



## BRITISH ANTARCTIC TERRITORY

# LAW REFORM AND REVISION 2020

### **A. Introduction**

The vast majority of laws made by the Commissioner pursuant to the British Antarctic Territory Order 1989 were introduced in 1990. In that year, an Existing Laws (Repeal) Ordinance was enacted. This had the effect of repealing almost all laws of the Territory that were in force immediately before the commencement of that Ordinance. Those laws that were repealed were replaced with a suite of 21 new laws.

This process of repeal and replacement of laws that was conducted in 1990 had several beneficial effects. It provided far greater clarity on the laws that were applicable to the Territory, it repealed outdated colonial legislation and enabled some law reform to take place. It is to the credit of the draftsman and administration at the time that most of the new laws introduced in 1990 are still in place today.

Over the last 30 years there have been developing demands and reliance on the laws of the Territory. The way in which laws are formatted and published have also gone through a process of change. For these reasons, the Administration decided that a law reform and revision process should again be conducted.

### **B. Objectives**

There were several objectives in conducting the law reform and revision process. They can be summarised as follows:

- a. Consolidation of all amending legislation into a single Ordinance;
- b. Amendment of wording to make all laws gender-neutral;
- c. Standardisation of formatting and layout;
- d. Update the laws to take into account new developments;
- e. Introduce a reformed criminal justice process which is more compatible with the Territory;
- f. Enable copies of all laws to be put in a format where they can readily be published, and
- g. Ensure that all laws of the Territory can readily be identified.

Rather than adopting a basic law revision exercise to fulfil these objectives, it was decided that there would be a similar repeal/replacement process to that conducted in 1990.

### **C. Methodology**

As a starting point, each of the electronic versions of the existing laws were checked against the versions published in the *Gazette*. Some discrepancies were found and resolved. Following that process, the electronic versions were put into a standard format and the wording was amended to make it gender-neutral. This did not involve any changes to the substance of the law.

Through correspondence and a series of meetings with the Administration, sets of instructions were provided, to apply to specific laws. These instructions were applied to the electronic versions of the laws, to create the draft laws to be introduced. Where any law had a potential impact on others, such as the British Antarctic Survey, or an authority in the Falkland Islands, the draft laws were sent out for consultation.

### **D. The New Laws**

As occurred in 1990, an Existing Laws (Repeal) Ordinance has been adopted as the mechanism for repealing the existing laws (with some exceptions) and introducing the new suite of laws. There is a total of 22 new Ordinances and one set of regulations, which are all listed in Schedule 1 to the Existing Laws (Repeal) Ordinance 2020. Schedule 2 of that Ordinance lists, for clarity, those laws that are unaffected by the repeal and Schedule 3 lists those laws that have been retained (albeit under updated primary legislation).

In accordance with rule 7 of the Rules for the enactment of Ordinances, Schedule 2 of the British Antarctic Territory Order 1989, if the new laws are enacted the Commissioner shall “at the earliest convenient opportunity transmit through a Secretary of State, for the signification of Her Majesty’s pleasure, a transcript in duplicate of the Ordinance(s) duly authenticated under the Public Seal of the Territory and by his own signature, together with an explanation of the reasons and occasion for the enactment of the Ordinance(s).”

The reasons and occasion for each of the new Ordinances are set out below. Where the existing laws have been amended in some significant way, these changes are described. If provisions are not described in the reasons and occasion, it can be assumed that they reflect the existing provisions, save for any amendment to make them gender-neutral.

#### **1. The Interpretation and General Provisions Ordinance 2020**

Clause 7 amends, adjusts and removes some definitions.

Definitions of “colonial legislation” and “colony” have been removed as being no longer relevant.

The definition of “the statutory maximum” has been amended to tie in with the new criminal justice legislation and a new definition of “summary conviction” has been added for the same reason.

The definition of “writing” has been broadened to include “texting or other forms of electronic messaging”.

The definition of “triable summarily” has been amended to link in with the new criminal justice legislation.

Clause 25(d) permits a person to hold an acting appointment, to provide useful clarification and bring the section into conformity with similar legislation in other territories.

Clauses 31 to 35 add standard provisions concerning fees, forms, evidence and penalties, to bring the Ordinance into conformity with similar legislation in other territories.

## **2. The Administration of Justice Ordinance 2020**

The contents of the Administration of Justice Ordinance 2020 (“AJO”) tie in with the Criminal Procedure Ordinance 2020 (“CPO”) and the Police Powers Ordinance 2020 (“PPO”). These laws bring the categorisation of criminal offences into line with England and Wales, save for one exception. This exception is that the Summary Court, presided over by a magistrate in the Territory, will continue to operate, but the types of criminal cases that this court can deal with have been reduced. Most importantly, the Summary Court can no longer impose custodial sentences.

Clause 2 provides a set of definitions that are used throughout the Ordinance, which are aligned with terms used in the CPO and PPO. These include definitions for “indictable offence”, “offence triable either way”, “qualifying offence”, “summary court offence” and “summary offence”. This provides a structure to determine which court will deal with each specific offence. It will largely depend upon the seriousness of the offence, as happens in England and Wales. The caveat is that less serious offences (summary offences), which are punishable only with a fine of an amount less than the applicable statutory maximum, may be dealt with by the Summary Court sitting in the Territory.

Clause 5(3) takes into account the adjustments made to the categorisation of offences.

Clause 8 permits the Supreme Court to hear and decide appeals from the Summary Court and also exercise supervisory regulation of that court on its own initiative.

Clause 20 brings the jurisdiction of the Magistrate’s Court almost completely in line with England and Wales, save for provisions relating to the Summary Court.

Clause 22 determines the practice and procedure of the Magistrate’s Court.

Clause 29 determines the jurisdiction of Summary Courts in criminal and civil cases. In civil cases, the Summary Court may not deal with matrimonial causes, but can deal with liquidated damage claims of less than £1,000.

Clauses 42 - 44 introduce new provisions, based on those in other territories, licensing counsel and solicitors to practise in the Territory.

### **3. The Criminal Procedure Ordinance 2020**

The Criminal Procedure Ordinance 2020 replaces the Summary Courts (Criminal Proceedings) Ordinance 1990 (“SCO”). It has been re-named because its provisions not only relate to the Summary Court, but now extend to criminal procedure in all courts.

The SCO provided several processes that were anachronistic, time-consuming, costly and impractical. These included:

a. Committal proceedings for serious offences. This involved recording evidence on oath before the court in the Territory, to enable a decision to be made by that court as to whether a serious case should be transferred to the Magistrate’s Court or Supreme Court. This type of process was abolished in England and Wales in the 1990’s.

b. Imprisonment for six months. If imprisonment were ever to be ordered by the Summary Court, especially during the austral winter, it could create significant problems. There is no prison in the Territory and no appropriate means for prisoners to be detained for long periods of time.

c. The Summary Court had capacity, in some circumstances, to deal with very serious offences, including threats to kill, sexual assault and arson. Given that there are no legally qualified persons in the Territory, limited means to communicate with others and no legal representation, it would be wholly inappropriate for the Summary Court to have the capacity to try such cases.

The CPO puts in place a completely reformed set of criminal procedures. The Summary Court is retained, but is now only able to deal with the least serious type of offences (summary only), where no custodial sentence can be imposed and where the maximum sentence is a fine of £5,000 or less. This enables lower level offending to be dealt with in the Territory, if ever required, and preserves sovereignty of the court system.

All cases that are not to be dealt with by the Summary Court are transferred to the Magistrate’s Court and Supreme Court, usually sitting in the Falkland Islands. This will ensure that suspects and accused persons can have access to proper legal advice and representation at the earliest stage and that a properly assembled court, with legally qualified judiciary, can hear the cases.

The mechanism to determine whether a case is heard by the Magistrate’s Court or by the Supreme Court is closely linked to the processes used in England and Wales for the Magistrates’ Court and Crown Court.

Clauses 2 - 4 provide definitions which are aligned with those contained in the AJO and PPO.

- Part 2 establishes expedited procedures for qualifying offences, in other words, all those offences which cannot be dealt with by the Summary Court.
- Clauses 5 - 7 provide the process to be followed where a suspect is arrested by a person who is not an authorised police officer. If a magistrate determines that the person making the arrest has reasonable grounds for suspecting that the suspect has committed a qualifying offence, the magistrate may bail or remand the person to a place of lawful custody, to await the arrival in Territory of an authorised police officer.
- Clauses 8 and 9 determine the process to be followed where an arrest is conducted by an authorised police officer. If the Magistrate determines that the police officer has reasonable grounds for suspecting that the arrested person has committed a qualifying offence, the magistrate shall order that the suspect be transferred to the Falkland Islands for the investigation to continue.
- Clause 10 introduces key criteria concerning places of lawful custody and provisions that shall apply to persons that are held in these locations.
- Clauses 11 - 13 provide the process for the magistrate to apply in determining whether a suspect should be released pending the arrival of an authorised police officer or remanded in a place of lawful custody. These provisions are based upon the Bail Act 1976.
- Clauses 14 and 15 governs the right to legal advice. Clause 14 is based upon similar provisions in the Police and Criminal Evidence Act 1984. Clause 15 has been tailored to fit the circumstances in the Territory. It should be noted that the suspect may not be interviewed by police officers in the Territory. This preserves their legal position until such time as legal representation may readily be available in the Falkland Islands.
- Part 3 only concerns Summary Court Offences. It provides for the institution and conduct of cases before the Summary Court, what must take place if the court considers that a qualifying case has been committed, the procedure to be followed in trials and sentencing. Save for references to qualifying offences and legal advice and representation, the provisions in this Part are largely similar to those that were contained in the SCO.
- Clauses 37 - 39 provide measures concerning legal advice and representation. As with clauses 14 and 15, these provisions are tailored to fit the circumstances in the Territory.
- Part 4 contains residual provisions should it be possible for the Magistrate's Court to be physically present in the Territory. It is unlikely that this will ever take place, but the Part provides measures for this eventuality and an alternative to the expedited processes.

#### **4. The Crown Proceedings Ordinance 2020**

The Crown Proceedings Ordinance has been updated to make it clearer and easier to follow. In doing so, some expressions, definitions and wording has been taken from similar legislation in other territories.

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| Clause 2     | provides new definitions of “Crown”, “Her Majesty’s aircraft” and “Her majesty’s ships”.  |
| Clause 3     | incorporates a new subclause (2), to make the provisions contained in both subclauses clearer.  |
| Clause 4     | subclauses (4) and (6) have been adjusted to make them clearer.   |
| Clause 17(4) | subclause (4) has been adjusted to make it clearer.   |
| Clause 25    | adopts the new expression Her Majesty’s Government of the British Antarctic Territory and ties in with the restricted meaning given to the term “Crown” by clause 2(1). |

#### **5. The Commissioners for Oaths Ordinance 2020**

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| Clause 3 | removes provisions which restricted magistrates from administering an oath of office for another magistrate and ties in with the Falkland Islands Courts (Overseas Jurisdiction) Order 1989. |
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#### **6. The Prisons Ordinance 2020**

The Prisons Ordinance 2020 remains unchanged from the Prisons Ordinance 1990, save for amendment of the wording to make it gender-neutral. Despite it being very unlikely that the provisions contained within the ordinance will need to be utilised, the laws have been retained to cover that possibility.

#### **7. The Currency Ordinance 2020**

The Currency Ordinance 2020 remains largely unchanged from the Currency Ordinance 1990, save for amendment of the wording to make it gender-neutral and a change to section 2.

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| Clause 2 | provides an amendment to subsection (2), to increase the maximum fine for an offence under the Ordinance from £5,000 to £10,000. This has the effect of making it a qualifying offence, which may not be dealt with by the Summary Court. |
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#### **8. The Public Funds (Procedures) Ordinance 2020**

The Public Funds (Procedures) Ordinance 2020 remains largely unchanged from the Public

Funds (Procedures) Ordinance 1990 save for amendment of the wording to make it gender neutral and a change to section 3.

Clause 3 amends subsection (4) to remove reference to the Crown Agents.

## **9. The Income Tax Ordinance 2020**

The Income Tax Ordinance 2020 (“ITO 2020”) resolves difficulties and ambiguities that were encountered in applying the Income Tax Ordinance 1990. The overall level of tax that will be generated by the ITO 2020 is likely to be the same, but there is now far greater clarity and certainty as to how income tax may be levied and paid. The ITO 2020 has benefitted from substantial consultation with the British Antarctic Survey, who collect the tax on behalf of the Government of the Territory. It can be noted that the rate of income tax has remained the same, at 7% of a taxable person’s chargeable income.

Clause 2 removes the previous criteria concerning qualifying periods, qualifying service and tax years, which caused considerable confusion. The qualifying provisions have now been clarified and appear in clause 6.

Clause 3 simplifies the basis of taxation.

Clause 5 defines taxable income and updates the type of allowances that are taken into account.

Clause 6 provides that a relevant person’s employment is continuous despite specific events taking place, if they remain a taxable person throughout that period.

Clause 10 simplifies the process for collection and transfer of taxes.

Clause 11 streamlines the dispute mechanism.

Clause 12 permits the Government of the Territory to call for documentation, to ensure that the collection and transfer of taxes is being done correctly.

## **10. The Postal Services Ordinance 2020**

The Postal Services Ordinance 2020 updates the Postal Services Ordinance 1990 and enables the Government of the Territory to have greater supervisory control over post offices.

Clause 2 provides the new definitions of “post office”, “postal agent” and “postal article”.

Clause 8 enables post offices to be established, which are under the care and management of a postal agent.

Clause 9 creates the position of postal agent.

- Clause 10 provides the functions of a postal agent, many of which were formerly held by the Postmaster.
- Clause 11 establishes the new role of the Postmaster, who has superintendence and control of all postal agents in the Territory.

## **11. The Place-Names Ordinance 2020**

The Place-Names Ordinance 2020 updates and reforms the way in which the list of place-names within the Territory is modified and published.

- Clause 2 provides a new definition for the “Gazeteer”, the “UK Antarctic Place-Names Committee” and the “official list of place-names”.
- Clause 3 enables the Commissioner to determine, in his or her discretion, how the official list of place-names may be modified. In doing so, the Commissioner may adopt any recommendation made by the UK Antarctic Place-Names Committee.
- Clause 4 provides that the British Antarctic Territory Government shall cause the Gazeteer to be published, which may be done by use of a website.

## **12. The Registration Ordinance 2020**

The Registration Ordinance 2020 amends the wording of the Registration Ordinance 2016 to make it gender-neutral. There are also several other amendments.

- Clauses 13 and 22 include wording that removes the outdated expression “may certify *under his hand*”.
- Clause 23 adjusts the maximum sentence for some offences under the Ordinance, to clarify that they may be dealt with by the Magistrate’s Court, rather than the Summary Court.
- Schedule 1 and 2 replace the words “Maiden Surname” with “Surname before marriage”.

## **13. The Immigration Ordinance 2020**

The Immigration Ordinance 2020 significantly updates the Immigration Ordinance 1990 by incorporating immigration provisions previously contained in the Environmental Protection Ordinance 1997 (“EPO 1997”).

- Clause 2 incorporates updated definitions relating to the provisions that were contained in the EPO 1997.
- Clause 3 relates to the issuance of permits required to enter or remain in the Territory.



- Clause 4 relates to the issuance of permits required for vessels and aircraft entering the Territory.
- Clause 5 allows the Commissioner to impose restrictions and conditions on granting a permit.
- Clause 6 enables the Commissioner to prohibit the entry of any person into the Territory.

#### **14. The Imports and Exports (Control) Ordinance 2020**

The Imports and Exports (Control) Ordinance 2020 remains unchanged from the Imports and Exports (Control) Ordinance 1990, save for amendment of the wording to make it gender-neutral.

#### **15. The Customs Ordinance 2020**

The Customs Ordinance 2020 remains unchanged from the Customs Ordinance 1990, save for amendment of the wording to make it clearer to understand and be gender-neutral. Despite it being very unlikely that the provisions contained within the ordinance will need to be utilised, the laws have been retained to cover that possibility.

#### **16. The Firearms Ordinance 2020**

The Firearms Ordinance 2020 remains broadly unchanged from the Firearms Ordinance 1990. The wording has been amended to make it clearer to understand and be gender-neutral.

- Clause 6 increases the maximum financial penalty for possession or converting any firearm from £5,000 to £10,000.

#### **17. The Misuse of Drugs Ordinance 2020**

The Misuse of Drugs Ordinance 2020 remains broadly unchanged from the Misuse of Drugs Ordinance 1990. The wording has been amended to make it clearer to understand and be gender-neutral.

#### **18. The Police Powers Ordinance 2020**

The Police Powers Ordinance 2020 (“PPO 2020”) reforms and replaces the Police Powers Ordinance 1991 (“PPO 1991”). It was comprised of six sections and three schedules. Instead of incorporating specific provisions concerning the actions of police officers in the Territory, it relied on provisions contained in the “Police Ordinance 1967 of the Colony of the Falkland Islands” and the “Criminal Justice Ordinance 1989 of the Colony of the Falkland Islands”. For

all relevant purposes, both of these laws had been repealed in the Falkland Islands and replaced with the Criminal Procedure and Evidence Ordinance 2014 (“CPEO”).

Rather than make reference to the CPEO, the PPO 2020 incorporates relevant provisions from that Ordinance, adjusted where necessary to apply to the circumstances of the Territory. This brings greater clarity to an area of the law where such clarity may be essential. It also assists any police officer from the Falkland Islands in carrying out duties in the Territory.

The contents of the PPO 2020 also link in with the provisions contained within the Administration of Justice Ordinance 2020 and the Criminal Procedure Ordinance 2020.

- Clauses 1 - 6 provide Part 1 of the PPO 2020, which sets out the majority of definitions that are required for the purposes of the Ordinance. Where applicable, these definitions match those contained within the CPEO. It also enables the Commissioner or Administrator to authorise police officers (and public officers) to perform duties in the Territory. These provisions have a similarity with sections 1 to 5 of the PPO 1991.
- Clauses 7 - 20 relate to police powers to stop and search or enter and search. These provisions are closely modelled on the CPEO. Some changes have been made to the wording that is contained within the CPEO, for example references to gardens and yards has been removed. These changes have been made to ensure that the content of the clauses is applicable to the Territory.
- Clauses 21 - 39 relate to police powers of seizure. Again, these provisions are closely modelled on the CPEO, with adjustments to make them relevant to the Territory.
- Clauses 40 - 46 relate to powers of arrest without warrant. Whilst the general requirements for arrest that are contained in the CPEO have been adopted, the requirements of the Territory have resulted in several changes being made to those provisions. This is to take into account the absence of a police station and the mechanism by which an arrested person may be handed over to the custody of a police officer in accordance with the CPO.
- Clauses 47 - 53 provide Part 5 of the PPO 2020, which relates to police detention. Due to the circumstances of the Territory, these provisions are significantly different to those contained in the CPEO.
- Clause 47 requires the authorised officer to make and keep a custody record.
- Clause 48 provides for limitations on police detention.
- Clause 49 sets out the duties of authorised police officers before determination of reasonable suspicion.
- Clause 50 ties in with orders made pursuant to clause 9(2)(b) of the CPO, in relation to transfer from the Territory.

- Clause 51 provides a list of permitted activities in relation to suspects whilst those persons are in the Territory.
- Clause 52 provides a list of rights of suspects whilst those persons are in the Territory.
- Clause 53 prescribes the procedure to be adopted after a suspect has been transferred from the Territory.
- Clauses 54 - 67 provide detailed provisions relating to those items listed in clauses 51 and 52, concerning the treatment of suspects by authorised police officers. These provisions are closely modelled on similar provisions contained in the CPEO, with adaptations to make them applicable to the Territory.
- Clause 68 requires authorised police officers to have regard to any relevant code of practice issued in accordance with the CPEO in carrying out their duties in the Territory. Any such code of practice shall be read with such modifications, adaptations, qualifications and exceptions as the circumstances in the Territory render necessary.

## **19. The Environmental Protection Ordinance 2020**

The Environmental Protection Ordinance 2020 (“EPO 2020”) reforms and replaces the Environmental Protection Ordinance 1997 (“EPO 1997”).

To provide a historical context, the Antarctic Treaty’s environmental protocol was implemented into UK law through the Antarctic Act 1994 (“the 1994 Act”) and the UK then ensured that the 1994 Act was replicated across the Overseas Territories via the Antarctic Act 1994 (Overseas Territories) Order 1995 (“the Order”), with modifications in Schedule 3 of that Order to reflect the unique position of the BAT. To ensure there were no gaps in the UK’s compliance with the Protocol the BAT Administration passed the EPO 1997 in similar terms.

Subsequently, the UK has made changes to its suite of Antarctic related legislation through the passing of the Antarctic Act 2013. This Act made a number of revisions to the 1994 Act. The revisions to the 1994 Act have been dealt with at an OT level through the Antarctic Act 1994 (Overseas Territories) (Amendment) Orders 2015 and 2017. These changes had not been reflected in BAT legislation prior to the introduction of the EPO 2020.

As described above, sections 3 to 5 of the EPO 1997 related primarily to immigration and as a result, these have been deleted from the EPO 2020 and incorporated into the Immigration Ordinance 2020.

- Clause 2 provides the necessary definitions for the operation of the Ordinance.
- Clause 3 concerns mineral resource activities. This closely mirrors the related section of the 1994 Act. To enable full compliance with the

requirements of this Act, the Commissioner requires the consent of the Secretary of State before issuing a permit under this clause.

- Clause 4 relates to conservation of Antarctic fauna and flora. This also closely reflects the relevant section of the 1994 Act, with the additional words “or recklessly” appearing in (1)(a) and (b).
- Clause 5 provides additional conservation measures in relation to albatrosses and petrels, and relates to the provisions of the Agreement for the Conservation for Albatrosses and Petrels (ACAP).
- Clauses 6 - 8 relate to the introduction of non-native animals, plants, microscopic organisms and non-sterile soil into the Territory. These provisions represent the position in the 1994 Act and the Order.
- Clauses 9 - 11 concern special areas. These are areas restricted under the Protocol, historic sites and monuments, and places protected under the Convention. As specified in the 1994 Act, the Commissioner may issue permits in relation to these areas, with the consent of the Secretary of State.
- Clauses 12 - 15 contain further provisions relating to the granting of permits, the conditions which may be attached to permits, the ability for regulations to be made and the duty to have regard to the Protocol and the measures implementing the Protocol.
- Clauses 16 and 17 provide further measures in connection with regulations.
- Clauses 18 - 22 establish offences under the Ordinance, how those offences may be tried, defences, offences committed by bodies corporate or unincorporate and evidence.
- Clause 23 provides that the contents of the Ordinance supplement and not derogate from the 1994 Act and the Order.

## **20. The Attorney General Ordinance 2020**

The Attorney General Ordinance 2020 remains broadly unchanged from the Attorney General Ordinance 2016. The wording has been amended to make it clearer to understand and be gender-neutral.

## **21. The Marriage Ordinance 2020**

The Marriage Ordinance 2020 remains broadly unchanged from the Marriage Ordinance 2016. The wording has been amended to make it gender-neutral.

## **22. The Licensing (Sale of Alcohol) Ordinance 2020**

The Licensing (Sale of Alcohol) Ordinance 2020 remains broadly unchanged from the Licensing (Sale of Alcohol) Ordinance 2018. The wording has been amended to make it gender-neutral.

### **23. The Existing Laws (Repeal) Ordinance 2020**

The enactment of the Existing Laws (Repeal) Ordinance 2020 (“the ELRO 2020”) provides the mechanism to bring into effect the law reform and revision project. A similar approach was undertaken with the Existing Laws (Repeal) Ordinance 1990, which was signed by the Commissioner on 13 September 1990. That Ordinance came into force on 1 January 1991.

- Clause 2 defines an “existing law” and “the new laws”.
- Clause 3 provides that, with two exceptions, all existing laws are repealed. The first exception concerns those laws that are listed in sub-clause (2), which includes (for the avoidance of doubt) those laws listed in Schedule 2. The second exception relates to those laws which are set out in column A of Schedule 3, which will continue to have effect as if made under the corresponding law shown in column B.
- Clause 4 creates saving provisions, to enable the continuing operation of specific parts of laws that would otherwise be repealed.
- Clause 5 makes special provision for existing office-holders.
- Schedule 1 lists the new laws. It should be noted that these laws do not automatically come into force with the ELRO 2020. Each will need to have an *in-force* date assigned to them. This should ideally be the same date and link in with the date that the existing laws are repealed.
- Schedule 2 contains the table described in clause 3.
- Schedule 3 contains the table described in clause 3.

### **E. Regulations etc.**

Almost all existing Orders, Rules, Regulations and Notices will be preserved by the operation of Schedule 3 of the ELRO 2020. The one exception is the Licensing (Sale of Alcohol) Ordinance 2018 (Application and Fees) Regulations 2018. This is to be replaced by the Licensing (Sale of Alcohol) Ordinance 2020 (Application and Fees) Regulations 2020 and is listed accordingly in Schedule 1 of the ELRO 2020.

The Licensing (Sale of Alcohol) Ordinance 2020 (Application and Fees) Regulations 2020 has undergone this process because the wording required amendment to make it gender-neutral.

### **F. Conclusion**

This law reform and revision process represents a considerable amount of hard work undertaken by the Head of the Polar Regions Department, the Administrator and the Desk Officer at the BAT Administration. Other stakeholders, most notably the British Antarctic Survey, have provided valuable contributions and comments. The laws of the Territory, some of which have largely remained unchanged for 30 years, have now been brought up to date.

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15 April 2020