

**LEGISLATIVE ASSEMBLY  
OF THE  
FALKLAND ISLANDS**



**RECORD OF THE  
SELECT COMMITTEE ON THE PETITION  
HELD ON THURSDAY 01 AUGUST 2024  
IN COURT & ASSEMBLY CHAMBERS**

**Select Committee on the Petition**

**Thursday 01 August 2024**

**Court & Assembly Chambers**

Attendance:

**Elected Members**

The Honourable Roger Spink, Chair  
The Honourable Leona Roberts, Vice Chair  
The Honourable Teslyn Barkman  
The Honourable John Birmingham (Via videoconference)  
The Honourable Jack Ford  
The Honourable Mark Pollard  
The Honourable Gavin Short

**Officers**

Mr Simon Young, Attorney General  
Mr David Rogerson, Telecommunications Consultant and Technical Advisor to the  
Committee (Via videoconference)  
Mrs Cherie Clifford, Clerk of the Legislative Assembly

**Apologies**

The Honourable Peter Biggs (Overseas on leave)

**Press & Public**

Press – FTV, FIRS, Penguin News, SARTMA  
Public – 12 (includes 2 by via videoconference)

**Select Committee on the Petition**  
**Thursday 01 August 2024**  
**Court & Assembly Chamber, Town Hall**

**Subject: Abolish or Reduce the VSAT Licence Fee and Approve Starlink Domestic Tariffs**

We, the undersigned residents of the Falkland Islands, express our deep concern and outrage at the recent announcement by the Communications Regulator regarding VSAT Licences and the threat to prosecute Starlink users. Fast, reliable, and affordable internet access is a basic necessity in today's world, and it is vital for our community's connectivity, economy, and overall well-being.

**Key Concerns:**

1. **Fundamental Rights and Freedoms:** Our Constitution guarantees the fundamental rights and freedoms of every person in the Falkland Islands, including freedom of expression and freedom from interference with the rights to receive and disseminate information. These rights also extend to our correspondence and other means of communication.
2. **Disproportionate Licence Fees:** The current £5,400 annual licence fee for using alternative internet providers like Starlink is based on Sure's most expensive package and is excessively high. This fee, coupled with the threat of punitive fines up to £125,000, is effectively a ban for most residents on using alternative internet providers.
3. **Necessity in a Democratic Society:** Such exorbitant fees and fines cannot be justified as reasonably necessary in a democratic society. They restrict our ability to choose more affordable and reliable internet options, impacting our daily lives and freedoms.

**Our Demands:**

1. **Abolish or Reduce the Licence Fee:** We call on the Communications Regulator and MLAs to abolish the VSAT licence fee for using Starlink entirely. If a complete abolition is not feasible, we urge you to reduce the fee to a reasonable and proportionate level, not exceeding £180 per year.

- 2. Approve Starlink Domestic Tariffs:** We also call on the Communications Regulator to grant regulatory approval for Starlink to offer domestic tariffs in the Falkland Islands. This would prevent residents from being forced to rely on the more expensive global roaming tariffs, making fast and reliable internet access more affordable for everyone.

By addressing these concerns, you will not only uphold our constitutional rights but also ensure that the residents of the Falkland Islands have access to the internet services they need and deserve.

Petition to the Communications Regulator and The Honourable Members of the Legislative Assembly are respectfully requested by the undersigned to take immediate steps to abolish the VSAT licence fee entirely or to reduce it to a proportionate level, not exceeding £180 per year.

We also call on the Communications Regulator to give regulatory approval for Starlink to offer domestic tariffs in the Falkland Islands rather than forcing people to rely on (more expensive) global roaming tariffs.

## **The Honourable Roger Spink**

This is the first meeting of the Select Committee on the petition, we've apologies from MLA Peter Biggs, but I think everyone else is here, and David Rogerson, our independent advisor, should be joining us shortly.

If we move off with the first item, which is the terms of reference. First off, I draw peoples' attention to documentation relating to the select committee on the petition, which can be found on the agenda for this this first meeting of the Select Committee, and, also additional information relating to the Select Committee on the Communications Bill 2016 and the Telecommunications license, can also be found at the [assembly.fig.gov.fk](http://assembly.fig.gov.fk) website, to give people background into this subject should they so wish.

First item on the agenda, Terms of Reference for the Select Committee.

The suggestion that has come forward is that we restrict ourselves to the two asks of the petition,

**1. Abolish or Reduce the Licence Fee:** We call on the Communications Regulator and MLAs to abolish the VSAT licence fee for using Starlink entirely. If a complete abolition is not feasible, we urge you to reduce the fee to a reasonable and proportionate level, not exceeding £180 per year.

**2. Approve Starlink Domestic Tariffs:** We also call on the Communications Regulator to grant regulatory approval for Starlink to offer domestic tariffs in the Falkland Islands. This would prevent residents from being forced to rely on the more expensive global roaming tariffs, making fast and reliable internet access more affordable for everyone.

That's the initial proposal. Anyone have anything to say on that being the terms of reference for the committee?

## **The Honourable Gavin Short**

No, I just think we probably are so to restrict ourselves to the two questions that's raised in the petition.

## **The Honourable Teslyn Barman**

Chair, just to note, obviously with them when it gets on to inviting evidence. To that first point, it would be interesting to know why, not exceeding £180 a year was, was chosen.

**The Honourable Roger Spink**

Yes, I think there is a suggestion to request information on that.

That is accepted as those being the terms of reference for the Select Committee moving forward.

The second item is the consideration of letters to relevant stakeholders.

There have been three drafts, I think, I think everybody's had a copy of them.

The first one is to the Communications Regulator saying:

“Could you please give the select committee an update on the need for Starlink to obtain regulatory approval for Starlink to provide domestic tariffs in the Falklands?”

Is everybody happy with the wording of that letter?

**The Honourable Mark Pollard**

Was it sent out to everybody. Is it in the folder?

**The Honourable Roger Spink**

Should have been sent around to everybody. It was circulated in advance to everybody. It's very short.

**The Honourable Roger Spink**

The second letter is to the CEO SURE

“Dear Roma,

The Legislative Assembly of the Falkland Islands Government has convened a Select Committee to consider a petition that it has received from a concerned group of residents.

The petition, which is being presented by MLA Spink, is “to abolish or reduce the VSAT licence fee and approve Starlink domestic tariffs”. The VSAT licence fee is currently set at £5400, but the petitioners wish it to be abolished or reduced to a “reasonable and proportionate level, not exceeding £180 per year.” They also seek “regulatory approval for Starlink to offer domestic tariffs in the Falkland Islands”. The full petition is attached to this letter.

To assist the Select Committee in responding to this petition, Sure South Atlantic is requested to answer the following questions:

1. What is Sure's view on the merits or otherwise of this petition? Please explain how you think the Legislative Assembly should respond and why it should respond in this way.
2. What would be the impact on Sure's commercial operations in the Falkland Islands if:
  - a. The VSAT licence fee was abolished
  - b. The VSAT licence fee was reduced to £180 per annum.
3. For regulatory approval to be given for Starlink to offer domestic tariffs it would first require that Starlink were licensed to provide services in the Falkland Islands. What are Sure's views on licensing Starlink: is it a natural consequence of offering VSAT licences (to end users); is it compatible with Sure's exclusive licence?

The Select Committee is particularly looking for factual evidence based on the current broadband market (in particular, customer numbers by broadband package) and reasoned modelling of the financial impact that a change in the VSAT licence fee would have (in particular, the proportion of broadband customers that Sure may be projected to lose if the VSAT licence fee were reduced).

Please note that the Select Committee's remit is limited to the precise demands of the petition, and does not extend to broader policy, regulation or legal matters."

**Mrs Roma Stewart - CEO, SURE**

Am I able to speak?

**The Attorney General**

Chair, obviously, the proceedings of the committee are a matter for the committee. I think you've intended to have an evidence session to allow folks to submit their evidence in due course. I suspect if members of the Committee agree the letter and that probably the time to respond is when the letters received?

**Mrs Roma Stewart - CEO, SURE**

Because we haven't received the letter.

**The Honourable Roger Spink**

Sorry Roma, no this is a draft of the letter for the Select Committee to agree to be sent. We fully appreciate you haven't seen any of this.

**The Honourable Teslyn Barkman**

Yes, I think, I think it covers all elements that the question particularly arise. I can't think of any amendments I would make,

**The Honourable Leona Roberts**

Yes, I think the only thing I'd say is there's quite a lot that is, is wrapped up in, in that one paragraph.

**The Honourable Roger Spink**

The detail is, is important.

**The Honourable Leona Roberts**

Absolutely. And so, while it can look fairly general, I think there's going to be a lot of fairly detailed and specific information that we're going to want to draw out in that.

**The Honourable Roger Spink**

And I'd like to thank David Rogerson our independent advisor for putting that together.

**The Honourable Teslyn Barkman**

Chair, I suppose the only other point which is possibly best addressed by the next agenda item is then how the evidence can be given.

**The Honourable Roger Spink**

Yes, that's the last agenda item. Okay, thanks. Thank you very much. We will get that letter sorted to be sent.

The third letter is to the person in charge of Regulatory Affairs for Starlink:

“The Legislative Assembly of the Falkland Islands Government has convened a Select Committee to consider a petition that it has received from a concerned group of residents.

The petition is “to abolish or reduce the VSAT licence fee and approve Starlink domestic tariffs”. The VSAT licence fee is currently set at £5400, but the petitioners wish it to be abolished or reduced to a “reasonable and proportionate level, not exceeding £180 per year.” The full petition is attached to this letter.

The Select Committee is aware that Starlink does not currently have a licence to operate in the Falkland Islands and, as far as we are aware, has not applied to the Communications Regulator for any such licence. Nevertheless, Starlink services are being used on the Falkland Islands, by a number of persons to whom a VSAT licence has been issued for this purpose (and probably by others who have not obtained any such licence) using Starlink’s international roaming service.

It would be very helpful to the Select Committee in responding to this petition if you were able to answer the following questions on behalf of Starlink:

1. Is Starlink currently considering applying for a service provider licence in the Falkland Islands? If not, under what circumstances would Starlink consider such an application?
2. What would be the impact (if any) on Starlink’s decision (i.e. whether or not to apply for a service provider licence in the Falkland Islands) if:
  - a. The VSAT licence fee was abolished
  - b. The VSAT licence fee was reduced to £180 per annum.
3. If Starlink were to apply for and be granted a service provider licence in the Falkland Islands what would be the likely impact on the tariffs paid by end users for accessing Starlink services? We understand that this is a purely hypothetical question as no domestic tariff yet exists in the Falkland Islands, but we would appreciate any relevant comparisons between domestic tariffs and international roaming tariffs from other jurisdictions.

Please note that the Select Committee’s remit is limited to the precise demands of the petition, and does not extend to broader policy, regulation or legal matters.

### **The Honourable Teslyn Barkman**

Chair, I will admit this, this letter for me, was a little bit more confusing, but are we inviting Starlink to comment on what are our current telecoms arrangements? It just seems a little bit unusual when the direct question to them is more about a request for service provider license. And particularly that part of the question asks under what circumstances would they consider applying is, are we better just asking if they do engage them in that conversation, rather than to ask what circumstances would engage them in the

conversation. Perhaps, some comment from the author of the letter as to why they chose this specific approach?

**Mr David Rogerson**

If I'm understanding the comment, it is whether we just ask a more specific, direct question, would you consider applying, rather than asking the more general, in what circumstances would you consider applying?

I don't have objections, either way, more information from the broader question.

**The Honourable Teslyn Barkman**

I suppose, I'm a bit more concerned that, do we want to bring Starlink into complex matters which are for us to consider, to ask them, to offer a view on them? I suppose, would that in some way be dissuading to them to engage in in the Falkland Islands, more generally? But I don't know, it seems quite a burdensome letter for a simple request.

**The Honourable Roger Spink**

What's your feeling? David,

**Mr David Rogerson**

Well, I guess it could be simplified, but we really want to know is, are they in the intention of applying for a license, and in specifically for this request about the fee for the VSAT license, would that impact their decision, because that's, that's what the committee has been asked to look at, is this fee specifically.

**The Attorney General**

I think one of the things it's worth bearing in mind, you know, you said earlier, Chairman that you wish to focus on the on the terms of the petition. The petition, it firstly, does deal with the issue of whether or not Starlink should or could or wants to apply for a regulatory approval here, and could that be granted. That's part of the issue to consider. The other part of the issue, the petition assumes that Starlink would offer a different tariff to users here if it had such approval, and I think it's worth teasing out from them, which I think the letter does, what on what terms would they offer services to people resident here if, in fact, they did obtain regulatory approval? Because I think again, that is, that is part of what is assumed by the petition, that actually we have no idea yet on what basis they would offer services directly here. And so, I think it's perfectly within the remit of the petition and of the Committee to consider and ask them, you know, on that particular topic as well. But I think, as David said, I think it is useful to try and tease out what their views would be on the on the

overall issue in terms of the VSAT license, they're obviously aware of the fact that VSAT licensing, that there is a regime in place here currently.

**The Honourable Roger Spink**

And I'm sort of fairly agnostic on whether or not under we leave out under what circumstances, and just say, would Starlink consider. I think that that's fine. I mean, just to say would, rather than under what circumstances?

**The Honourable Leona Roberts**

Well, perhaps can we, can we deal with both and say would or are Starlink considering applying for service provider license, and if not, under what circumstances would they consider? Because I think it would be quite interesting to know if there is something that is, putting them off or acting in any way as a barrier to their application, then to draw that out too. But then it would specifically, then ask, "Are they already considering"? Because we know that there is engagement so that decision may already be.

**The Honourable Gavin Short**

I think the amendment has suggested by MLA Roberts seems eminently sensible to me, which I think we do need to figure out, or give them an opportunity to express themselves, if there is anything that they find off putting.

**The Attorney General**

So perhaps if the committee could agree to allow the Chairman to amend the draft letter that you've been provided with in light of the comments that have been made by Members, and then it will be for the Chairman to finalize the actual terms of the letter, rather than trying to work with it backward and forwards now here. Now, I think obviously your intent is clear enough, and if you as a Committee happy to let the Chairman finalize? If that would seem a sensible way to proceed?

**The Honourable Mark Pollard**

I think when I when I read it for the first time, my concerns were that that they are a huge company offering a lot of services to a lot of people, and the more questions we ask them, perhaps the less likely they are to answer, you know, whether it's worth their while, but I think if we can get answers to the questions we're answering asking, then that will be really helpful to this process. I think on balance, I would agree with going with the full suite of questions and with the slight alteration to that one?

**Mrs Roma Stewart, CEO SURE**

Can I ask a question?

**The Honourable Roger Spink**

Do we want to open up and ask questions?

**The Attorney General**

Ultimately, that's a matter for yourselves. You'd certainly not contemplated doing so at this stage and obviously will be full opportunity for anyone who wishes to make representations on all of the issues that this encompasses.

**Mrs Roma Stewart, CEO SURE**

Sorry, chomping at the bit here.

**The Honourable Roger Spink**

Guidance for written and oral submissions, I think there has been some guidance about the timing, etc. I think the main thing is whether or not we should receive certain evidence in confidence or whatever. And Simon, you gave us some guidance on that. Do you want to perhaps, advise.

**The Attorney General**

Thank you, Chairman. I suppose the Legislative Assembly generally follows the sort of procedures in the House of Commons, where there isn't any specific provision within our own Standing Orders. And I think the provisions of the Standing Orders of the House of Commons do make provision for people to provide evidence in confidence to a Select Committee. So, in other words, a Select Committee can sit without a press and public present whilst hearing evidence, if it wishes to do so, and also then deals with publication of that evidence. Obviously, the general position is that evidence that's provided to Select Committees is published when the report of the Select Committee to the house is published, but it is possible for certain provisions, certain evidence, to be redacted from publication, where that's where that's appropriate, and the examples that are given there include commercially confidential information. It includes information like national security information, that sort of thing. There are a whole range of reasons why the committee might agree to accept evidence in confidence. And I think if the committee is prepared to consider doing that. I think it would be useful for anyone who wishes to submit evidence to ask about that that first before they then submit their full evidence so that then they can have they can have a response and assurance as to what will happen.

### **The Honourable Gavin Short**

Just a question, if I may, direct it to the Attorney General. We seem to be concentrating a lot here on, if you like oral evidence, I presume that would extend to written evidence as well. For example, if say, it could be an employee of a company who wishes to make a representation but doesn't wish it to get into the public domain, because it could well cause them problems, as long as they put their name to it may what I suppose, where I'm trying to get to, if you receive a letter from disgruntled of Stanley, would that be dismissed immediately or would we accept something like that?

### **The Attorney General**

I think that there has to be a reason related to the evidence as to why it should be accepted in confidence. I think the general rule of thumb is that the Select Committee should sit in public, should hear evidence in public. And obviously these are matters of public interest, the matters that are being considered by the committee, so I think there needs to be some reason now I can well contemplate, you've just read out a draft letter that's going to be sent to SURE now, it may well be that in responding to that and responding to the various asks that the company might in order to give a complete picture to Members of the Select Committee wish to submit commercially confidential information, and it may be the same with Starlink, and I think the committee should give serious consideration to accepting evidence on that basis, or you run the risk otherwise of evidence not being submitted and therefore a less informed decision being made, and recommendations to the Assembly accordingly.

### **The Honourable Teslyn Barkman**

Sorry, just as an option, obviously, we're aware as a Select Committee that sure have representatives in the room and are now aware that they can submit evidence in a confidential manner. It's probably less clear, Starlink, as you mentioned, as another agency that may wish to do so. So perhaps that could also be added to the draft letter so that they are made fully aware.

### **The Honourable Roger Spink**

I think we need to adopt some rules and how it works as well. I think you know how, practically, someone says who is going to be the judge of whether or not that information is...

## **The Attorney General**

I mean, ultimately, the decision will be for the Select Committee to make. But I think I mean sensibly, you know, correspondence is likely to be with you as Chairman of the Committee in the intervening period. And obviously there is open to you to take advice from officials, advice from the Speaker, who has also sat in the room as well, as well as officials and Mr. Rogerson, who you've engaged to assist as well.

## **The Honourable Mark Pollard**

Sorry, I might take a little bit of time, but hopefully not too much. But I think we should be doing as much as possible in an open and transparent manner. Now, I understand there may be some evidence submitted that may have sort of commercial in confidence aspects to it, and I think rightly so, that should be dealt with confidentially. But I would urge anyone submitting anything with confidential information to, perhaps in parallel, submit something with that redacted, for the for the public to see and for us to be able to deal with publicly as well, without the confidential aspects to it.

I would strongly urge people. I would prefer that people put their names to submissions and do not do that in anonymously. I think if you are to submit anything to this Select Committee for me, anonymously or confidential, I think you need a very good reason for doing so. Again, I think the more we can do openly, transparently, in public regarding this, the better. So, I would urge people to be open and transparent about their communication.

One thing I would urge as well is that anyone who's thinking of putting in a confidential submission because they are potentially sort of breaking the law or want to confess to something, I was strongly urge not to do that as well. And perhaps the Attorney General here could explain why that would be such a bad idea.

## **The Attorney General**

Chairman, I think people would be well advised not to do that unless they wish to invite action to be taken in relation to their activities, it would seem not sensible for the committee to invite submissions of that nature.

## **The Honourable Leona Roberts**

Yes, very similar views, to be honest, and I think, we do need to set some guidelines so that they're clearly understood by anybody who does want to give evidence. I don't think that we should be considering anonymous submissions. I think anybody could say anything, and you need to be able to stand by that. I think there probably are instances, where it can be justified, that evidence is heard privately, but I think that threshold needs to be quite high to be honest. I think the importance of a Select Committee is in its transparency, and I don't

think that we should, , set the bar too low when it comes to this, but I also, as a member of the Select Committee, would welcome some clarity around how we actually judge that, and I can see that there might be cases where, you know, commercially sensitive information could be, could qualify as being worthy of being held.

### **The Attorney General**

In relation to individuals, it may be that, you know, I mean, it doesn't seem likely to me, but it may be that individuals may wish to disclose information about their personal circumstances, which, again, is not, necessarily appropriate to be, to be shared widely, it wouldn't be anonymous evidence. The person would still have to be submitting that to the Select Committee and potentially appearing and giving oral evidence to the Select Committee, but simply the details that they give would, some of those details may not be publishable. That might be around someone's financial circumstances or health circumstances. I can't quite conceive of how that would relate to this particular inquiry, but it is, it is possible, and I think it's that sort of information that would be confidential. So, I think the example given by MLA Short earlier of you know, if someone wishes to make representations, on behalf of their employer, but not officially, on behalf of their employee. I don't really think that is entirely appropriate. I think if companies wish to make representations, then the companies need to make those representations. I don't think it's appropriate to allow employees of companies to in confidence, purport to give representations on behalf of their companies if the company itself isn't actually making those representations.

### **The Honourable Teslyn Barkman**

Thank you. Obviously, I hope all of this information will be available in those portals which were identified by the chair earlier in in this session. But the other point, firstly, I'd like to agree with the points that were made around transparency and making as much available for public consumption as possible. I just support that, but also to be to be sure that we're sending out an indication that while we are looking to gather evidence from every aspect of this community, and certainly everybody who is involved in the petition or in businesses relating to the petition, we also would be very keen to encourage people from different demographic groups to come forward so, particularly thinking about, you know, people to comment on services in camp, from younger groups, from businesses, to have a good spread of evidence that we can use in the Select Committee to be able to make the best decision around this petition for the Country. So just to put that on the record there, there will be obviously some limitations around the amount of oral evidence that we can receive and discuss that as an Assembly just through matter of time. And we'll try and prioritize it to be sure that there's a good demographic spread represented through those submissions, but we do encourage absolutely everybody to make written submissions, and that's everyone in the Country.

### **The Honourable Mark Pollard**

Just on the on the terminology, perhaps for those, out there listening, and for those present when we talk about giving evidence, you know, this is a formal Select Committee, and we have to use that sort of formal language, essentially, for those who are unsure exactly what we mean, it's making representation to the committee. So, so providing some information for us to consider. So, if people have a view and want to submit that to Select Committee. That's what we're talking about. We're not talking about a formal Court of Law or anything that you know you have to physically sign to and will be judged on it. We will consider the evidence accordingly. The accessibility of the language is perhaps an issue sometimes in Select Committees, and we use it.

### **The Honourable Teslyn Barkman**

In relation to these two questions specifically as well.

### **The Honourable Roger Spink**

So, we're basing the ability to have evidence submitted in confidence on from Erskine May.

### **The Attorney General**

Erskine May sets a Parliamentary Practice for the Parliament at Westminster.

### **The Honourable Roger Spink**

Which says: "*Where a witness considers that the publication of oral evidence (or part of it) given in private or written evidence (or part of it) submitted in confidence would be prejudicial to the public interest (for example, on grounds of national security), or cause unwarranted distress to an individual, or would disclose matters of commercial confidentiality, or would be undesirable on similar grounds, a request may be made that the evidence in question should not be published. The committee may then at its discretion refrain from reporting that evidence to the House or may report such summary of the evidence as appears necessary in order to present the grounds of its conclusions to the House. If for these reasons only part of the evidence given to a committee is reported to the House, the committee will indicate in the evidence as published the places in the text where the unreported material has been omitted. Once evidence has been reported and published, it cannot subsequently be altered or any content removed.*

<https://erskinemay.parliament.uk/section/5922/publication-of-oral-and-written-evidence>

Are we all happy to adopt that as a procedure. Yes

Anything else, anyone - no nothing from John?

### **The Honourable Leona Roberts**

Are we Sorry? Are we still discussing the evidence, as opposed to just the confidentiality bit guidance for written and all submissions. Yes, so before we move on from that, can I just say, I think we need to be clear how we're how we're going to do this. I think one of the priorities, almost, is to move this along reasonably quickly, not to unduly extend it. So, I think, you know, there might well be a very large number of people who would wish to give evidence. Are we going to give some guidance, or some encouragement, perhaps, into how that is done? Because I think we could have a parade of a lot of people coming through, essentially saying very similar things, which would prolong the process, well, has the potential to put along. I can't help but think that it, there might be some benefit in encouraging people who are like minded, perhaps, to get together and nominate an individual to come and give a collective view. Because I think they could all put their names to it. They could all be part of that, but, but rather than having 50 -100 people coming through saying the same, what was largely the same, and whether that's through organizations or however, I think, I think it might just be helpful to indicate that.

### **The Attorney General**

I think it is important as well, I think to differentiate between the written evidence and the oral evidence. So, every individual or business, etc, should feel absolutely comfortable in making submissions, in writing to the committee. And as many submissions as can be received, allows for a better, more rounded consideration of the issue. I think the point that you made the Honourable Leona Roberts is around, then collation of who we then the members of the Committee select to give all evidence. And then, obviously it would be beneficial if individuals who are like minded are able to nominate, a representative, or a few representatives who are able to come along. And I think then the Committee will have to actively look to select from among those who wish to give oral evidence, those who can give oral evidence to fit in with the constraints of time and efficient sort of progression of the business. And I think that could include reflecting, as the Honourable Teslyn Barkman said earlier, making sure that those representations cover a range of different interests in the matter. So, you've already particularly indicated you wish to write to SURE, SURE may well wish to come along and give evidence. It would be sensible to hear from them. Similarly, there's the petitioners who have actually submitted this petition. So those who've led in that it would be very sensible to hear from them, but it would be sensible then to look at the other representations you get and see if you can select those. And there may well be some naturally sort of self selecting body. So, the Chamber of Commerce may wish to be able to come along and speak on behalf of businesses in the Islands. There may be, you know, the Rural Business Association may be able to speak on behalf of some of the camp interests, but ultimately, that will be a matter for the Committee to look at the requests you received and then make a decision as to how to select those.

**The Honourable Mark Pollard**

I don't think we've got a guidance note as such on submitting evidence, Do we?

**The Honourable Roger Spink**

It's on it's on the agenda. It's actually:

“You can make a written submission.

- Be in Word or PDF
- Comprise a single document. If there are any annexes or appendices, these should be included in the same document.
- State clearly who the submission is from, i.e. whether from yourself in a personal capacity or sent on behalf of an organisation.
- Be concise – we recommend no more than 3,000 words in length.
- Include any factual information you have to offer from which the committee might be able to draw conclusions, or which could be put to other witnesses for their reactions.
- Include any recommendations for action by the Government or others which you would like the committee to consider.

**The Honourable Mark Pollard**

No, my point is that we've just had a fairly lengthy discussion on what the guidance should be around submitting and how we would like shape that. So, if we, if we default back to what we'd already decided before the meeting, do we need to put some of the conversation we've just had into the guidance?

**The Honourable Roger Spink**

Sorry, yes.

**The Honourable Teslyn Barkman**

I think that makes practical sense, just the couple of points that I wanted to make. First of all, I think probably, as we're sitting here talking about gathering evidence. I'm sure there's probably quite a large public sentiment that, well, the petition is the evidence. And while that that has certainly been able to get us into this journey of setting up the Select Committee, it doesn't provide the kind of the detail and the case studies as to as to why those requests from the public, should be considered. So, it's more about us getting into the details. So

obviously we respect the petition, the number of people who have signed it, but now we need to be able to work on detail as to whether those .....

**The Honourable Roger Spink**

What's behind the request.

**The Honourable Teslyn Barkman**

Exactly So, just to just to acknowledge that the Assembly and the Committee are completely aware of that. But my second question is probably more for discussion, which is, do we need to (a) indicate how many oral sessions will have available for people to be able to apply to give evidence to and (b) the difference between oral evidence and what may be interrogation of evidence if the committee wishes to do so, to call in people to kind of interrogate the evidence that they they've submitted, whether that would be something that the Select Committee needs to needs to consider now, because it's a form of oral evidence, but obviously it will be questioning. It may not. It may then also fall into that confidential bracket as well, particularly if it's to do with anything financial or commercial or too personal. So, I mean, those may be those, maybe considerations we also want to make more explicit.

**The Honourable Roger Spink**

I think in the past, certainly, oral submissions have included questioning of the individual giving that oral submission by the Select Committee. I know the Select Committee, back in 2016, people made representations. This is on the same subject we did, and people were questioned when they came in to give their evidence. But I think we'd also have to have, if there are some commercially sensitive areas that we need to question further, we would probably have to have a closed session as well, I assume,

**The Honourable Mark Pollard**

We'll need to cut off with written submissions. I mean, we'll receive the written submissions. Consider them here, and any questions arising out of that, I guess, could be taken up. But I wouldn't want to get into a to and fro by written submissions that would extend the process out.

**The Honourable Roger Spink**

The closure date for written submissions are the 21<sup>st</sup> August 2024 that's been published.

**The Honourable Mark Pollard**

But the question around whether or not there's a question arising from the written submission, from the person writing it quite how we, how we go about clearing that up, just debating it in here, amongst ourselves, if the person isn't giving oral evidence.

**The Honourable Teslyn Barkman**

Well, I think that could probably be agreed. If it's an outstanding question that we've put in it to the outcome, we could just make that. Yes.

**The Attorney General**

The Committee obviously has decided today to send a number of letters asking certain questions, if further questions arise that the Committee wishes to ask any individual whether that's someone who's sent in a written submission, but isn't intending to give oral evidence, then you know that perfectly that's within the Committee to ask for further.

**The Honourable Roger Spink**

Would it be alright if we identify further submissions, we could do that without having another meeting to.

**The Attorney General**

I think if Members of the Committee are content that, effectively, you as Chairman will manage that administrative process, with Members of the Committee being able to ask questions, then that would seem sensible.

**The Honourable Roger Spink**

I mean, we'd have weekly meetings, and if we have things, I think we can raise a weekly meeting and go back with the questions.

**The Honourable Gavin Short**

Certainly, I agree, if anything does come up in that written evidence that we wish to either further examine/tests or it raises further questions. Yeah, we have to have that ability to go back to those persons or body.

**The Honourable Roger Spink**

We can publish our letter. Yes, we can publish the letter back in between as well.

**The Honourable Leona Roberts**

Yes that also might be a useful means of narrowing down who we invite to give oral evidence. You know, if there's, if there's one specific question, then, then maybe that's fine dealt with through correspondence. But actually, if there are a few, you would probably want to invite that individual into to give oral evidence, to answer it.

**The Honourable Roger Spink**

But I think if we can do it in between the process, it'll speed things up. *Absolutely.*

**The Honourable Teslyn Barkman**

I was going to say that I just noted that the Chief Executive has put out advice to FIG Officers as well, which I think is useful, because we wouldn't want the FIG response to be confused. So just to thank him for doing that, it obviously doesn't stop you from making individual responses, but outline some guidance as to how FIG should interact with this with The Select Committee.

**The Honourable Roger Spink**

Great! Anything else anybody?

Date of the next meeting is the 5 September 2024. So please get your evidence in, the more evidence and the better for that meeting.

Thank you very much everybody for coming along today.