

A Guide for Researchers Wishing to Undertake Work on any Wild Animal or Plant in the Falkland Islands.

*Environmental Planning Department, Stanley, Falkland Islands
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Introduction

The purpose of this guide is to give research workers a basic insight into the legislative controls that regulate work on any wild animal or plant species in the Falkland Islands. This guidance note does not apply to any domestic or farmed/cultivated animals or plants. However, it should be consulted where such animals or plants have gone feral or have a significant population in the wild that is not managed.

Research workers are encouraged to discuss their work with staff in the Environmental Planning Department at an early stage to resolve any issues that may need further discussion. The application procedure is explained in this document.

Legislation

The main legislative provisions which regulate what can and cannot be undertaken are:

The Conservation of Wildlife and Nature Ordinance, 1999¹;
The Marine Mammals Ordinance, 1992; and
The Animals (Scientific Procedures) Ordinance, 1998.

The Conservation of Wildlife and Nature Ordinance, 1999

This legislation provides protection for all species of birds (with some exceptions), marine mammals, some other animals (e.g. all butterflies) and a list of specially protected plants. Section 9 of the legislation allows for the granting of licences, effectively allowing applicants derogation from the provisions within the earlier sections which limit what can be done to protected species. A list of currently protected species is given below. A licence is needed to undertake any work on these species.

Under the ordinance, licences are only issued for purposes of scientific research and education.

¹ And all subsequent Amendments and Orders.

The Marine Mammals Ordinance, 1992

All marine mammals are protected which essentially means all cetaceans and seals but also includes introduced Fuegian sea otters. A licence is needed (under The Conservation of Wildlife and Nature Ordinance, 1999) to undertake work on marine mammals.

The Animals (Scientific Procedures) Ordinance, 1998

This legislation enacts the UK Animals Scientific Procedures Act into Falkland Islands legislation. In essence if the work that you wish to undertake may cause pain, injury or suffering however temporary, then you *may* need a separate licence under this piece of legislation. Procedures for granting of such licences are currently under review, and applicants are urged to discuss their work with the Environmental Planning Department.

Application Procedures

Researchers are asked to complete all sections of the research licence form, sign and date it and send it to Environmental Planning Department at the address given below. Electronic submission is preferred and the form and any associated documents should be submitted in word format only. For postal applications, researchers should allow at least four weeks for the application to be received.

The licence form has boxes, which can be expanded. You should include sufficient details that set out what you intend to do, how you intend to do it, where you intend to do it and when you intend to do it. The rationale for the work, including significance at a local, regional and global level, should be explained. This is especially important where the work may be novel, invasive or involve a particularly rare or endangered species. Applicants should be aware that provision of sufficient information at an early stage will speed the process and reduce the likelihood of the Environmental Planning Department seeking further information.

The application should be in the name of the principal worker, but should also name all field assistants. It is essential that the licence is carried at all times by those engaged in the work, as evidence that the work being carried out is legitimate.

Most applications go to the Environmental Committee, which meets every two or three months. This *may* add considerable time to the determination of the application and while we will do what we can to speed the process, applications that are novel and/or contentious may require debate in committee before determination. This emphasises the need for early contact, usually when the project is being planned. This is particularly relevant to projects being undertaken by research workers based outside of the Falkland Islands.

The following sections deal with a number of specific issues that arise with many research licence applications.

Import & Export of Biological Material, Equipment and Chemicals

Like most countries, the Falkland Islands is conscious of biosecurity issues. The level of disease among farm animals and wildlife is relatively low and FIG wishes to keep it that way.

Importation of biological material is possible but in most cases it must be declared before entry. Passengers arriving on planes and via ship are required to fill out a Customs Declaration & Quarantine Form and certain products (un-cooked meat, some dairy products, plants with soil attached) cannot be brought in. All equipment brought in *must* be cleaned before importation, especially if it has been used in the field elsewhere. Contaminated equipment (and clothing) is a major entry route for pathogens and non-native species.

Many carriers have restrictions on what chemicals can be brought in, and advice should be sought on what can and cannot be imported. It may be possible to source chemicals locally

but researchers should not rely on this, unless the work is being carried out in conjunction with a local department. If chemicals are obtained then it is usual for a charge to be made.

Similarly, biological material, equipment and chemicals may be exported but research workers should be aware of procedures adopted by the relevant importing country. Research workers should be aware of restrictions on export of some found within CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) and a need for a licence to export *any* material from *any* marine mammal (under the Marine Mammal Ordinance, 1992).

Non-native species

Non-native species which live in the wild are not *in principle* exempt from the licensing regime. At least two species are specially protected (sea trout and Fuegian sea otter) and all protected species are covered by provisions within The Conservation of Wildlife and Nature Ordinance, 1999 on methods to take and kill. Other species are covered by provisions within The Animals (Scientific Procedures) Ordinance, 1998. Advice from Environmental Planning Department should be sought.

Bird Ringing and Marking

It is important that marking schemes used by researchers are lodged with Environmental Planning Department so that birds found or seen subsequent to the work being carried out can be readily identified. It is also important that marking schemes do not conflict with other work being undertaken on the same species. Researchers will be aware that some species are very long lived and that some marks and rings remain on animals for many years.

Use of metal rings or bands is permitted but there is no formal Falkland Island ringing scheme. FIG would *prefer* that all researchers use rings supplied by the British Trust for Ornithology so that data on all Falkland Island recoveries can be held centrally. The BTO operate a well developed permit system for those research workers using their rings and applicants may need to obtain the necessary licence to use BTO rings. Many schemes operate to complementary standards, so this should not pose any difficulties for experienced ringers. Researchers using BTO bands should be aware that for many species of bird here, there are no standards for ring sizes to be used and some extrapolation may be needed from known (e.g. UK) species of similar size or tarsus dimensions.

Where birds are to be ringed, ringing licence from the researcher's country should be supplied with the completed form.

Use of special nets and capture techniques should be specified.

Bioprospecting

Provisions for bioprospecting are *not* covered by this guidance. Any research worker wishing to undertake bioprospecting *must* contact Environmental Planning Department well in advance and must be prepared to enter into a formal legal agreement with FIG over access and benefit sharing.

Bioprospectors may though still need a licence to take protected species, but this will be secondary to the main agreement described above.

Access

Most land in the Falkland Islands is privately owned. Permission to work on any private land must be obtained prior to work being undertaken on that land. The Environmental Planning Department will assist where possible in identifying land owners but the onus rests with research workers to get access permission. To undertake research work without access permission may jeopardise any future licence application.

Reports

A research licence is issued with a condition that a licence report is sent to the Environmental Planning Department at the end of the fieldwork. This report should detail fieldwork activities, sampling undertaken, samples collected, catalogue numbers assigned to samples etc.

FIG also expects that any subsequent scientific papers and reports should be sent to the Environmental Planning Department. It is important that results of research are made available and that the implications of the work (if there are any) are considered and if necessary, acted upon.

Contact

The principal point of contact over licensing is:

Environmental Planning Department
PO Box 611
Stanley
Falkland Islands FIQQ 1ZZ
United Kingdom

Tel.: + 500 27390
Fax: + 500 27391
E-mail: hotley.planning@taxation.gov.fk
Team Clerk: jrowlands.planning@taxation.gov.fk

Protected Species under the Conservation of Wildlife & Nature Ordinance (1999)

Species	Scientific Name	Comment
Birds		
		All birds are protected except upland goose, domestic (feral) goose & mallard
Yellow billed teal	<i>Anas flavirostris</i>	Protected only in close season (1 st July – 31 st March)
Patagonian crested duck	<i>Anas speculariodes</i>	Protected only in close season (1 st July – 31 st March)
Other animals		
All butterfly species	<i>Lepidoptera</i>	One known breeder, but 5-6 vagrant species with one that may breed (the Falkland 'blue' butterfly)
Trout (sea or brown)	<i>Salmo trutta</i>	Brown & sea trout are the same species. Six/day, Sep 1st to Apr 30 th , with special regs for Murrell River
Zebra trout	<i>Aplochiton zebra</i>	Still widespread but probably declining

Plants

Adders tongue	<i>Ophioglossum crotalophoroides</i>	A small fern, rare
Antarctic cudweed	<i>Gamochaeta antarctica</i>	Rare
Chilean maidenhair fern	<i>Adiantum chilense</i>	Records from Saunders Island only
Chilean tall fern	<i>Blechnum cordatum</i>	Records from Saunders Island only
Comb fern	<i>Shizea fistulosa</i>	Never known to occur in Falklands
Dusen's moonwort	<i>Botrychium dusenii</i>	A small fern, rare
Falkland pondweed	<i>Potamogeton linguatus</i>	Rare
Falkland rock cress	<i>Phlebotobium maclovianum</i>	Uncommon & very local
Falklands false plantain	<i>Nastanthus falklandicus</i>	Very rare, Port Stephens area
Felton's flower	<i>Calandrinia feltonii</i>	No longer considered endemic, new species yet to identified
Fir clubmoss	<i>Huperzia fuegiana</i>	Very rare
Fuegian saxifrage	<i>Saxifraga magellanica</i>	May be extinct in wild in Falklands
Fuegian violet	<i>Viola magellanica</i>	Known only from Sea Lion Island
Fuegian whitlow grass	<i>Draba magellanica</i>	Very rare, possibly extinct
Gaudichaud's orchid	<i>Chloraea gaudichaudii</i>	Widespread but scarce
Hairy daisy	<i>Erigeron incertus</i>	Uncommon but widespread
Leathery shield fern	<i>Rumohra adiantiformis</i>	Very rare
Moore's plantain	<i>Plantago moorei</i>	Very rare, Port Stephens area
Mudwort	<i>Limosella australis</i>	Rare
Pale yellow orchid	<i>Gavilea australis</i>	Very rare
Patagonian hawkweed	<i>Hieracium patagonicum</i>	Very rare
Shrubby seablite	<i>Suaeda argentinensis</i>	Known only from Saunders Island
Skullcap	<i>Scutellaria nummulariifolia</i>	Very rare, possibly extinct
Spider flower	<i>Arachnitis quetrihuensis</i>	Very rare, known only from Stanley area
Tassel weed	<i>Ruppia filifolia</i>	Rare but abundant
Yellow ladies slipper	<i>Calceolaria biflora</i>	Very rare
Yellow orchid	<i>Gavilea littoralis</i>	Scarce
Yellow pale maiden	<i>Sisyrinchium chilense</i>	Mainly confined to West Falkland

Yellow violet

Viola maculata

Common – protection arises as it probably supports larvae of butterfly species

Protected Marine Mammals under the Marine Mammals Ordinance (1992)

Species	Scientific Name	Comment
Whales & dolphins	All Cetacea	All species
Seals	Pinnipeda	All seals, including elephant, fur and sealion (and uncommon visitors)
Fuegian sea otter	<i>Lontra felina</i>	Introduced, very rare but recent records suggest that a small population remains.

Note: It is an offence to import or export any marine mammal or part of any marine mammal living or dead except under licence. Under the Conservation of Wildlife & Nature Ordinance (1999) it is an offence to knowingly keep, sell, transport or exchange any marine mammal or any part derived from a marine mammal, except under licence. It is also an offence to deliberately disturb or damage a breeding or resting place used by a marine mammal.