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The following are published in this Supplement —

Retirement Pensions (Amendment) Bill 2025; and

Currency (Amendment) Bill 2025.

Retirement Pensions (Amendment) Bill 2025

(ORDINANCE No. OF 2025)

ARRANGEMENT OF PROVISIONS

Clause

Part 1 - Preliminary

1. Title
2. Commencement

Part 2 - Amendment of Retirement Pensions Ordinance 1996

3. Amendment of Retirement Pensions Ordinance 1996
4. Section 2 amended (interpretation)
5. Section 6 replaced (married couple's supplement)
6. Other amendments

Part 3 - Amendment of Regulations

7. Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996
8. Amendment of Retirement Pensions (General Provisions) Regulations 1996

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Schedule - Other amendments

Retirement Pensions (Amendment) Bill 2025

(assented to: 2025)
(commencement: 1 January 2026)
(published: 2025)

A BILL

for

AN ORDINANCE

To amend the Retirement Pensions Ordinance 1996 and regulations to remove discrimination regarding payment of the married couple's supplement; to provide for payment of the supplement retrospectively to previously excluded persons and to provide for connected matters.

BE IT ENACTED by the Legislature of the Falkland Islands —

Part 1 - Preliminary

1. Title

This Ordinance is the Retirement Pensions (Amendment) Ordinance 2025.

2. Commencement

This Ordinance comes into force on 1 January 2026.

Part 2 - Amendment of Retirement Pensions Ordinance 1996

3. Amendment of Retirement Pensions Ordinance 1996

This Part amends the Retirement Pensions Ordinance 1996.

4. Section 2 amended (interpretation)

In section 2(1) —

(a) insert the following definitions in the correct alphabetical order —

"**annual earnings limit**" means the weekly rate prescribed for the purposes of section 10(4) multiplied by 52;

"**couple's supplement**" means the supplement to a pension that is payable under section 6;

"**earnings**" in relation to any person and any period means that person's earned income as computed in accordance with the Taxes Ordinance 1997 before any deductions (whether or not any of that income is subject to income tax);

"**partner**" means one of the parties to a marriage or a civil partnership;

"**pensionable age**" means the age of 65 years;"; and

(b) in the definition of "standard weekly rate" delete "married".

5. Section 6 replaced (married couple's supplement)

Replace section 6 with —

"6. Couple's supplement

(1) A couple's supplement is payable to a partner ("**partner 1**") who is entitled to a retirement pension and whose partner ("**partner 2**") has not yet reached pensionable age.

(2) The couple's supplement is payable in respect of every week beginning before partner 2 reaches pensionable age.

(3) To qualify for a couple's supplement the following requirements must be met —

(a) partner 1 must —

(i) have made contributions, under the 1952 Ordinance or be deemed to have made contributions under that Ordinance; and

(ii) be entitled to a retirement pension under section 4; and

(b) partner 2's earnings are less than the annual earnings limit, in the year before the year in which the supplement is paid.

(4) The couple's supplement is payable to partner 1 after partner 2 has reached pensionable age if —

(a) either —

(i) partner 2 is not entitled to a pension under this Ordinance; or

(ii) partner 2 is entitled to a pension which is less than the couple's supplement; and

(b) partner 2's earnings (if any) were equal to or less than the annual earnings limit, in the year before the year in which the supplement is paid.

(4) Where partner 2's pension is less than the supplement, the supplement payable to partner 1 is reduced by the amount of the pension payable to partner 2.

(5) The standard weekly rate of the couple's supplement must be specified by regulations which must be approved by the Legislative Assembly.".

6. Other amendments

The provisions set out in the first column of the Schedule are amended as specified in the second column.

Part 3 - Amendment of Regulations

7. Amendment of Retirement Pensions (Prescribed Rates) Regulations 1996

(1) This section amends the Retirement Pensions (Prescribed Rates) Regulations 1996.

(2) In regulation 2, in the definition of "earnings" replace "Taxes Ordinance 1994" with "Taxes Ordinance 1997".

(3) In regulation 3(b), delete "married".

(4) In regulation 4(1) replace "and 65 years" with "years and pensionable age".

8. Amendment of Retirement Pensions (General Provisions) Regulations 1996

(1) This section amends the Retirement Pensions (General Provisions) Regulations 1996.

(2) In regulation 2, in the definition of "earnings" replace "Taxes Ordinance 1994" with "Taxes Ordinance 1997".

(3) In regulation 2(3) delete "(c)".

(4) In regulation 7(1) and (4) delete "married".

Part 4 - Transitional provision

9. Transitional provision

(1) In this section —

"**Amendment Ordinance**" means the Retirement Pensions (Amendment) Ordinance 2025;

"**qualifying partner**" means the partner in a marriage, or a civil partnership specified in subsection (3);

"**married couple's supplement**" means the supplement payable under section 6 of the Ordinance before the commencement of the Amendment Ordinance;

"**same sex marriage**" means a same sex marriage solemnised under the Marriage and Civil Partnerships Ordinance 1996;

"**the Ordinance**" means the Retirement Pensions Ordinance 1996;

"**the 1952 Ordinance**" means the Old Age Pensions Ordinance 1952.

(2) A qualifying partner may claim a payment in accordance with this section if they —

(a) are entitled to a retirement pension under section 4 of the Ordinance;

(b) became entitled to that pension before the date of commencement of the Amendment Ordinance; and

(c) the qualifying partner became entitled to their pension before their partner in the marriage, same sex marriage or civil partnership became entitled to theirs.

(3) The following persons are "**qualifying partners**" —

(a) a married woman who has made contributions under the 1952 Ordinance or is deemed to have made contributions under that Ordinance;

(b) a man in a same sex marriage or civil partnership, who made contributions under the 1952 Ordinance;

(c) a woman in a same sex marriage or civil partnership, who has made contributions under the 1952 Ordinance or is deemed to have made contributions under that Ordinance.

(4) The qualifying partner is entitled to a one-off lump sum payment equivalent to a married couple's supplement calculated from the date that they became entitled to a pension until the date of commencement of the Amendment Ordinance.

(5) For the avoidance of doubt, a qualifying partner must still be alive at the time of their claim.

SCHEDULE – OTHER AMENDMENTS

section 6

Provision	Amendment
Section 2	In subsection (1) in the definition of "prescribed" insert "prescribed by" after "means".
Section 4	In subsection (1)(b), replace "the age of 65 years" with "pensionable age".
Section 7	In subsection (2)(a), replace "the age of 65 years" with "pensionable age".
Section 10	(a) In subsection (3)(a) and (b) replace "and 65 years of age" with "years and pensionable age". (b) In subsection (3)(c), replace "the age of 65 years" with "pensionable age". (c) In subsection (6), in the concluding paragraph, replace "Taxes Ordinance 1994" with "Taxes Ordinance 1997".
Section 11	In subsection (1), replace "and 65 years of age" with "years and pensionable age".
Section 12	(a) In subsections (1) and (2), replace "the age of 65 years" with "pensionable age". (b) In subsection (2)(c), replace "his 65th birthday" with "the day on which they reach pensionable age".
Section 13	In subsection (1)(b), replace "and 65 years of age" with "years and pensionable age".
Section 25	In subsection (1), replace "Taxes Ordinance 1994" with "Taxes Ordinance 1997".

OBJECTS AND REASONS

This Bill amends the Retirement Pensions Ordinance 1996 ("the Ordinance") in order to remove discriminatory provisions relating to receipt of a married couple's supplement to a pension under section 6. It also introduces a clear financial threshold for eligibility for payment of the supplement.

The married couple's supplement to a pension is only available to married men. This Bill extends payment of the supplement to partners in same sex marriages and civil partnerships registered under the Marriage and Civil Partnerships Ordinance 1996. The couple's supplement will be payable to both men and women and in respect of all formalised relationships. Transitional amendments are included in order to retrospectively correct discrimination suffered by some pensioners. Consequential amendments are required to definitions and to two sets of Regulations.

The requirements for receipt of the supplement are also changed by replacing the requirement for a person in receipt of the married couple's supplement to satisfy the Board that they are maintaining their partner within a financial threshold.

Part 1, clauses 1 and 2 are preliminary provisions. This Bill will commence on 1 January 2026.
Part 2, clauses 3 to 6 - this Part amends sections 2 and 6, and introduces other amendments contained in the Schedule. New definitions of "earnings", "annual earnings limit", "couple's supplement", "partner" and "pensionable age" are inserted in section 2.

Clause 5 replaces section 6 in order to remove the current discrimination against married women, partners in civil partnerships and in a same sex marriage. A married man will no longer be the sole beneficiary of the supplement. Any partner in a marriage (which includes a same sex marriage) or civil partnership (partner 1) who becomes entitled to a retirement pension before the other partner (partner 2) and who meets the requirements of section 6(2), may claim a couple's supplement to their pension.

The requirements under section 6(2) are that:-

(a) partner 1 must have paid contributions or be deemed to have made contributions under the Old Age Pensions Ordinance 1952;

(b) partner 1 is entitled to a retirement pension under section 4 of the Ordinance (1996); and

(c) partner 2s annual earnings do not exceed the annual earnings limit.

The new section 6(2) no longer includes the requirement to show, to the satisfaction of the Board, that partner 1 is maintaining partner 2. Instead, a threshold has been set (annual earnings limit) in respect of partner 2 as a new requirement. For partner 1 to receive a supplement, partner 2's annual earnings must not be equal to or exceed the threshold. The "maintaining" requirement proved to be difficult to enforce without policy guidance or legislative threshold. This change ensures that the benefit is paid to originally intended beneficiaries of the supplement (i.e. lower income households). The annual threshold is found by multiplying by 52 the earnings limit prescribed for section 10 (set under regulation 6 of the Retirement Pensions (Prescribed Rates) Regulations 1996). Individuals earning below that amount are not liable to make contributions under section 10 of the Ordinance. This currently works out to £19,115.20.

Under the new section 6 of the Ordinance any partner in a marriage, same sex marriage or civil partnership who becomes entitled to a retirement pension before the other partner reaches retirement age, may apply for a couple's supplement if they meet the other requirements. When partner 2 reaches retirement age, the supplement will be paid in accordance with section 6(3). If partner 2's pension is less than the supplement, partner 1's supplement is reduced by the amount of the pension payable to partner 2.

Clause 6 makes consequential amendments contained in the Schedule. These are necessitated mainly by the insertion in section 2 of the definition of "pensionable age". Corrections are also made to references to the Taxes Ordinance, and the definition of "prescribed".

Part 3, clauses 7 and 8 make consequential amendments and a correction to the Retirement Pensions (Prescribed Rates) Regulations 1996 and the Retirement Pensions (General Provisions) Regulations 1996.

Part 4 clause 9 is a transitional provision to correct past disadvantages. Qualifying partners (partners who were discriminated against previously, who are listed in *clause 9(3)*) may claim a married couple's supplement retrospectively. A qualifying partner who became entitled to a retirement pension before the other partner became entitled to theirs, in a marriage, same sex marriage or civil partnership may claim a one-off lump sum payable with effect from the date of retirement to the date of commencement of the Retirement Pensions (Amendment) Ordinance 2025. The qualifying partner must meet the requirements set out in *clause 9(2)*.

The couple's supplement is calculated at the rate prescribed under the Retirement Pensions (Prescribed Rates) Regulations 1996 for the period of the claim. Further the qualifying partner must be alive at the time of the claim. Claims may not be made on behalf of the estate of a deceased qualifying partner.

Currency (Amendment) Bill 2025

(ORDINANCE No. OF 2025)

ARRANGEMENT OF PROVISIONS

Clause

1. Title
2. Commencement
3. Amendment of Currency Ordinance 1987
4. Section 2 amended (interpretation)
5. Section 5A inserted (currency officers)
6. Section 6 amended (issue of currency)
7. Section 9 amended (legal tender)
8. Section 12 replaced (conversion of Falkland Islands pounds into sterling and vice versa)
9. Section 13 amended (currency fund)
10. Section 21 amended (annual statement of state of fund)
11. Section 22 replaced (regulations)

Currency (Amendment) Bill 2025

(assented to: 2025)
(commencement: on publication)
(published: 2025)

A BILL

for

AN ORDINANCE

To amend the Currency Ordinance 1987 to update provisions; remove obsolete provisions; and provide for connected matters.

BE IT ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Currency (Amendment) Ordinance 2025.

2. Commencement

This Ordinance comes into force on publication in the *Gazette*.

3. Amendment of Currency Ordinance 1987

This Ordinance amends the Currency Ordinance 1987.

4. Section 2 amended (interpretation)

In section 2 —

(a) insert the following definition in the correct alphabetical order —

""**currency officer**" means a Commissioner or any person appointed under section 5A;"; and

(b) delete the definition of "Crown Agents".

5. Section 5A inserted (currency officers)

After section 5, insert —

"**5A. Currency officers**

(1) The Commissioners are currency officers for purposes of this Ordinance.

(2) The Commissioners must appoint not less than three other persons approved by the Governor to be currency officers.

(3) Currency officers perform functions assigned to them in regulations made under this Ordinance.".

6. Section 6 amended (issue of currency)

In section 6 —

(a) in subsection (4)(a), after "and of such", insert "size,";

(b) after subsection (5) insert —

"(6) The Commissioners may charge such surcharge as they may decide from any person desiring to purchase any coin which has been issued by the Commissioners for commemorative purposes.".

7. Section 9 amended (legal tender)

In section 9(2)(d) after "coins" insert "that".

8. Section 12 replaced (conversion of Falkland Islands pounds into sterling and vice versa)

Replace section 12 with —

"**12. Conversion of Falkland Islands pounds into sterling and vice versa**

(1) The Commissioners may buy or sell sterling against the Falkland Islands pound at the parity specified in section 4.

(2) The Commissioners may not buy or sell sterling of an amount less than or greater than an amount as may be prescribed.

(3) The greater amount prescribed under subsection (2) is the maximum that may be bought from or sold to a person in a year.

(4) The Commissioners may charge —

(a) a commission for buying or selling sterling at such rate or rates, as prescribed, or such greater or lesser margins as are permitted by international monetary agreements which apply to or have been extended to the Falkland Islands, as may be prescribed; and

(b) the cost of any disbursements incurred by the Commissioners or their agents in connection with such transactions.

(5) The Commissioners must publish or cause to be published at the Treasury or at the offices of their agents the rates referred to in subsection (4) at which they are prepared to deal against sterling with the public.".

9. Section 13 amended (currency fund)

In section 13(2)(a), after "this subsection" delete "or with the Crown Agents,".

10. Section 21 amended (annual statement of state of fund)

In section 21, delete subsections (2) and (4).

11. Section 22 replaced (regulations)

Replace section 22 with —

"**22. Regulations**

The Governor may make regulations prescribing —

(a) records to be kept by Commissioners;

(b) the security of notes and coins;

(c) the issue, reissue, withdrawal and exchange of notes and coins;

(d) anything which by this Ordinance is to be prescribed; and

(e) any other matter required for the better carrying into effect of this Ordinance.".

OBJECTS AND REASONS

This Bill amends the Currency Ordinance 1987 ("the Ordinance") in order to update the Ordinance.

Clauses 1 to 3 are preliminary provisions. This Bill will commence when published in the *Gazette*.

Clause 4 inserts a new definition of "currency officers". The definition of "Crown Agents" is deleted because it is obsolete.

Clause 5 inserts a new section 5A which provides that Commissioners are currency officers and must appoint not less than three other persons to be currency officers. This provision is transferred from the current Currency Notes Rules 1939 to enable the currency officers to perform functions related to both coins and notes. Further power for the appointment of other currency officers is now authorised in the Ordinance rather than the Notes Rules. Currency officers perform functions assigned to them in regulations.

Clause 6 amends section 6(4)(a) to add "size" to the matters to be prescribed in respect of currency notes. This will allow different sizes of notes to be prescribed.

Clause 7 makes corrections to section 9.

Clause 8 replaces section 12 which provides for conversion of Falkland Islands currency into sterling and vice versa. The new section allows for a limit to be imposed on the minimum and maximum amounts of sterling or Falkland Islands pounds that may be bought or exchanged by the Commissioners. The minimum amount is prescribed at £40 and maximum at £5,000 (prescribed in the Currency Regulations 2025). £5,000 is the maximum amount that a person is allowed to sell or to buy in a year. Further the Commissioners may charge a commission for buying or selling sterling at a prescribed rate. The rate of commission is prescribed in regulations as 20%.

Clause 9 removes an obsolete reference to "Crown Agents" from section 13.

Clause 10 removes the requirement for submission of the Principal Auditor's certificate to the Governor and the Secretary of State and removes the requirement for the Commissioners' accounts to be audited by the Principal Auditor. Auditing of the Commissioner's accounts is done by Government auditors who are appointed by the Governor under section 80 of the Constitution.

Clause 11 replaces and expands the regulations section to ensure that all matters that are to be prescribed under the Ordinance are covered.

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