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for Environment  
Food & Rural Affairs

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Public Administration International  
56 Russell Square  
London  
WC1B 4HP

**Your ref:**  
**Our ref:** Project 27037  
**Date:** 18 June 2019

Dear [REDACTED]

## **Call-off from The Conflict Stability and Security Fund Foreign & Commonwealth Office framework agreement, number CPG7982015.**

### **For: Overseas Territories Support Legislation Reform**

Under call-off arrangements with the Foreign & Commonwealth Office Defra wishes to engage your services under the terms of the above named framework agreement completed 17 May 2017.

The requirement is for the drafting of model biosecurity legislation which can then be adapted to the individual needs of Overseas Territories that have expressed a need for such legislation (specifically Falkland Islands, British Virgin Islands, Turks and Caicos Islands, Tristan da Cunha and Pitcairn). Also the finalising of work initially carried out for St Helena and Ascension under call-off contract dated 01 August 2018.

I have attached Terms of Reference (ToR) providing scope of the requirement, contact details of the project officer and an estimate of costs table for drafting the model legislation and further adaptation work. If time required and/or costs exceed the attached table estimate we may extend this contract via a Contract Change Note (CCN) subject to agreement from all parties

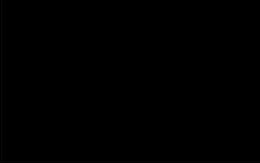
The ToR includes the additional requirement of making the model legislation ready for publication on Animal & Plant Health Agency's website.

Following contract acceptance (and activation on Bravo) can you please liaise with the contacts listed in the ToR as appropriate regarding meeting this requirement and establishing a timescale for completion of the model legislations (no later than 31 March 2020)

Payment will be made on agreed completion of the draft model legislation for each territory. Payment for the preparation of the model legislation and finalising draft legislation for St Helena and Ascension work should be submitted as a single invoice. All Invoices should quote the purchase order number (to follow) and submitted to:

  
Wildlife Team  
Wildlife, Climate Change and Forestry  
DEFRA  
Horizon House  
Deanery Road  
Bristol  
BS1 5AH

Yours sincerely



Countryside, Nature and Biodiversity Procurement Team  
DEFRA

T: 020   
E:  [@Defra.Gsi.Gov.uk](mailto: @Defra.Gsi.Gov.uk).

### **Electronic Signature**

Acceptance of the award of this contract will be made by electronic signature carried out in accordance with the 1999 EU Directive 99/93 (Community framework for electronic signatures) and the UK Electronic Communications Act 2000.

The Contract is formed on the date on which the Supplier communicates acceptance on the Authority's electronic contract management system ("**Bravo**").

No other form of acknowledgement will be accepted.

## TERMS OF REFERENCE

### DRAFTING OF LEGISLATION TO COVER REGISTRATION REQUIREMENTS FOR TACKLING INVASIVE SPECIES IN THE UK OVERSEAS TERRITORIES

#### *Background*

This request is driven by the need for comprehensive legislation to underpin biosecurity. Islands are recognised as particularly vulnerable to invasive non-native species (pests, weeds and diseases) which threaten agricultural production, biodiversity and public health. Examples of such species include the Pacific Lionfish, Pink hibiscus mealybug, and insect vectors responsible for malaria and Zika, among others. Biosecurity systems provide the protection needed by the Territories from the incursion of new invasive non-native species. The borders of the island Territories are very porous and there are multiple ways in which people can introduce illegal or restricted items. The growth in tourism and globalisation is resulting in a concomitant increase in importation of regulated items such as food-vegetables, fruits, meats, live plants, timber, and live animals, which pose a serious threat for the introduction of hitchhiker and contaminant species. Without the proper support in place, this issue can escalate.

#### *Scope*

Falkland Islands, British Virgin Islands, Turks and Caicos Islands, Tristan da Cunha and Pitcairn. Also, finalise work initially carried out for St Helena and Ascension under call-off contract dated 01 August 2018

#### *Objective*

The development of biosecurity legislation would make a direct contribution to the National Security Council (NSC) objectives of protecting the prosperity and economic development of the Overseas Territories (OTs), by protecting agriculture and fisheries. It would also contribute to improving OTs' ability to meet international obligations to protect biodiversity, including under the Convention on Biological Diversity, which has been extended to the Falklands and St Helena.

#### *Methodology*

The request is for the development of model biosecurity legislation, together with assistance with legal drafting to adapt the model to each Territory for endorsement. Also prepare form of model biosecurity legislation ready for publication on Animal & Plant Health Agency's website.

Comprehensive model legislation will provide the full complement of regulations required for effective biosecurity, including components for phytosanitary and zoonosanitary risks, border actions, post-border surveillance and emergency response, compliance, enforcement and sanctions. Once the model is complete, each of the in Scope Territories will access drafting support to analyse existing legislation and adapt the model to fill in the gaps in a manner appropriate to their specific needs. By this means biosecurity legislation will be harmonised across the UKOTs to international standards.

The in Scope territories will provide the relevant policy input for the model legislation, with support from the GB Non-Native Species Secretariat in collaboration with Public Administration International (PAI), as required.

Model biosecurity legislation will be of interest to most of the Territories as existing legislation is generally weak, as evidenced by a recent biosecurity gap analysis carried out for all Territories as part of this project,

and a review of biosecurity legislation in the Caribbean Territories carried out by the RSPB. The exceptions are Gibraltar (covered by EU legislation), and BAT and South Georgia (covered by Antarctic Treaty legislation).

### *Timing*

This is to be proceeded with as soon as possible. Biosecurity legislation or the lack thereof, holds back the development of the biosecurity systems, putting the fragile ecosystems of the Territories at risk. All are undergoing growth in several sectors, such as tourism and for the Falklands hydrocarbon exploration, and with a growing population and increasing imports it is important to get legislation in place as soon as possible.

### *Key contacts*

██████ - GB Non-Native Species Secretariat, Animal and Plant Health Agency (implementing partner) - +44 (0) 02080 ██████ or +44 (0)7789 ██████ – ██████ [@apha.gov.uk](mailto:██████@apha.gov.uk)

██████ – Policy Advisor, Defra - +44 20802 ██████ – ██████ [@defra.gov.uk](mailto:██████@defra.gov.uk)

Please liaise with both contacts.

# Legislative Support on Biosecurity

Budget Estimate – 4 April 2019

## 1. Preparing the biosecurity bill for the website

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Principal Project Lawyer	██████████	█	██████████
<b>Totals</b>				██████████

## 2. Finalising draft bills for St Helena and Ascension Islands

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
<b>Totals</b>				██████████

## 3. Drafting a bill for the Falkland Islands

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
██████████	Project Manager	██████████	█	██████████
<b>Totals</b>				██████████

## 4. Drafting a bill for the British Virgin Islands

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
██████████	Project Manager	██████████	█	██████████
<b>Totals</b>				██████████

**5. Drafting a bill for Turks and Caicos Islands**

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
██████████	Project Manager	██████████	█	██████████
<b>Totals</b>				██████████

**6. Drafting a bill for Tristan da Cunha**

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
██████████	Project Manager	██████████	█	██████████
<b>Totals</b>				██████████

**7. Drafting a bill for Pitcairn**

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter	██████████	█	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	█	██████████
██████████	Project Director	██████████	█	██████████
██████████	Project Manager	██████████	█	██████████
<b>Totals</b>				██████████

**Contingency fees for possible visit to BVI and/or TCI**

Type of Cost	Rate	Quantity	Total
Contingency for travel and accommodation costs for a possible visit to BVI and/or TCI, as agreed in advance by DEFRA/APHA	Actual costs incurred	As incurred, estimate	██████████
<b>Totals</b>			██████████

**TOTAL COST**

**£79,981.50**