



Department
for Environment
Food & Rural Affairs

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Public Administration International
55 – 56 Russell Square
London
WC1B 4HP

Our ref: Project 34579
Date: 01 December 2021

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.

The Service shall consist of the development of biosecurity legislation for the Falkland Islands and South Georgia, based on model legislation for the United Kingdom (UK) Overseas Territories (OTs) and for additional legal advice for Montserrat.

I have attached Terms of Reference (ToR) providing scope of the requirement, contact details of the project officers and pricing. If the 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.

Delivery of the Service shall be completed by 31 March 2022 and in accordance with the TOR.

Payment will be made on agreed completion of the draft legislation for South Georgia and the Falkland Islands, a Biosecurity Policy for the Falkland Islands and a note summarising advice given to Montserrat. Payment for finalising the draft legislation for South Georgia and the Falkland Islands, a Biosecurity Policy for the Falkland Islands and a note summarising advice given to Montserrat should be submitted as a single invoice. All Invoices should quote the purchase order number (to follow) and be submitted to:

[REDACTED]
Non-Native Species Secretariat
APHA
Sand Hutton
York
YO41 1LZ

Yours sincerely

[REDACTED]
Category Lead – Vets & Labs
Defra group Commercial

T: 0208 565 4809

E: [REDACTED]

Execution of this evaluation outcome letter is carried out in accordance with EU Directive 99/93 (Community framework for electronic signatures) and the Electronic Communications Act 2000.

TERMS OF REFERENCE

DRAFTING OF LEGISLATION TO COVER REGISTRATION REQUIREMENTS FOR TACKLING INVASIVE SPECIES IN THE UK OVERSEAS TERRITORIES (2021 - 22)

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

Biosecurity legislation in final draft for the Falkland Islands and South Georgia; Biosecurity policy completed for the Falkland Islands. Montserrat does not have biosecurity legislation and need to meet requirements of the Organisation of East Caribbean States for biosecurity legislation.

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 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.

Methodology

The request is for the development of biosecurity legislation for the Falkland Islands and South Georgia, based on model legislation for the UKOTs and for additional legal advice for Montserrat.

The Falkland Islands have draft legislation and require a biosecurity policy to be developed prior to the completion of legislation. The biosecurity policy will be drafted by a biosecurity expert in consultation with local stakeholders and will inform the completion of biosecurity legislation. The legislation shall be completed by a legal drafter in consultation with local stakeholders.

A review of South Georgia's legislation has been completed however biosecurity legislation has not been drafted. A legal drafter will complete draft legislation based on the existing review in consultation with local stakeholders.

Montserrat faces a potential conflict between model legislation designed for UKOTs and OECS requirements and are unlikely to be in a position to devise legislation in the 2021/22 financial year, however, however legal advice will be given to help identify a way forward for biosecurity legislation.

The three territories will provide the relevant policy and technical input for the model legislation, with support from the GB Non-Native Species Secretariat in collaboration with PAI, as required.

Timing

Work shall be completed by 31 March 2022. The Biosecurity policy will need to be developed in advance of the completion of legal drafting and is expected to be completed by 31 January 2022. Legal drafting shall be completed by 31st March 2022

Key contacts

██████████ - GB Non-Native Species Secretariat, Animal and Plant Health Agency (implementing partner) - +44 (0)1904406614 or +44 (0)7840600279 - ██████████

██████████ - GB Non-Native Species Secretariat, Animal and Plant Health Agency (implementing partner) +44 (0)7554 265817 ██████████

Please liaise with both contacts.

Pricing

DRAFTING OF LEGISLATION TO COVER REGISTRATION REQUIREMENTS FOR TACKLING INVASIVE SPECIES IN THE UK OVERSEAS TERRITORIES (2021 - 22)

Legislative Drafting and Policy Drafting on Biosecurity

Budget Estimate – 17 September 2021

Name	Title	Fee Daily Rate	Number of Days	Total
██████████	Legislative Drafter South Georgia and Falkland Islands	██████████	██	██████████
██████████	Policy Drafter Falkland Islands	██████████	██	██████████
██████████	Quality Controller, Principal Project Lawyer	██████████	1	██████████
██████████	Project Director	██████████	1	██████████
Total				£24,395.00