons for Recommending Preferred Option

- 14.1 To progress work on new port operations in a timely manner, to ensure arrangements are in place before the new facility comes into full use.

Appendix 1 - Falkland Islands Government

Project Brief

Project Name	Stanley New Port Operations
Project Sponsor:	Dr Andrea Clausen, Chief Executive
Project Lead:	Chris Moorey, Head of FIMA
Project Board:	Becky Clark, Director DCS TBC, Government Legal Services TBC, Treasury TBC, Policy
Directorate and function	Falkland Islands Maritime Authority, DESIS
Document Status:	DRAFT
Islands Plan Link:	These requirements directly link with the 2022-2026 Falkland Island Plan – Infrastructure, Transport and Communications and Safety and Security. • Complete the design and construction of the new port. • Continue to advance the maritime authority, so that seafarers are as safe as possible in our waters.

Document Version Control

Version:	Date:	Author:	Summary of changes:
Draft version 0.1	17/08/2025	Becky Clark	Draft for initial Project Board review
Draft version 1	19/01/2026	Becky Clark	Revised draft for Project Board comments/sign-off
Draft version 1.1	26/01/2026	Simon Young	Suggested updates, including of the applicable regulatory framework
Draft version 2	01/03/2026	Becky Clark	Amalgamated comments from AG, FIMA and DCS for presentation to ExCo

Section 1: Project Scope

To develop legal, regulatory, and operational parameters for the management and operation of the new port facility, incorporating the wider context of harbour and fisheries management.

The work will have three separate but linked areas:

1. Legal and regulatory framework

- A full evaluation of the existing legal frameworks relating to port operations, including but not necessarily limited to:
 - a. Harbours and Ports Ordinance 2017
 - b. Harbours Regulations 1944
 - c. Maritime (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 2019
 - d. Maritime Ordinance 2017
 - e. Maritime Security and Safety Ordinance 2009
 - f. Maritime Safety and Security (FIPASS Restricted Zone) Designation Order 2016
 - g. Falklands Interim Port and Storage System Ordinance 1989
 - h. Fishing, Trans-shipment and Export (Licence Fees etc) Regulations 2022
 - i. Maritime (Port State Control) Regulations 2021
 - j. Shipworkers' Protection Ordinance 1937
 - k. Shipworkers Protection Regulations 1949
 - l. Road Traffic (Stanley Speed Limit Zone) Regulations 2015
 - m. Maritime Labour Ordinance 2019
 - n. Maritime Labour (General Requirements under the Maritime Labour Convention) Regulations 2019
 - o. Government Wharves Ordinance 1911 (and Wharfage Regulations 1911)
 - p. Aviation and Maritime Security Act 1990 (Application of Provisions) Ordinance 2004
 - q. Ship and Port Facility Security Ordinance 2004
 - r. Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 (SI 2003/1809)
 - s. Maritime (Reporting Requirements) Regulations 2026
 - t. Maritime (Pilotage) Regulations 2026
 - An assessment of relevant local and international regulation that does, or could, pertain to the operation of a port facility.
 - An assessment of different port operation models from comparable territories, including the desirability of establishing a Port Authority or other oversight body.
 - Culminating in a programme of recommended legal and regulatory changes.
- ### 2. FIG policies for operation of the Stanley new port
- An assessment of existing policies on port operations, incorporating ITQB and other fishing licence requirements.
 - A review of the bookings policy for cruise ships and other touristic/leisure visitors to align with port and harbour operations.

- To include a review of existing delegated authority permissions, liabilities, insurance etc.
- Resulting in a proposal, linked to legal and regulatory reform, for updated or new FIG policies for the operation of the new port.

3. Stanley new port standard operating procedures (SOPs)

- Development of a framework for a port operator to develop and agree SOPs to dictate the terms of operation on the dock, and for all users. To replace the existing SOPs with a bespoke set, relevant to the exact layout and operations of the new port.
- Covering relevant matters such as traffic management, training and health and safety requirements for workers, insurance requirements for users, ownership and management of equipment used on the port, and all other identified relevant matters.
- To include maintenance requirements for the port operator.
- To build in review periods for the SOPs, specifically relating to any updates to fishing licence requirements or changes from other key user groups.

Section 2: Project Objectives

Please list the objectives of the project below:	Details
Legal and regulatory framework fully updated by time the new port comes fully online, currently anticipated Q1 2028.	To include both introduction of new laws/regulations as needed, and cancellation of old ones as identified.
Decision on future management structure for Stanley New Port.	Establishing whether a Port Authority, a similar structure, or existing FIG structures are the most appropriate future management model.
FIG policies updated and consulted on with key user groups, aligned to legal and regulatory updates.	Includes establishing (or re-using existing) stakeholder groups to create a collaborative approach to FIG policy making and satisfy consultation requirements.
New port standard operating procedures in place by the time the new dock is fully operational, anticipated Q1 2028.	Including interim arrangements as needed for the partial completion phases. SOPs to form part of the requirements for using the port facility.
All key user groups engaged throughout and accepting of new legal, regulatory, and operational frameworks.	

Section 3: Business Benefits

Meeting FIG's legal, regulatory and operational requirements. Protecting the investment FIG has made in the new port by ensuring operations are well managed. Giving assurance to all users that the new port will operate in a way that meets their needs.

Section 4: Resources

The project will be led by FIMA, supported by DCS. Resource has been identified in Government Legal Services and Policy teams to support this project. No additional resource is being requested but it is noted that this work will take officers away from other duties.

Project Board will be:

1. Head of FIMA (Chair)
2. Director DCS
3. Director DNR (may substitute Deputy Director of Head of Fisheries Management)
4. Head of Legal
5. Policy Advisor
6. Secretariat provided by DCS Office Manager

Deputies are allowed to substitute for core members as needed.

Consultancy budget may be needed for specialist input on port operations – currently anticipating to find funds from within in-year underspends so no additional financial request.

Section 5: Timeline

Programme aligned with anticipated completion of new port in Q1 2028, although timetables to account for interim operation will need to be detailed.

Phase / Stage	Task / Deliverable	Start Date	End Date
Set-up	Project Board ToR agreed ExCo approve overall project approach	February 2026	March 2026
Research phase	Commission review of legal situation as-is Carry out desk-based research into comparable authorities and territories Stakeholder groups and plan agreed	March 2026	July 2026

	Consult with stakeholders on minimum functional requirements		
Decision point	Decision for ExCo on port authority or port operator structure, based on research	July 2026	July 2026
Development phase	Develop proposals for legal reform and agree with GLS Based on legal timetable, begin drafting of policies Develop plans for transition from new to old facilities	August 2026	December 2026
Consultation phase	Public and stakeholder consultation on new proposals	January 2027	March 2027
Decision point	ExCo decision on exact delivery of new arrangements, including transitional arrangements, any impacts on fishing licences etc. ExCo decision on tendering for new port operator	April 2027	April 2027
Implementation phase	Public procurement for new port operator New legislation brought into effect on agreed timetable New policies and SOPs brought into effect on agreed timetable	From April 2027	Until complete

Section 6: Project Dependencies

- The Sea Lion Northern Development Programme, in particular use of the TDF and harbour use requirements.
- Other Stanley Harbour facilities that may be impacted by legal, regulatory and policy changes related to harbour management (e.g. Camber dock, FIC East Jetty etc.)
- Ongoing work by FIMA on maritime safety.
- Changes to FIG fishing licensing requirements.

Section 7: Project Constraints

Timing is a constraint, as work needs to be complete in advance of the new port facility becoming fully operational.

Resource is a current constraint as, at present, no additional personnel or budget is allocated to this project. This includes resource for project governance, and a decision is to be made about using the existing Port Redevelopment Project Board. It also includes legislative drafting time, which is not currently programmed.

Section 8: Project Assumptions

- FIG will proceed with contracting for the port on current planned timetables.
- ITQB will continue to be in operation, and other planned fishing licences will be introduced as planned.
- SAAS will continue to act as the primary import agent, using the Unispirit or a similar size and type of boat.
- Fuel will primarily be imported by tanker via the new port, and bunkering operations will be conducted from the new port.

Section 9: Procurement Approach:

Currently no procurement is planned, but if needed will be carried out in line with FIG Financial Instructions and Procurement Guidelines. FIG will seek to instruct a specialist maritime legal adviser (Simon Whitbourne), in relation to which a dispensation would be sought (he has been involved in maritime legislative development in the Falkland Islands for 8-9 years now).

Section 10: Risks and Issues

Project Risk	Further information/Mitigation
Project timeline	The project essentially needs to be completed before FY 2027/28, which is very tight, given the necessary processes to be completed. Mitigation re resource allocated/prioritisation of work.
Resource	Legislative programme indicated is optimistic at best and will require other legislative work to be deprioritised.
Stakeholders	Initial agreement to feed into this work has been given by Port Industry Chairs group. It is likely parts of this work will be controversial and need sensitive handling and ongoing collaboration to achieve an acceptable outcome.