



ORDINANCES  
of the  
COLONY  
of the  
FALKLAND ISLANDS  
enacted during the year  
1949  
together with the  
Rules, Regulations, etc., etc.,  
made during that year.

PART I.

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ORDINANCES.

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Assented to in His Majesty's name this 5th day of March, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 1

1949.

## Colony of the Falkland Islands and its Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

### An Ordinance

To amend and consolidate the law relating to the Administration of Justice.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

#### PART I.

##### PRELIMINARY.

1. This Ordinance may be cited as the Administration of Justice Ordinance 1949. Short title.

2. In this Ordinance unless the context otherwise admits: Definitions.

"Appeal" means an appeal to His Majesty in Council.

"Civil case" means process for the recovery of individual right or redress of individual wrong and includes an action by the Government for the recovery of fines or penalties.

"Complaint" includes an information.

"Court" means a magistrate sitting either alone or with other justices or one or more justices sitting to hear any cause which they may be empowered to hear.

"Criminal case" means a case which might result in the infliction of a fine or imprisonment or one in which money claimed to be due is recoverable on information as well as on complaint.

"Judge" means the person nominated or acting as Judge under section 8 hereof.

"Judgment" includes a decree, order, rule or sentence.

"Record" means all pleadings proceedings notes of evidence and judgments relating to an appeal to be laid before His Majesty in Council on the hearing of an appeal.

"Supreme Court" means the Judge sitting either alone or with jury or assessors or in Chambers.

## PART II.

### COURT OF SUMMARY JURISDICTION.

3. (1) The Governor may appoint such magistrates and justices as he may deem necessary and every such magistrate or justice shall have jurisdiction in civil and criminal cases as hereinafter provided within the district specified in his warrant of appointment and if no limits be so specified he shall have jurisdiction throughout the Colony.

(2) A Justice shall have all the powers and perform all the duties of a Justice of the Peace in the United Kingdom subject to any limitation thereof contained in this or any other Ordinance.

4. A Magistrate shall unless the contrary be expressed in this or any other Ordinance, have power

(1) to hear, try, determine and adjudge criminal matters which may be summarily dealt with: but he shall not have power to impose a term of imprisonment greater than one year and

(2) to enquire into all charges of indictable offences and make such order in respect thereof as the evidence shall justify

(3) to hear and determine civil cases where the amount claimed does not exceed £100 or in the case of a claim for the recovery of possession of land the annual rent or value thereof does not exceed £100.

5. The Jurisdiction of the Court when no Magistrate is present shall be

(1) when one Justice is sitting alone, to hear and determine any information relating to an offence against any law not containing any provision to the contrary but he may not impose a fine greater than £5:

(2) when two or more Justices who must be present during the whole hearing and determination are sitting, to hear and determine any information relating to

(a) any contravention of any law not containing any provision to the contrary

(b) any offence for which the offender is liable under any law, not containing any provision to the contrary, upon summary conviction to be imprisoned or fined or otherwise punished:

Provided they shall not have power to impose any term of imprisonment greater than one year.

6. A Magistrate may summon two or more Justices to sit with him as assessors at any trial.

7. (1) Any assessor who shall, without reasonable cause fail to attend Court or refuse to act as an assessor shall be liable to a fine not exceeding £10 which the Magistrate may impose summarily.

(2) An assessor shall have no voice in the decision of any case but should he dissent from the judgment of the Court, his name together with a note of the grounds of such dissent shall be recorded on the proceedings and signed by him.

## PART III.

### SUPREME COURT.

8. (1) The Judge shall be nominated by the Secretary of State and appointed by the Governor under the Public Seal. Appointment of Judge.

(2) No person shall be appointed to be a Judge unless:

(a) he is qualified to practise in a Court in the United Kingdom or some part of the British Commonwealth having unlimited jurisdiction either in civil or criminal matters, and

(b) he has been qualified for not less than five years to practise as an advocate or solicitor in such court:

Provided that whenever the office of Judge is vacant or if the Judge become incapable or be suspended or be absent from the Colony then the Governor may act as Judge or may appoint some fit and proper person to act as Judge until the vacancy be filled by a new appointment or the Judge return to the Colony.

9. The Supreme Court shall have within the Colony: Jurisdiction.

(1) all the power, jurisdiction and authority expressly or implicitly vested in it by any law

(2) all the power, jurisdiction and authority vested in the High Court of Justice, the Courts of Oyer and Terminer general gaol delivery and Quarter Sessions in the United Kingdom.

10. The Judge may cause any member of Council or Justice to be summoned to sit with him as an assessor at any trial and any assessor so summoned shall be subject to the liability and condition contained in section 7. Assessors.

11. The Judge may cause jurors to be summoned to attend at any sitting of the Supreme Court and may give such directions as to time and place to which they shall be summoned and as to the numbers to be summoned as he may deem fit. Juries.

12. (1) The Supreme Court shall sit in Stanley as and when the Governor shall so order. Sittings.

(2) The Governor may direct the Supreme Court to sit at any time and place for trial of any civil or criminal case.

## PART IV.

### JURIES.

13. Every person except as hereinafter mentioned, between the ages of 21 and 60 years being the owner or occupier of real estate of the value of not less than £10 per annum shall be qualified and liable to serve on juries in all civil and criminal proceedings: Qualifications for Jury.

Provided that no person whose normal place of residence is beyond a radius of six miles of Stanley shall without the order of the Judge be summoned to serve on a Jury other than a Coroner's jury or at a sitting of the Supreme Court ordered under section 12 (2).

14. The following are disqualified from serving on juries: Persons disqualified.

(1) aliens

(2) persons who have been convicted of treason felony or perjury or of an infamous crime unless they have received a free pardon.

Appointment and Powers etc. of Magistrate and Justices.

Powers of Magistrate.

Jurisdiction of Court when Magistrate not present.

Assessors to Magistrate.

Assessors.

15. The following persons are exempt from serving on juries:- Members of and Clerks to the Legislative and Executive Councils, members of H. M. Armed Forces, Officers of the Supreme Court, Barristers, Solicitors and Attorneys, Ministers of Religion, Justices, Registered Medical Practitioners, Police Officers, and licenced pilots and Customs Officers when not on actual duty.

16. (1) It shall be the duty of the registration officer under the Legislative Council (Elections) Ordinance, 1948 in preparing the register of electors for any year to mark in the prescribed manner the names of such persons included in the lists as are qualified and liable to serve as jurors.

(2) Any person who is marked as a juror in the register of electors who claims that by reason of some disqualification or exemption he should not be so marked may within 7 days of the publication of the electors' list apply to the registration officer to have the mark placed against his name removed and the registration officer shall within seven days of the receipt of the application notify the applicant his decision thereon.

(3) If the registration officer refuses to comply with the application made under the last preceding subsection or fails to notify the applicant thereon as prescribed the applicant may within seven days of the notification of refusal to comply, on expiration of the prescribed time, apply to a Court for a declaration that he ought not to be marked as a juror.

(4) The registration officer shall within 14 days of the completion of compilation of the electors list or as soon as all claims under subsection (2) of this section have been disposed of forward a list marked in the prescribed manner to the Registrar who shall therefrom compile a Jurors' Book.

(5) If a registration officer refuses neglects or fails without reasonable cause to perform any of his duties under this section or wilfully marks as a juror any person who ought not to be so marked or fails to mark as a juror any person who ought to be so marked shall be liable on summary conviction to a fine not exceeding £100.

17. Every person whose name is included in the Jurors' Book shall be liable to serve as a juror, notwithstanding that he may have been entitled by reason of some disqualification or exemption to claim that he ought not to be marked in the electors' list as a juror:

Provided that any such person shall be excused from attendance on a jury on the grounds of illness or, if a woman, for medical reasons.

Provided also that nothing in this Section shall affect the power of the Judge to excuse any person from attending on a Jury.

18. (1) Every case in which the prisoner is arraigned on a capital charge shall be tried by a jury of 12 persons and unless otherwise ordered by the Judge 24 persons shall be summoned.

(2) Every other criminal case and every civil case if tried by a jury shall be tried by a jury of seven persons and unless ordered by the Judge fourteen persons shall be summoned.

(3) On the application of the parties in a civil case or of the prosecution or accused in a criminal case or the Judge may in his discretion order that the jury shall be composed of men only or of women only.

19. A summons to serve on a jury shall be sent by post or served personally upon the juror or upon some responsible person at the normal place of abode of the juror at least three days before the day appointed for the sitting of the Court.

20. If any person duly summoned shall fail to attend as a juror or after appearance shall withdraw himself without the permission of the Judge the Judge may summarily impose a fine not exceeding £10. Failure to attend.

21. The persons whose names are first drawn from a box in open court shall, subject to a challenge mentioned in section 22 not being upheld, be sworn and form the jury: Ballot.

Provided that in case of the number of the jurors summoned being exhausted by reason of challenge or otherwise the Supreme Court may complete the number from among the bystanders and any bystander refusing to act may summarily be fined a sum not exceeding £10.

22. The prosecution, prisoner and the parties to civil action, shall have the right to challenge members of the jury before they are sworn as follows: Challenges.

(1) a peremptory challenge without cause shall only be exercised by a prisoner charged with treason or felony, and shall be limited to 6 challenges.

(2) The prosecution or prisoner and a party to a civil action may challenge for cause without limitation.

23. If during the trial a juror dies or becomes incapable of acting or is absent the jury shall subject to consent being given in writing by or on behalf of the prosecutor and the accused, or by or on behalf of both parties in a civil case, be deemed properly constituted. Absence of Juror.

Provided that should the prosecutor or accused not assent or the jury be reduced below ten on a trial for a capital offence or six on any other offence a fresh jury shall be sworn.

Provided also that should both parties in a civil case not assent or the Jury be reduced below five a fresh jury shall be sworn.

24. The Judge may when he shall deem it expedient make an order for the jury to view together with two persons named by him, one being appointed by each party. Viewing.

25. The Judge may permit jurors to separate after being sworn except upon trials for murder treason and treason felony. Separation.

26. (1) The verdict of the jury shall be unanimous except in that in civil cases the verdict of the majority may be taken by consent of both parties. Verdict.

(2) The verdict shall be given in the Court in the presence of them all and in the cases of treason and felony in the presence of the defendant.

27. (1) A party in a civil case who has applied for, and been granted, a jury shall pay to the Registrar not less than 3 days before the date of hearing the sum of three shillings for each juror summoned and a further sum of five shillings for each juror sworn to serve and the Registrar shall pay such sum or sums to each juror accordingly. Civil cases : fee.

(2) In the event of the trial not being concluded in one day any such party shall pay daily in advance to the Registrar a further sum of five shillings for each juror so serving.

28. (1) Any person who attempts to corrupt or influence a juror by any means other than evidence and argument in open court at the trial, or Offences.

(2) gives money to a juror after the verdict, or

(3) by improper means procures himself or others to be sworn upon a jury for the purpose of giving a verdict favourable to

one of the parties, or

(4) induces a juror not to appear and any juror consenting to any offence contained in this section

shall be guilty of a misdemeanour and shall be liable on indictment to a fine not exceeding £100 or to imprisonment for a term not exceeding one year or both such fine and imprisonment.

#### PART V. CORONERS.

Magistrate to be Coroner.

29. Every Magistrate shall be the Coroner within the district specified in his warrant of appointment and shall have and exercise all the powers and shall subject to the provisions hereof perform the duties of a coroner according to English law and practice.

Information of death.

30. Any person who shall have knowledge of death, other than from natural causes, who wilfully fails to inform the coroner or the nearest Justice or Police Officer thereof shall be liable on summary conviction to a fine not exceeding £10.

Inquest by Justice of the Peace.

31. Whenever a Justice shall receive information of any such death he shall if he cannot inform the Coroner in time, or if in his opinion the Coroner would be unable to act by reason of his being at too great a distance from where the body is lying, or if the Coroner shall so request, hold such inquest and shall exercise all the powers and perform all the duties of a Coroner in respect thereof.

Inquest by Coroner.

32. Whenever a Coroner shall receive information of such death he shall, if the circumstances so require, proceed to the spot where the body may be lying and there hold an inquest.

Procedure.

33. The Coroner shall take all evidence in the form of depositions which shall be signed by the witnesses and shall in cases of murder, manslaughter or infanticide forthwith transmit such depositions with the verdict of the jury to the Registrar.

Jury: when required.

34. If it appears to the Coroner either before he proceeds to hold an inquest or in the course of an inquest begun without a Jury that there is reason to suspect

- (a) that the deceased came to his death by murder, manslaughter, or infanticide;
- (b) that the death occurred in prison;
- (c) that the death was caused by an accident arising out of the use of a vehicle in a street or public highway;
- (d) that the death occurred in circumstances the continuance or possible recurrence of which is prejudicial to the health or safety of the public or any section of the public

he shall proceed to summon a jury in the manner required under this Ordinance, and in any other case, if it appears to him either before he proceeds to hold an inquest or in the course of an inquest begun without a jury that there is any reason for summoning a jury he may proceed to summon a jury in the manner aforesaid.

Summons to Jury.

35. The Coroner shall summon not less than seven nor more than eleven jurors and such summons shall be served in the manner provided for in section 18 except that the summons may be made returnable immediately or at such time and place as the Coroner may order.

Failure to attend.

36. If any person duly summoned shall fail to attend as a juror or after appearance shall withdraw himself without the permission of the Coroner the Coroner may summarily impose a fine not exceeding £5.

37. The jury shall be composed of seven persons whose names are first drawn from a box in open court who shall be sworn to serve. Number on Jury.

38. The Coroner may if the jury fails to agree on a verdict accept the verdict of the majority provided the minority consists of not more than two or he may cause another jury to be summoned. Verdict.

39. Any person who buries or otherwise disposes or assists in the burial or disposition of the body of a person who has apparently not died a natural death, without an order from the Coroner, or Justice performing the duties of a Coroner under section 31, shall be liable on summary conviction to a fine not exceeding £100. No burial without order.

40. The Governor may by order under his hand and the Public Seal authorise the disinterment of any body. Exhumation.

41. When any qualified medical practitioner not holding any appointment under the Government gives evidence at any inquest by direction of a Coroner he shall receive a fee of one pound, and when he holds a post-mortem examination by direction of a Coroner he shall receive a fee of two pounds. Medical fees.

#### PART VI.

##### OFFICERS OF THE SUPREME COURT.

42. The Judge shall, with the approval of the Governor, appoint a Registrar and such other officers as shall from time to time be necessary for the administration of justice whose duties shall correspond to those officers appointed to similar posts by the High Court of Justice in England. Appointment of Registrar etc.

43. The Governor may from time to time appoint any person to be a notary public who shall have all the powers and authorities of a notary public appointed under the law in England and shall use a seal inscribed "Supreme Court of the Falkland Islands, Notarial Seal". Notary Public.

#### PART VII.

##### PROCEDURE.

44. Unless otherwise provided by this or any other Ordinance the practice and procedure in the High Court of Justice in England shall as far as possible be adopted in the Supreme Court, the practice and procedure in a Court of summary jurisdiction in England shall as far as possible be adopted in a Court and the practice and procedure in a county court in England shall as far as possible be adopted in a Court sitting to hear and determine civil cases. English procedure to be followed.

45. (1) Textual or technical errors in any process or proceeding shall not invalidate such process or proceeding provided that the opposite party is not deceived or misled. Errors in proceedings.

(2) The Court trying the case shall decide whether any such textual or technical error is calculated to deceive or mislead and shall amend such errors or make such order in respect thereof as it may deem fit.

46. The conviction of an offender shall not be quashed or set aside on the ground of want of form in the order, judgment, warrant or other proceeding made in connection therewith. Want of form not to invalidate.

47. All complaints in respect of any offence, shall unless any limitation of time is especially provided for, be laid within six calendar months after the offence is alleged to have been committed. Complaints.

48. (1) When a civil claim within the limits prescribed by section 4 (3) is laid before a Justice he shall issue a summons under his hand and seal. Summons in civil cases.

(2) When a party in such civil action desires a person to be summoned as a witness to give oral evidence in Court or produce at the hearing in Court a document in the control or possession of such person a Justice shall issue a summons under his hand and seal accordingly.

Absonding defen-  
dants.

49. Where the plaintiff in any action shall prove to the satisfaction of the Judge that the plaintiff has good cause of action against the defendant and that there is probable cause for believing that the defendant is about to leave the Colony, and that the absence of the defendant will materially prejudice the plaintiff in the prosecution of his action the Judge may order such defendant to be arrested and imprisoned for a period not exceeding six months, unless and until he give security, not exceeding the amount claimed in the action, that he will not leave the Colony without the leave of the Court.

(2) Where the action is for a penalty, or sum in the nature of a penalty in respect of a contract it shall not be necessary to prove that the absence from the Colony will materially prejudice the plaintiff in the prosecution of his action and the security given shall be to the effect that any sum recovered against the defendant in the action shall be paid or that the defendant shall be committed to prison.

(3) The expenses incurred for the subsistence in prison of any person arrested under this section shall be paid by the plaintiff at the rate of five shillings a day or such other sum as the Court may from time to time direct and shall be paid monthly in advance and the costs thereof shall be recoverable as costs in the action unless the Court shall otherwise order. The Court may, on failure of the plaintiff to pay the subsistence, order that the defendant be released.

Reasons for Judgment  
to be given.

50. A Justice, Magistrate or Judge sitting without a jury in any civil or criminal case shall record his judgment in writing and every such judgment shall contain the point or points for determination, the decision thereon and the reason therefor and shall be dated by the Justice, Magistrate or Judge at the time of pronouncement.

Sentences.

51. (1) Any person sentenced to penal servitude shall be deemed to have been sentenced to imprisonment with hard labour.

(2) The Governor may by Order commute the sentence of any prisoner to a lesser sentence and such Order shall have the force and effect of a warrant of commitment.

#### PART VIII.

##### APPEALS TO PRIVY COUNCIL.

When an appeal lies.

52. Subject to the provisions of this Ordinance an appeal shall lie

- (a) as of right, from any final judgment of the Supreme Court, where the matter in dispute on the appeal amounts to or is of the value of five hundred pounds sterling or upwards, or where the appeal involves, directly or indirectly, some claim or question to or respecting property or some civil right amounting to or of the value of five hundred pounds sterling or upwards; and
- (b) at the discretion of the Supreme Court, from any other judgment of the Supreme Court, whether final or interlocutory, if, in the opinion of the Supreme Court, the question involved in the appeal is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.

Procedure on applica-  
tion for leave to  
appeal.

53. An application for leave to appeal shall be made by motion or petition to the Supreme Court within 21 days from the date of the

judgment to be appealed from. The applicant shall forthwith give notice of his application to all other parties in the action.

54. Leave to appeal shall be granted in the first instance :

Conditional leave to  
appeal.

(1) upon condition of the appellant, within a period to be fixed by the Supreme Court, but not exceeding three months from the date of the hearing of the application for leave to appeal, entering into good and sufficient security, to the satisfaction of the Supreme Court, in a sum not exceeding five hundred pounds, for the due prosecution of the appeal, and the payment of all such costs as may become payable to the respondent in the event of the appellant not obtaining an order granting him final leave to appeal, or of the appeal being dismissed for non-prosecution, or of His Majesty in Council ordering the appellant to pay the respondent's costs of the appeal (as the case may be)

(2) upon such conditions (if any) as to the time or times within which the appellant shall prepare and despatch the record to the Registrar of the Privy Council as the Supreme Court may deem fit; and

(3) upon such conditions as to payment of the sum awarded under the judgment of the Supreme Court, and costs, on the giving of security in respect thereof, or as to compliance with an order of the Supreme Court as that Court may deem fit.

55. An appellant who has obtained an order granting him conditional leave to appeal may at any time prior to the making of an order granting him final leave to appeal withdraw his appeal on such terms as to costs and otherwise as the Supreme Court may direct.

Withdrawal of appeal  
prior to order for final  
leave to appeal.

56. When an appellant, having complied with the conditions imposed on him by an order granting him conditional leave to appeal, fails to apply with due diligence to the Supreme Court for an order granting him final leave to appeal the Supreme Court may, on the application of a respondent, rescind the order granting conditional leave to appeal and may give such directions as to the costs of the appeal and the security entered into by the appellant or make such further or other order as it may deem fit.

When order for con-  
ditional leave may  
be rescinded.

57. On an application for final leave to appeal the Supreme Court may defer the granting thereof until it is satisfied that sufficient notice has been given to all respondents or may give such other directions as it may deem fit.

When order for final  
leave may be deferred.

58. When an appellant, prior to the despatch of the record to the Registrar of the Privy Council, applies to withdraw his appeal the Supreme Court may grant him a certificate to the effect that the appeal has been withdrawn and thereupon the appeal shall be deemed dismissed, without express order from His Majesty in Council, and the Supreme Court may make such order as to costs of the appeal and the security entered into by the appellant as it may deem fit.

Withdrawal of appeal  
before despatch of  
record to England.

59. An appellant who has obtained final leave to appeal shall prosecute his appeal in accordance with the rules for the time being regulating the practice and procedure in appeals to His Majesty in Council.

Prosecution of appeal.

60. When an appellant fails to show due diligence in procuring the despatch of the record to the Registrar of the Privy Council any respondent may, after giving the appellant due notice, apply to the Supreme Court for a certificate that the appeal has not been effectively prosecuted and if the Supreme Court shall grant such certificate, the appeal shall be deemed dismissed without express order from His Majesty in Council and the Supreme Court may make such order as to costs of the appeal and the security entered into by the appellant as it may deem fit.

When an appeal shall  
be dismissed for non-  
prosecution.

Consolidation of  
appeals.

61. Where there are two or more applications for leave to appeal arising out of the same course of action the Supreme Court may direct that the appeals be consolidated and grant leave to appeal by a single order.

Substitution etc. of  
parties.

62. When the record becomes defective by reason of the death or change of status of a party to the appeal :

(1) before the despatch of the record to the Registrar of the Privy Council the Supreme Court shall on an application made by any person interested, grant a certificate showing the proper person to be substituted or entered on the record in the place of or in addition to the party who has died or suffered a change of status and the name of such person shall be deemed to be substituted or entered on the record without express order of His Majesty in Council;

(2) after the despatch of the record as aforesaid the Supreme Court shall on an application made by any person interested cause a certificate to be transmitted to the Registrar of the Privy Council showing the proper person to be substituted or entered on the record in the place of, or in addition to the party who has died or suffered a change of status.

Preparation of the  
record.

63. The preparation of the record shall be in accordance with rules made under this Ordinance and shall be subject to the supervision of the Supreme Court. The Supreme Court shall give such directions on any disputed question arising in connection therewith as it may deem fit.

Execution of order  
of His Majesty in  
Council.

64. The Supreme Court shall conform with and execute any order which His Majesty in Council may make on an appeal in like manner as any original judgment of the Supreme Court should be executed.

Taxation of Costs.

65. Where His Majesty in Council directs a party to bear the costs of an appeal such costs shall be taxed by an officer appointed by the Supreme Court so to do. Such officer shall inquire into any unnecessary prolixity in a case and shall disallow the costs occasioned thereby.

Right of His Majesty  
in Council to admit  
appeal from any  
judgment.

66. Nothing in this Ordinance contained shall be deemed to interfere with the right of His Majesty upon the humble petition of any person aggrieved by any judgment of the Supreme Court to admit his appeal therefrom upon such conditions as His Majesty in Council shall think fit to impose.

#### PART IX.

#### GENERAL.

Rules.

67. The Governor in Council may make rules for regulating the practice and procedure, the pleadings, fees and costs, and the conduct of all civil and criminal matters in the Supreme Court and Courts of Summary Jurisdiction, the duties and powers of officers of the Supreme Court and the preparation of the record in appeals to His Majesty in Council.

Repeals.

6 of 1898.  
3 of 1900 (part).  
4 of 1901.  
5 of 1901.  
5 of 1902.  
5 of 1909.  
2 of 1932.  
6 of 1935.  
17 of 1938.

68. The Coroners Ordinance 1898, the sections in the Interpretation and General Law Ordinance 1900 not already repealed, the Administration of Justice Act 1901, the Jury Ordinance 1901, the Summary Jurisdiction Ordinance 1902, the Privy Council Appeals Ordinance 1909, the Summary Jurisdiction (Amendment) Ordinance 1932, the Administration of Justice (Amendment) Ordinance 1935, the Administration of Justice (Amendment) Ordinance 1938, are hereby repealed.

Operation and  
commencement.

69. This Ordinance shall apply to the Dependencies and shall come into force on the 1st day of July 1949.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of  
May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 2



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

**An Ordinance**

**To consolidate the law relating to  
Dangerous Drugs.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof as follows —

1. This Ordinance may be cited as the Dangerous Drugs Short title.  
Ordinance, 1949.

2. In this Ordinance unless the context otherwise requires — Interpretation.  
“dangerous drugs” includes all those several substances men-  
tioned in the First Schedule to this Ordinance.

“import authorisation” means a licence issued by the Senior  
Medical Officer, authorising the importation of a specified  
quantity of a dangerous drug and containing full particulars  
of the drug, together with the name and address of the person  
from whom the drug is to be obtained, the name and address  
of the person authorised to import the drug, and the period  
within which the importation must be effected.

“import certificate” means a certificate issued by the Senior  
Medical Officer in the Colony of the Falkland Islands.

Governor in Council may add to the Schedule.

3. If it appears to the Governor in Council that any new drug or drugs not previously specified may be productive, if improperly used, of ill effects, then the Governor in Council may by Proclamation declare the said drugs to be "dangerous drugs" within the meaning of this Ordinance.

Restriction of imports or sale or distribution of dangerous drugs.

4. Any person who cultivates, imports, manufactures, exports, supplies, procures, sells, or gives away any dangerous drugs or their derivatives in the Colony, save under licence or authorisation of the Senior Medical Officer in the manner hereinafter set forth in this Ordinance, shall be guilty of an offence against this Ordinance.

Provided that the administration by or under the direct supervision of a registered Medical Officer, registered Dentist, officer in charge of the Agricultural Department or Veterinary Surgeon, shall not be deemed to be supplying dangerous drugs within the meaning of this Ordinance.

Import of dangerous drugs.

5. (1) An import authorisation permitting the importation of any dangerous drug specified therein may be granted by the Senior Medical Officer of the Colony, subject to such conditions as he shall deem fit, to any person who in his discretion appears to be a proper person to import dangerous drugs.

(2) Where an import authorisation is issued in pursuance of sub-section (1) of this section the Senior Medical Officer shall also issue, in relation to the dangerous drugs intended to be imported, an import certificate which shall be forwarded by the intending importer to the person from whom the drug is to be obtained.

Sale of dangerous drugs to be entered in a book.

6. (1) Every person who sells any dangerous drug shall, before delivery thereof to the purchaser, inquire his name, place of abode, and occupation, and the purpose for which the dangerous drug is required and shall make a true entry of the dangerous drug and the quantity thereof, and all the particulars given by the purchaser, together with the day of the month and year of the sale, in a book to be kept by the vendor for that purpose, in the form in the second schedule hereto.

(2) The entry shall be signed by the person making the same and also by the purchaser, unless he declares himself unable to write, in which case the person making the entry shall add thereto the words "purchaser cannot write".

(3) A witness to the sale shall sign the entry, and shall state his place of abode.

(4) Every person licenced to sell dangerous drugs shall forthwith record in the book provided for in this section the particulars of all such drugs used by him.

7. (1) When sales and purchases of dangerous drugs are made by correspondence, the letter ordering the same shall be preserved by the vendor and a memorandum of the date of the said letter, by whom it was written, and the quantity and particulars of the dangerous drug therein ordered, shall be entered in the said book.

(2) No person shall sell any dangerous drug so ordered to any person with whose signature he is not acquainted, unless the signature has been witnessed by a justice of the peace, clergyman, or public officer, or is authenticated by some person known to the vendor.

Restrictions as to sale of any dangerous drugs.

8. (1) No person shall sell any dangerous drug to any person who is under eighteen years of age, or who is unknown to the vendor, unless the sale is made in the presence of some witness who is known to the vendor and knows the purchaser.

(2) The witness shall sign his name and add his place of abode to the required entry before the delivery of the dangerous drug to the purchaser.

9. Any person who -

- (a) sells any dangerous drug, and delivers the same, without having made and signed the entries required by this Ordinance; or
- (b) sells any dangerous drug without having obtained the signature to such entry as is required by this Ordinance; or
- (c) purchases a dangerous drug and gives false information in answer to inquiries which the vendor is by this Ordinance authorised to inquire of such purchases; or
- (d) signs his name as a witness to the sale of a dangerous drug to a person unknown to him; or
- (e) omits to record any drugs used by him as required under section 6 (4) hereof;

shall be guilty of an offence against this Ordinance.

10. Any person who sells any dangerous drug either by wholesale or retail, unless the bottle, or other vessel, wrapper, or cover, box, or case immediately containing the same bears thereon the word "Poison" printed conspicuously, together with the name of the article and the name and address of the seller thereof, shall be guilty of an offence against this Ordinance.

Rules to be observed in the sale of poisons.

11. The books required to be kept under this Ordinance shall at all times be open to inspection by a Government medical officer, the Chief Constable, or a police officer not below the rank of sergeant, and any person who wilfully delays or obstructs any person in the exercise of his powers under this section or fails to produce or conceals or attempts to conceal any book shall be guilty of an offence against this Ordinance.

Inspection of books.

12. Whosoever, being the owner or other person in charge or possession of any dangerous drug, leaves it in any place (whether the same is ordinarily accessible to others or not) unless the bottle or package of whatever kind in which the dangerous drug is contained is marked "Poison" and is otherwise duly labelled shall be guilty of an offence against this Ordinance.

Poisons to be labelled.

13. Any constable may arrest without warrant any person who has committed, or attempted to commit, or is reasonably suspected by the constable of having committed or attempted to commit, an offence against this Ordinance, if he has reasonable ground for believing that person will abscond unless arrested, or if the name and address of that person are known to and cannot be ascertained by him.

Power of arrest.

14. (1) A Magistrate or Justice of the Peace may, on being satisfied by information on oath that there is reasonable ground for suspecting any dangerous drugs are in contravention of this Ordinance in the possession or under the control of any person in any premises, grant a search warrant at any time or times within one month from the date of the warrant to enter, if necessary by force the premises named in the warrant and to search the premises and any person found therein and if there is reasonable ground for suspecting that an offence against this Ordinance has been committed to seize and retain any dangerous drugs.

Power to search for dangerous drugs.

(2) Any person who wilfully delays or obstructs a constable in the exercise of his powers under this section, or fails to produce or conceals or attempts to conceal any drugs shall be guilty of an offence against this Ordinance.

15. The Governor in Council may make regulations governing -

- (a) the export of dangerous drugs from the Colony;

Governor in Council may make regulations.

- (b) dangerous drugs in transit;
- (c) supply and distribution within the Colony under the supervision of Medical Practitioners registered under the Medical Practitioners, Midwives, and Dentists Ordinance, 1914;
- (d) generally the effective administration of this Ordinance.

Exemptions to Ordinance.

16. Nothing in this Ordinance shall apply to the sale of

- (a) any dangerous drug when made up or compounded as a medicine according to the prescription of a duly qualified medical practitioner, registered dentist, veterinary surgeon or officer in charge of the Agricultural Department provided the medicine is labelled with the name and address of the vendor and the ingredients thereof are entered, with the name of the person to whom it is sold or delivered, in a book to be kept for that purpose;
- (b) patent medicine;
- (c) medicine dispensed by or on the instructions of the officer in charge of the Agricultural Department or a Veterinary surgeon, for animals under their treatment.

17. Licences and authorisations issued or granted by the Senior Medical Officer may be issued or granted on such terms and subject to such conditions (including in the case of a licence the payment of a fee) as the Senior Medical Officer thinks proper.

Offences.

18. Any person who :

- (a) acts in contravention of or fails to comply with any regulations under this Ordinance; or
- (b) acts in contravention of or fails to comply with the conditions of any licence issued or authorisation granted under this Ordinance; or
- (c) for the purpose of obtaining whether for himself or for any other person the issue, grant, renewal of any such licence or authorisation makes any declaration or statement which is false in any particular or knowingly enters, produces, or makes use of such document or statement; or
- (d) aids, abets, conceals, or procures the commission of an offence against this Ordinance;

shall be guilty of an offence against this Ordinance.

Penalties.

19. Every person guilty of an offence against this Ordinance shall in respect of each offence be liable -

- (a) on conviction upon indictment to a fine not exceeding £1,000 or to penal servitude for a period not exceeding ten years or to both such fine and penal servitude; or
- (b) on summary conviction to a fine not exceeding £100 or imprisonment not exceeding six months or to both such fine and imprisonment

and shall in every case on conviction for the offence forfeit to His Majesty all articles in respect of which the offence was committed and the court may order any forfeited articles to be destroyed or otherwise disposed of as the court thinks fit.

20. This Ordinance shall be in force in the Dependencies as well as in the Colony. Application of Ordinance.

21. The Poisons Ordinance, 1914; the Dangerous Drugs Ordinance, 1925; the Dangerous Drugs (Amendment) Ordinance, 1932; the Dangerous Drugs (Amendment) Ordinance, 1934; the Dangerous Drugs (Amendment) Ordinance, 1935, and the Dangerous Drugs Ordinance, 1944 are hereby repealed. Repeals:

6 of 1914.  
8 of 1925.  
9 of 1932.  
10 of 1934.  
2 of 1935.  
3 of 1944.

FIRST SCHEDULE.

1. Medicinal opium.
2. Indian hemp including the whole or any portion of the plants *Cannabis indica* and *Cannabis sativa*, any resin obtained from such plants, all preparations of which such resins form the base and any extract or tincture of Indian hemp.
3. Morphine and its salts, and diacetylmorphine (commonly known as diamorphine or heroin) and the other esters of morphine and their respective salts.
4. Cocaine (including synthetic cocaine) and ecgonine and their respective salts, and the esters of ecgonine and their respective salts; "ecgonine" means laevo-ecgonine and includes any derivatives of ecgonine from which it may be recovered industrially.
5. Any solution or dilution of morphine or cocaine or their salts in an inert substance whether liquid or solid, containing any proportion of morphine or cocaine, and any preparation, admixture, extract or other substance (not being such a solution or dilution as aforesaid) containing not less than one-fifth per cent. of morphine or one-third per cent. of cocaine or of ecgonine.
6. Any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine.
7. Dihydrohydroxycodine, dihydrocodeinone, dihydromorphine, their esters and the salts of any of these substances and of their esters, morphine-N-oxide (commonly known as genomorphine), the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives.
8. Thebaine and its salts, benzylmorphine and the ethers of morphine (including methylmorphine commonly known as codeine and ethylmorphine, commonly known as diopin) and their respective salts.
9. Any preparation, admixture, extract or other substance containing any proportion of any of the substances mentioned in 7 above and any preparation, admixture, extract or other substance containing any proportion of any of the substances mentioned in 8 above except Syrupus Codeinae Phosphatis B.P.C. 1934 and preparations, admixtures or other substances containing 2.5 per cent. or less of methylmorphine or ethylmorphine in association with other medicinal substances.
10. Acetyldihydrocodeinone (acedicone) and its salts and any preparation, admixture, extract or other substance containing any proportion of acetyldihydrocodeinone.
11. Dagga, wild dagga, red dagga or klip dagga, including the whole or any portion of the plants *Leonotis ovata*, or any solution, extract or other preparation of any part of such plants.
12. Dihydrodesoxymorphine, commonly called desomorphine, its salts and any preparation, admixture, extract or other substance containing any proportion of dihydrodesoxymorphine.

13. Pethidine (1 methyl -4 phenylpiperidine -4 carboxylic acid ethyl ester), its salts and any preparation, admixture, extract or other substance containing any proportion of pethidine.
14. Any preparation, not being a preparation capable of external use only, made from extract or tincture of Indian hemp.

## SECOND SCHEDULE.

(Form of entry in book on sale of dangerous drugs).

Date.	Articles supplied.	Quantity.	To whom supplied.	For what purpose.	Signature.	Signature of Witness.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE.  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 26th day of May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 3



1949.

## Colony of the Falkland Islands and its Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

## An Ordinance

To provide for the grant of Probate and the Administration of Estates.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Administration of Estates Ordinance, 1949. Short title.

2. In this Ordinance where the context so admits : Definitions.

“Court” means the Supreme Court in the Colony.

“Unrepresented estate” means the estate of a deceased person in respect of which there is no executor or administrator able or willing to act as such.

3. Applications for Probate and Letters of Administration shall be made by petition on oath to the Judge, and shall Applications for Probate and Letters of Administration.

(1) in the case of a will, state the date of death of the testator, that the document produced is believed to be his last will and testament, that the petitioner is the person named as the executor and that to the best of the petitioner's knowledge and belief there is no later will of the testator;

(2) in the case of an intestacy state the date of death of the intestate and the grounds on which the petitioner applies for letters of administration;

(3) in the case of a petition for letters of administration with the will annexed state that either no executors were appointed

or that they are dead or have renounced probate and the capacity in which the petitioner is entitled.

Letters of Administration advertisement.

4. (1) Notice of application for Letters of Administration shall be published once in the Gazette and once in any newspaper in the Colony.

(2) Letters of Administration shall not be granted until the expiration of three weeks after the publication of the notice in the Gazette except on cases where the Judge is satisfied, by affidavit or otherwise that the grant should be made before the expiration of such three weeks and that notice of application has been given to all persons residing in the Colony who may have prior claim to such grant when the Judge may grant to such applicant Letters of Administration limited or otherwise as the circumstances may require before the expiration of such three weeks.

Bonds.

5. (1) Probate or Letters of Administration shall not be granted until the applicant has entered into a bond approved by the Judge, with or without sureties, not exceeding two, as the Judge may decide. The penalty of the bond shall be double the amount or value of the estate.

(2) The Court may, on application or petition in chambers, and on being satisfied that the conditions of any bond have been broken, order the assignment of the bond to the person named in the order and such person his executors and administrators shall thereupon be entitled as trustees for all persons interested to sue and recover the full amount due in respect of such breach of the bond as if the same had been entered into with him or them.

Caveats.

6. (1) Where a caveat has been entered before a grant of probate or Letters of Administration shall have been made all parties interested therein shall be summoned before the Judge to shew cause why a grant should not issue and after hearing the said parties and such evidence as the Judge may think necessary the Judge shall make such order as he may deem just.

(2) When any party fails to appear the Court may after proof of service, proceed as if the proceedings were *ex parte* or adjourn on such terms as it may direct.

Proof of Will in Solemn Form.

7. Any person interested in a will including any executor may file a petition verified by affidavit in Court praying that such will be proved in solemn form and such petition shall be dealt with as other petitions to the Court.

Substitution of administrator for absentee personal representative.

8. (1) Any person interested in the estate of a deceased person may file in Court a petition, verified by affidavit on the ground that the interests of parties concerned in the estate have suffered, or will suffer, by reason of the executor or administrator having been, or will be, absent from the Colony for the period of one year, and the Court may appoint an administrator with the will annexed or an administrator *de bonis non* to act during the absence of such executor or administrator.

(2) In case of dispute the Court may proceed as provided in section 6 (1).

(3) An administrator appointed under this section shall enter into a bond with or without sureties and be subject to the liabilities provided for in section 5.

Proceedings.

9. All contentious proceedings shall be heard in open Court: non-contentious proceedings shall be heard in chambers unless the Court otherwise directs.

Service of citations etc.

10. Citations, writs, summons and orders shall be served personally on the person to whom they are addressed unless the Court for sufficient cause shall otherwise direct.

11. The Registrar shall record all grants of probate and letters of administration and maintain proper files of all papers relating thereto. Records.

12. (1) The Court may require the attendance of any person whom it may think fit to examine, and may order any person to be examined on interrogatives on oath, and may order any person to produce such deed, document paper or writing as it may require. Witnesses.

(2) Any person refusing or neglecting to comply with any writ, summons or order of the Court shall be guilty of contempt of Court and shall be liable to a penalty not exceeding £50.

13. An Official Administrator appointed by the Governor shall exercise the rights, powers and duties and be subject to the liabilities of the Public Trustee established under the Public Trustee Act 1906 in respect of the administration of estates where he is appointed an executor of the will of a deceased person or in the case of an intestacy where there is no person able or willing to administer the estate of the deceased. Official Administrator.

14. The Official Administrator shall on becoming aware of an unrepresented estate: When Official Administrator may act.

(1) if he thinks fit so to do immediately enter upon the estate for the purpose of sealing up or making such other dispositions for the security of such estate as he may deem necessary;

(2) as soon as possible present a petition to the Court stating the particulars of such estate and praying that he be appointed administrator of the said estate and the Court shall upon being satisfied that such estate is unrepresented grant such order.

15. The Official Administrator shall forthwith on an Order being made under section 14 cause a notice thereof to be published in the Gazette and in any paper published in the Colony and a copy thereof to be affixed to the public notice board in Stanley. Notice of Order.

16. Any person legally entitled to the administration of an estate in respect of which an order under section 14 has been made may petition the Court that he be appointed administrator of the said estate and the Court shall, upon being satisfied thereon revoke the said order and appoint the petitioner to be administrator of the said estate provided that all matters and things *bona fide* now or performed prior to the revocation of such order shall be valid and effectual. Order may be revoked.

17. All moneys received by the Official Administrator shall forthwith be paid into the Government Savings Bank to the account of the Official Administrator and he shall make a return monthly to the Judge showing the amounts standing to the credit of each estate being administered by him. Moneys to be paid into Savings Bank.

18. The Official Administrator shall at the expiration of one year or such other period as the Court may direct, from the date of the Order made under section 14 dispose of the moneys arising from such estate as follows: Distribution of estate.

(1) Reimburse himself of all costs and charges incurred in administering the estate as authorised by the Court.

(2) Pay into the Treasury  $7\frac{1}{2}$  per centum of the gross amount of the estate to defray the cost of administering the estate.

(3) Pay the creditors of the estate in the order prescribed by law.

(4) Pay the balance into the Treasury upon trust for the person legally entitled thereto.

Kindred to be advertised for.

19. The Official Administrator shall in every case in which the kindred of an intestate are unknown cause an advertisement to be inserted in the London Gazette and the London Times Newspaper once a quarter for a period of one year unless the Court shall otherwise direct, giving particulars of the name, nationality and date of death of the deceased and the value of the estate.

Claims for balances of unrepresented estates.

20. Any person other than a creditor, claiming to be legally entitled to the balance of an unrepresented estate as mentioned in section 18 (4) may petition the Court that such balance be delivered to him and the Court upon being satisfied as to the validity of such claim shall make such order as may be just. Where there are two or more such claimants the Court shall determine their claims and make such order as to costs or otherwise as it may deem fit.

Re-sealing probates etc. granted outside the Colony.

21. (1) When a Court of Probate in any part of the British Empire has granted probate or letters of administration in respect of the estate of a deceased person the probate or letters may on being produced to, and a copy thereof deposited with the Court, be sealed with the seal of the Court, and shall therefrom be of like force and effect as if they had been granted by the Court.

(2) The Court shall before re-sealing a probate or letters of administration be satisfied that estate duty has been paid or that sufficient security has been given in respect of the estate in the Colony.

(3) The Court may before re-sealing on the application of any creditor require that adequate security be given for the payment of any debts due to creditors residing in the Colony.

(4) A duplicate of any probate or letters of administration sealed with the Seal of the Court granting the same, or a copy thereof certified correct by or under the authority to the Court granting the same, shall have the same effect as the original.

Rules of Court.

22. The Governor in Council may make rules of Court regulating the practice and procedure including fees and costs, under this Ordinance.

Repeals.

9 of 1901  
4 of 1936  
6 of 1936  
11 of 1944.

23. The Probate and Unrepresented Estates Ordinance 1901, the Probate and Unrepresented Estates (Amendment) Ordinance, 1936, the Administration of Intestate Estates Ordinance, 1936, and the Probate and Unrepresented Estates (Amendment) Ordinance, 1944 are hereby repealed.

Application.

24. This Ordinance shall apply to the Dependencies.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 4



1949.

### Colony of the Falkland Islands and its Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

### An Ordinance

### To amend and consolidate the law as to Estate Duty.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Estate Duty Ordinance, 1949. Short title

2. In this Ordinance unless the context otherwise admits : Definitions.

"deceased person" and "the deceased" mean a person dying after the commencement of this Ordinance;

"Estate Duty" means Estate Duty under this Ordinance;

"incumbrance" includes any claim lien or liability attaching to property;

"personal representative" means the executor or administrator of a deceased person and includes as regards any obligations under this Ordinance any person who takes possession of or intermeddles with the estate of a deceased person;

"property" includes all freehold and leasehold estates and personal property and the proceeds of sale thereof respectively and any monies or investment and any undivided share therein held jointly or in common with any other person but excluding that held by the deceased as a trustee;

"Colony" means the Colony of the Falkland Islands including its Dependencies;

"Treasurer" means the Treasurer for the time being of the Colony and any person appointed by the Governor under section 3 of this Ordinance.

Administration.

3. This Ordinance shall be administered and estate duty shall be collected by the Treasurer on behalf of the Government: Provided that the Governor may from time to time by Order in Council appoint any person he may consider fit to assist in the collection of estate duty.

Charge of estate duty.

4. (1) On and after the date of this Ordinance, estate duty at the graduated rates shewn in the Schedule to this Ordinance shall be levied and paid on the principal value of all property belonging to the deceased at the date of his death (in this Ordinance referred to as "the estate of the deceased").

(2) The estate of the deceased shall include:

- (a) property of which the deceased was at his death competent to dispose;
- (b) property taken as a *donatio mortis causa* (gift made in contemplation of death) made by the deceased;
- (c) money payable to the deceased's estate under any policy of insurance;
- (d) property which belonged to the deceased or of which he was competent to dispose at any time within three years of his death and of which the deceased has disposed in any manner other than for full consideration in money or money's worth;
- (e) Any annuity or other interest purchased or provided by the deceased either by himself alone or in concert or by arrangement with any other person, to the extent of the beneficial interest accruing or arising by survivorship or otherwise on the death of the deceased

provided that this provision shall not apply to gifts made to the entire exclusion of the deceased, which are made in consideration of marriage, or which are proved to the satisfaction of the Treasurer to have been part of the normal expenditure of the deceased and to have been reasonable having regard to the amount of his income or which in the case of any donee, do not exceed in aggregate £100 in value or amount, or which are made for public or charitable purposes more than twelve months before the date of death of the deceased.

Instructions as to estate duty.

(3) Estate duty shall be paid whether or not the deceased died in the Colony and whether he was or was not domiciled in the Colony at the time of his death but shall only be paid in respect of property situate in the Colony.

(4) For the purposes of this section the situation of any property shall be determined in accordance with the law of England.

Interest.

5. (1) Simple interest at the rate of five per centum per annum shall be paid on estate duty from the date of death of the deceased and shall be recoverable in the same manner as if it were part of the estate duty.

(2) Where the estate duty is less than £2. 10s. 0d. interest will not be charged if the duty is paid within twelve months of the date of death.

Relief in respect of quick successions.

6. Where the Treasurer is satisfied that estate duty has become payable on any property consisting of land or a business (not being a business carried on by a company) or any interest in land or such a business passing upon the death of the deceased and subsequently estate duty has become payable on the same property or any part thereof by reason of the death of the person to whom the property passed on the first death the estate duty payable on that property by reason of the second death shall be reduced as follows:—

Where the second death occurs within one year of the first death by 50 per cent.

Where the second death occurs within two years of the first death by 40 per cent.

Where the second death occurs within three years of the first death by 30 per cent.

Where the second death occurs within four years of the first death by 20 per cent.

Where the second death occurs within five years of the first death by 10 per cent.

Provided that where the value, on which estate duty is payable, of the property on the second death exceeds the value, on which the duty was payable, of the property on the first death, the latter value shall be substituted for the former for the purpose of calculating the amount of duty on which the reduction under this section is to be calculated.

7. (1) For the purpose of determining the rate of estate duty the estate of the deceased shall be aggregated so as to form one estate and the estate duty shall be levied at the proper graduated scale on the principal value thereof as shewn in the Schedule to this Ordinance.

Principles for computing estate duty.

(2) The principal value of any property shall be the price estimated by the Treasurer to be the price it would fetch if sold in the open market at the date of the death of the deceased. Provided that should it be shewn to the satisfaction of the Treasurer that the property has depreciated by reason of the death of the deceased the Treasurer in fixing the price shall take the depreciation into account.

(3) An allowance shall be made for reasonable funeral expenses in respect of and any debts of the deceased and for any incumbrances on the estate of the deceased, but an allowance shall not be made—

- (a) for debts incurred by the deceased, or incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created *bona fide* for full consideration in money or money's worth wholly for the deceased's own use and benefit and take effect out of his interest, nor
- (b) for any debt in respect whereof there is a right to reimbursement from any other estate or person, unless such reimbursement cannot be obtained, nor
- (c) more than once for the same debt or incumbrance charged upon difference of portions of the estate

and any debt or incumbrance for which an allowance is made shall be deducted from the value of the land or other subjects of property liable thereto.

(4) No allowance shall be made for debts due from the deceased to persons resident outside the Colony unless contracted to be paid in the Colony or unless and to the extent to which it is shewn to the satisfaction of the Treasurer that the property of the deceased situate in the country in which the person to whom such debts are due resides is insufficient for their payment.

8. (1) The personal representative of the deceased shall as soon as possible after the death of the deceased ascertain the particulars and principal value of the property of the deceased and make and deliver to the Treasurer an affidavit (hereinafter called the "estate duty affidavit") giving such particulars and value so far as is known to him and from time to time make and deliver to the Treasurer any further estate duty affidavit that may be necessary to supplement any omission from or mistake in any previous estate duty affidavit.

Value of estate : affidavit.

(2) Any personal representative who fails in any duty

imposed upon him by this section or who fails to make and deliver an estate duty affidavit within twenty-one days after service of a notice from the Treasurer requiring him so to do shall be guilty of an offence against this Ordinance.

Payment of duty.

9. (1) Estate duty shall in the first instance be calculated at the appropriate rate on the value of the estate of the deceased which may come into his hands as shewn in the original estate duty affidavit and shall be payable by the personal representative on delivery of that affidavit.

(2) The personal representative shall on delivery of every subsequent estate duty affidavit pay any estate duty payable on any property which may come into his hands disclosed by that affidavit.

Liability of personal representative.

10. The personal representative shall be liable for all estate duty payable by him in respect of the estate of the deceased which may come into his hands but his liability shall not exceed the assets he has received or would but for his own neglect or default have received.

Liability of beneficiaries, trustees, purchasers etc.

11. Every beneficiary to the amount of the estate of the deceased passing to him and every trustee, guardian, committee or other person to the extent of the property actually received or disposed of by him or them and every person who takes possession of or administers any part of the property and every person in whom the same is vested by alienation or other derivative title shall be liable for the estate duty on such estate of the deceased as is taken by him or them.

Provided that a person who merely acts as agent or bailiff for another in the management of property is not accountable for any estate duty in respect of such property.

When estate duty in arrears.

12. The whole estate duty shall except as hereinafter mentioned, become due and payable at the end of six months from the date of death of the deceased or on delivery of the original estate duty affidavit whichever first occurs and any estate duty not so paid shall be deemed to be in arrears and be recoverable accordingly.

Postponement of payment.

13. The Treasurer may if he is satisfied that estate duty cannot without excessive sacrifice be raised at once allow payment to be postponed for such period and to such extent and on payment of such interest and on such terms as he may deem fit.

Power to raise duty by sale of mortgage.

14. Any person liable for estate duty on any part of the estate of the deceased shall have power whether or not the estate is vested in him to raise the amount of such duty and expenses incurred by him in connection therewith by sale or mortgage of that part of the property.

Estate duty to be borne rateably.

15. Estate duty shall subject to the will of the deceased be borne by the beneficiaries under the will in proportion to the value of their respective interests and the personal representative shall in distributing the property of the deceased make such payments, reductions and adjustments as may be necessary for that purpose.

Personal representative etc. to produce documents and attend examination.

16. (1) Every personal representative or other person liable for the payment of estate duty or having in his possession, power or control any documents relating to the estate of the deceased shall whenever required by the Treasurer -

- (a) make and deliver to the Treasurer an affidavit giving to the best of his knowledge and belief answers to any questions as to the estate of the deceased as may be put to him by the Treasurer;
- (b) disclose, produce to and allow the Treasurer to make copies of any such documents as aforesaid.

(2) Any personal representative or other person who fails to comply with the requirements of the Treasurer under this section within fourteen days after a notice stating such requirements shall be guilty of an offence under this Ordinance.

17. (1) Subject to the provisions of this Ordinance the Treasurer shall ascertain the principal value of the estate of the deceased in such manner and by such means as he shall deem fit and may accept the value estimated by the personal representative or the valuation of any person approved by the Treasurer as a valuer for the purpose of this Ordinance or as approved for the purpose of that valuation.

Valuation by Treasurer.

(2) The Treasurer shall pay the reasonable cost of the valuation made by a person named by him.

(3) Any person named by the Treasurer to value any property for the purpose of this Ordinance shall at all reasonable times have power to enter and inspect the property.

18. (1) The assessment of the Treasurer that any estate duty is payable in respect of any property shall subject to the right of appeal hereinafter provided for be conclusive evidence that that duty is payable in respect of that property.

Assessment by Treasurer.

(2) The Treasurer may at any time revoke or reduce an assessment when it is shewn to his satisfaction to be erroneous or excessive and may make a further assessment in respect of the same property.

19. The Treasurer shall refund any excess estate duty when it is shewn to his satisfaction that too much duty has been paid.

Refund of overpaid duty.

20. (1) Any person aggrieved by the refusal of the Treasurer to refund any excess duty or by any assessment or other decision of the Treasurer may on payment of the estate duty or such part thereof then payable or on giving security for it to the satisfaction of the Supreme Court appeal to the Supreme Court of the Colony.

Appeals against assessment etc.

(2) The appeal shall be lodged within one month of the date of notice of the decision of the Treasurer by which the appellant is aggrieved and shall specify the objections to the assessment, decision or refusal to refund.

(3) The Supreme Court may

- (a) extend the time for appealing notwithstanding that it has elapsed if it considers the interests of Justice so require;
- (b) reverse or vary an assessment, decision or refusal to refund;
- (c) make such order as to costs of the appeal as it may deem fit.

21. (1) Estate duty in arrears shall be recoverable by civil suit as a debt to the Government of the Colony from the person liable.

Recovery of estate duty.

(2) The Treasurer may apply to any Magistrate or Justice of the Peace in the Colony, in open court to recover estate duty in arrears as follows -

- (a) on production of the assessment and on proof of service on the person liable and that duty is in arrear the Court shall make an order for the payment of the estate duty in arrear by the person liable and may direct the immediate execution of the order;
- (b) a statement in writing by the Treasurer shall be sufficient evidence of the amount of estate duty in arrears;

- (c) the order shall be served as soon as possible on the person liable who may within fourteen days of such service apply to the Court for the order to be discharged which may be done on any ground disclosing a valid defence to proceedings for the recovery of the estate duty;
- (d) property liable to attachment and sale in execution of the order may be seized forthwith but shall not be sold until the time for applying for a discharge of the order has elapsed or the application for discharge disposed of;
- (e) when it appears to the Court that an appeal against the assessment is pending or the time for appealing has not elapsed the Court may grant a stay of execution for such period and on such terms as it may deem just.

Estate duty a charge on deceased's estate.

22. (1) The whole estate duty shall be a first charge on the estate of the deceased.

(2) The Supreme Court may appoint a receiver of the property and of the rents, profits and income thereof and order a mortgage or sale of the property for enforcing such charge.

Certificate of discharge.

23. (1) The Treasurer may on being satisfied that the full estate duty has been or will be paid in respect of all the estate of the deceased give a certificate discharging the property specified in the certificate from any further claim for estate duty.

(2) A person liable for estate duty, other than a personal representative may after two years of the death of the deceased apply to the Treasurer for a certificate discharging him and specified property from any further claim for estate duty and shall deliver to the Treasurer a full statement to the best of his knowledge and belief of all the estate of the deceased and the persons entitled thereto and the Treasurer may upon payment by the person liable of such estate duty as should be borne by him issue such certificate.

(3) A certificate given under this section shall not

- (a) discharge any person or property from estate duty in case of fraud or failure to disclose material facts;
- (b) affect the rate of duty payable in respect of any other part of the estate of the deceased and the duty in respect of such other part shall be at such rate as would be payable if the value thereof were added to the value of the property in respect of which a certificate of discharge has been given.

(4) A certificate purporting to be a discharge of the whole estate duty payable in respect of any property in the certificate shall exonerate a *bona fide* purchaser for valuable consideration without notice from estate duty notwithstanding any such fraud or failure.

Power to accept composition.

24. The Treasurer may where it is difficult to ascertain exactly the amount of estate duty payable in respect of any property or to ascertain the same without undue expense in proportion to the value of the property on the application of the person liable for estate duty thereon and upon his giving all information in his power affecting the liability of the property for estate duty assess such sum as he may consider proper as the estate duty and accept payment of that sum and composition for and in full discharge of all claims for estate duty in respect of that property and issue a certificate of discharge accordingly.

Provided that the certificate shall not discharge any person or property from any duty in case of fraud or failure to disclose material facts.

25. Probate or Letters of Administration shall not be granted unless a certificate of the Treasurer is produced that a proper estate duty affidavit as to the estate of the deceased has been delivered to the Treasurer and that the estate duty has been paid or security for the payment thereof has been given to his satisfaction.

No grant to probate without certificate of Treasurer.

26. Any person who while any part of the estate duty payable on the estate of the deceased remains unpaid or in respect of which satisfactory security has not been given as provided in this Ordinance,

Penalty for administering or accepting assets while duty unpaid.

- (a) distributes any part of the estate of the deceased to any beneficiary;
- (b) takes possession of and administers or appropriates any part of the estate of the deceased;
- (c) being a beneficiary accepts any part of the property

shall be guilty of an offence against the Ordinance.

27. Any notice of any act, decision, requirement, valuation or assessment of or by the Treasurer under this Ordinance or any regulation made thereunder required to be served on any person shall be sufficient if it records the substance of that act, decision, requirement, valuation or assessment and is signed by the Treasurer and shall be sufficiently served if left at the last known place of abode or business in the Colony of the person to be served on if sent by registered post to such place of abode or business.

Notices.

28. The Governor of the Colony may make regulations for carrying this Ordinance into effect and in particular without prejudice to the general power prescribing

Regulations.

- (a) the forms of estate duty and other affidavits;
- (b) the accounts to be kept by the Treasurer and procedure to be observed by him in carrying out the provisions of this Ordinance.

29. (1) Any person who wilfully fails to perform any duty imposed upon him by this Ordinance or any regulation thereunder or contravenes the provisions of this Ordinance or any regulation thereunder or who attempts to commit or abets an offence against this Ordinance shall be guilty of an offence against this Ordinance.

Penalties.

(2) Any person guilty of an offence against this Ordinance shall be liable to a fine not exceeding Two hundred pounds or to a term of imprisonment not exceeding one year or both such fine and imprisonment.

30. Section 22 of the Probate and Unrepresented Estates Ordinance 1901 is hereby repealed.

Repeal.

SCHEDULE  
RATE OF ESTATE DUTY.

		Rate of Duty.					
Not exceeding	£100	...	...	...	...	...	Nil.
Exceeding	£100 but not exceeding	£300	...	...	...	...	£1 : 10 : 0. (fixed)
"	£300 .. ..	£500	...	...	...	...	£2 : 10 : 0. "
"	£500 .. ..	£1,000	...	...	...	...	1 per cent.
"	£1,000 .. ..	£2,000	...	...	...	...	2 .. ..
"	£2,000 .. ..	£3,000	...	...	...	...	3 .. ..
"	£3,000 .. ..	£5,000	...	...	...	...	4 .. ..
"	£5,000 .. ..	£7,500	...	...	...	...	5 .. ..
"	£7,500 .. ..	£10,000	...	...	...	...	6 .. ..
"	£10,000 .. ..	£12,500	...	...	...	...	7 .. ..
"	£12,500 .. ..	£15,000	...	...	...	...	8 .. ..
"	£15,000 .. ..	£20,000	...	...	...	...	10 .. ..
"	£20,000 .. ..	£25,000	...	...	...	...	12 .. ..
"	£25,000 .. ..	£30,000	...	...	...	...	14 .. ..
"	£30,000 .. ..	£35,000	...	...	...	...	16 .. ..
"	£35,000 .. ..	£40,000	...	...	...	...	18 .. ..
"	£40,000 .. ..	£45,000	...	...	...	...	20 .. ..
"	£45,000 .. ..	£50,000	...	...	...	...	22 .. ..
"	£50,000 .. ..	£60,000	...	...	...	...	24 .. ..
"	£60,000 .. ..	£75,000	...	...	...	...	27 .. ..
"	£75,000 .. ..	£100,000	...	...	...	...	30 .. ..
"	£100,000 .. ..	£150,000	...	...	...	...	35 .. ..
"	£150,000 .. ..	£200,000	...	...	...	...	40 .. ..
"	£200,000 .. ..	£250,000	...	...	...	...	45 .. ..
"	£250,000 .. ..	£300,000	...	...	...	...	50 .. ..
"	£300,000 .. ..	£500,000	...	...	...	...	55 .. ..
"	£500,000 .. ..	£750,000	...	...	...	...	60 .. ..
"	£750,000 .. ..	£1,000,000	...	...	...	...	65 .. ..
"	£1,000,000 .. ..	£2,000,000	...	...	...	...	70 .. ..
"	£2,000,000 .. ..	...	...	...	...	...	75 .. ..

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 5



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

### An Ordinance

To make provision as to the immunities, privileges and capacities of international organizations of which His Majesty's Government in the United Kingdom and foreign governments are members and for purposes connected therewith.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Diplomatic Privileges (Extension) Ordinance 1949. Short title.

2. (1) This section shall apply to any organisation declared by an order of the Governor in Council to be an organisation of which His Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers are members. Privileges, immunities and capacities of certain international organisations and their staffs.

(2) The Governor may by Order in Council :—

(a) provide that any organisation to which this section applies (hereinafter referred to as "the organisation") shall, to such extent as may be specified in the Order, have the immunities and privileges set out in Part 1 of the Schedule to this Ordinance and shall also have the legal capacities of a body corporate;

Schedule Part I.

Schedule Part II.

- (b) confer upon such number of officers of the organisation as may be specified in the Order, being the holders of such high offices in the organisation as may be specified in the Order, and upon such persons employed on missions on behalf of the organisation as may be specified, and upon any person who is the representative of a member government on the governing body or any committee of the organisation, to such extent as may be so specified, the immunities and privileges set out in Part II of the Schedule to this Ordinance;

Schedule Part III.

- (c) confer upon such other classes of officers and servants of the organisation as may be specified in the Order, to such extent as may be so specified, the immunities and privileges set out in Part III of the Schedule to this Ordinance;

Schedule Part IV.

and Part IV of the Schedule to this Ordinance shall have effect for the purpose of extending to the staffs of representatives of member governments and to the families of officers of the organisation any immunities and privileges conferred on the representatives or officers under paragraph (b) of this sub-section, except in so far as the operation of the said Part IV is excluded by the Order conferring the immunities and privileges.

(3) Where immunities and privileges are conferred on any persons by an Order in Council made under the last foregoing sub-section, the Governor -

- (a) shall compile a list of the persons entitled to immunities and privileges conferred under paragraph (b) of that sub-section, and may compile a list of the persons entitled to immunities and privileges conferred under paragraph (c) of that sub-section;
- (b) shall cause any list compiled under this sub-section to be published in the Gazette; and
- (c) whenever any person ceases or begins to be entitled to the immunities and privileges to which any such list relates, shall amend the list and cause a notice of the amendment, or, if he thinks fit, an amended list, to be published as aforesaid.

(4) Every list or notice published under the last foregoing sub-section shall state the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to the immunities and privileges in question may, if a list of those persons has been so published, be conclusively proved by producing the Gazette containing the list, or, as the case may be, the last list taking effect before that time, together with the Gazettes (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

Diplomatic immunities of representatives attending international conferences.

3. (1) Where a conference is held in the Colony and is attended by the representatives of His Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers, and it appears to the Governor that doubts may arise as to the extent to which the representatives of such foreign Powers and members of their official staffs are entitled to diplomatic immunities, he may -

- (a) compile a list of the persons aforesaid who are entitled to such immunities, and cause that list to be published in the Gazette; and
- (b) whenever it appears to the Governor that any person ceases or begins to be entitled to such immunities, amend the list and cause a notice of amendment or,

if he thinks fit, an amended list, to be published as aforesaid;

and every representative of a foreign Power who is for the time being included in the list shall, for the purpose of any law and rule of law or custom relating to the immunities of an envoy of a foreign Power accredited to His Majesty, and of the retinue of such an envoy, be treated as if he were such an envoy, and such of the members of his official staff as are for the time being included in the list shall be treated for the purpose aforesaid as if they were his retinue.

(2) Every list or notice published under the last foregoing sub-section in relation to any conference shall include a statement of the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to diplomatic immunities as representatives attending the conference or as members of the official staff of any such representative may, if a list of those persons has been so published, be conclusively proved by producing the Gazette containing the list or, as the case may be, the last list taking effect before that time, together with the Gazettes (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

4. This Ordinance shall, in its application to the United Nations, have effect subject to the following modifications -

Application to United Nations.

- (a) any reference to the governing body or any committee of the organisation shall be construed as referring to the General Assembly or any council or other organ of the United Nations; and
- (b) the powers conferred by sub-section (2) of section 2 of this Ordinance shall include power by Order in Council to confer on the judges and registrars of the International Court and on suitors to that Court and their agents, counsel and advocates, such immunities, privileges and facilities as may be required to give effect to any resolution of, or convention approved by, the General Assembly of the United Nations.

5. Nothing in the foregoing provisions of this Ordinance shall be construed as precluding the Governor in Council from declining to accord immunities or privileges to, or from withdrawing immunities or privileges from, nationals or representatives of any Power on the ground that that Power is failing to accord corresponding immunities or privileges to British nationals or representatives.

Reciprocal treatment.

6. This Ordinance shall apply to the Dependencies.

Application.

7. The United Nations Privileges Ordinance 1948 is hereby repealed.

Repeal  
No. 15 of 1948.

## SCHEDULE.

### PART I.

#### IMMUNITIES AND PRIVILEGES OF THE ORGANISATION.

1. Immunity from suit and Legal process.

2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to His Majesty.

3. The like exemption or relief from taxes and rates, other than taxes on the importation of goods, as may be accorded to a foreign sovereign Power.

4. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in the Colony or for exportation, or on the importation of any publications of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as any law relating to Customs and Excise may prescribe for the protection of the Revenue.

5. Exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.

6. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to, or despatched from, places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

#### PART II.

##### IMMUNITIES AND PRIVILEGES OF HIGH OFFICERS, PERSONS ON MISSIONS AND GOVERNMENT REPRESENTATIVES.

1. The like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to His Majesty.
2. The like inviolability of residence as is accorded to such an envoy.
3. The like exemption or relief from taxes as is accorded to such an envoy.

#### PART III.

##### IMMUNITIES AND PRIVILEGES OF OTHER OFFICERS AND SERVANTS.

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.
2. Exemption from income tax in respect of emoluments received as an officer or servant of the organisation.

#### PART IV.

##### IMMUNITIES AND PRIVILEGES OF REPRESENTATIVE'S STAFF AND OF HIGH OFFICER'S FAMILY.

1. Where any person is entitled to any such immunities and privileges as are mentioned in Part II. of this Schedule as the representative of a member government, his official staff accompanying him as such a representative shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign Power accredited to His Majesty is entitled to the immunities and privileges accorded to the envoy.

2. Where any person is entitled to any such immunities and privileges as are mentioned in Part II. of this Schedule as an officer of the organisation, that person's wife or husband, and children under the age of twenty-one shall also be entitled to those immunities and privileges to the same extent as the wife or husband and children of an envoy of a foreign sovereign Power accredited to His Majesty are entitled to the immunities and privileges accorded to the envoy.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 26th day of  
May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 6

1949.

#### Colony of the Falkland Islands and its Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

#### An Ordinance

#### To amend the Interpretation and General Law Ordinance, 1900.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof as follows—

1. This Ordinance may be cited as the Interpretation and General Law Ordinance, 1949. Short title.

2. (1) In this Ordinance and in all Ordinances, Orders in Council, Proclamations, Regulations and Notices now in force or hereafter to be made, the following words and expressions shall have the meanings hereby assigned to them respectively unless such construction is inconsistent with the context or unless it is otherwise expressly provided therein : Interpretation.

"Act" means an Act of Parliament of the United Kingdom in force in the Colony.

"British Empire" means His Majesty's dominions, British protectorates and protected States and territories administered by the Government of any part of His Majesty's dominions in accordance with a Mandate from the League of Nations or under the Trusteeship system of the United Nations.

"the Colony" means the Colony of the Falkland Islands and its Dependencies.

"Colonial waters or territorial waters" means the sea surrounding the Colony over which His Majesty has or may have jurisdiction.

"commencement" means, with reference to an Ordinance, the time at which the Ordinance comes into operation.

"Common law" means the Common law of England.

"contravention" means in relation to any requirement or condition prescribed in any Ordinance, Regulation or in relation to any permit licence or other authority granted under or in pursuance of any Ordinance or Regulation a failure to comply with that requirement or condition.

"daily penalty" means a penalty for each day on which an offence is continued after conviction therefor.

"dues" means rates taxes and duties.

"estate" means any estate, right, title, interest, claim or demand in to or upon property.

"folio" means 72 words.

"the Gazette" means the Government Gazette of the Colony.

"Gazetted" means published in the Gazette.

"Government" means the Government of the Colony.

"Government Notice" or "general Notice" means an announcement not of a legislative character made by or with the authority of the Governor in the Gazette.

"Government printer" means any printer authorised by the Government to print the Gazette and other documents of the Government.

"Governor" means the person for the time being lawfully administering the Government of the Colony.

"Governor in Council" means the Governor acting with the advice and consent of the Executive Council but not necessarily acting in such Council assembled nor necessarily in accordance with such advice.

"Harbour" means any port declared a harbour by the Governor in Council.

"Imperial Order-in-Council" means any prerogative Order of His Majesty in Council applicable to the Colony.

"Justice" or "Justice of the Peace" means a person appointed by the Governor to be a Justice of the Peace for the Colony.

"land" means land and any messuages, houses, buildings or other constructions standing thereon.

"Law" means the common law, rules of equity, and general statutes in England, so far as they may be applicable to the Colony, and any Ordinance, Proclamation, Order in Council, Regulation or bye-law in force for the time being.

"Magistrate" means a person appointed by the Governor to be a Magistrate for the Colony.

"Master" means, in relation to a ship, any person having charge, control or command thereof.

"occupier" means any person who uses, inhabits, possesses, or enjoys the premises in respect of which that word is used other than as a servant or caretaker.

"owner" means a person receiving the rent of property in respect of which that word is used either on his own account, or as

trustee, agent, or manager, or who would receive the same if such property were let to a tenant.

"parliament" or "Imperial Parliament" means the Parliament of the United Kingdom.

"person" means any corporation, club, society, or other body or one or more persons of any age and either of the male or female sex.

"Proclamation" means a proclamation of the Governor under the Public Seal.

"property" means any land or personal chattels in which a right of ownership exists or may exist.

"Public Seal" means the Public Seal of the Colony.

"Registrar" means the Registrar of the Supreme Court.

"The Secretary of State" means His Majesty's Principal Secretary of State for the Colonies.

"Stanley" means the area defined in Section 138 of the Stanley Town Council Ordinance and the Schedule thereto.

"Suburban land" or "suburbs" means (1) land outside Stanley bounded on the north by the Murrel River and Port William on the south and east by Port Harriet and the sea and on the west by a line drawn from a point on the Murrel River commonly known as "Furze Bush" to the summit of Mount Harriet and thence along the eastern boundary of No. 1 Section to the west of Port Harriet and (2) land outside the limit or boundary of any place declared to be a town but not more than six miles from the centre of such town.

"Town" means Stanley or land within the limits of any place declared to be a Town under section 16 of this Ordinance.

"United Kingdom" means Great Britain and Northern Ireland.

"vessel" means every description of ship, boat, lighter, or floating water tank.

"writing" and expressions referring to writing mean printing lithography, typewriting, photography and other modes of representing or producing words or figures in visible form.

(2) Words importing the masculine gender shall include the feminine, words in the singular shall include the plural, and words in the plural shall include the singular. Gender and number.

(3) When forms are prescribed slight deviations therefrom not affecting the substance nor calculated to mislead shall not invalidate them. Forms.

(4) When any expression of time occurs the time referred to shall unless it is otherwise expressly provided be held to signify the standard time adopted for the Colony by order of the Governor. Time.

(5) When no time is prescribed or allowed within which anything shall be done such thing shall be done with all convenient speed and as often as the prescribed occasion arises. When no time prescribed.

(6) The measurement of distance shall, unless the contrary intention appears, be in a straight line on a horizontal plane. Distances.

3. The printing by the Government printer of any duly enacted Ordinance, or of any official document countersigned by the Colonial Secretary, or by any person duly authorised by the Governor shall be a sufficient publication and promulgation thereof. Government publications.

4. (1) The draft of every Ordinance shall be published in the Gazette and a copy thereof affixed to the public notice board in Stanley for one week before its introduction, unless the Governor in Publication of draft Ordinances.

	Council decides that for reasons of urgency it is necessary to dispense with such publication and public notification.	
Copies may be bought.	(2) Copies of every draft published as aforesaid may be purchased from the Government printer for such sum as the Governor may from time to time direct and the purchaser of such draft may on demand within six months of the date of such purchase be supplied with a copy of the Ordinance as passed without further payment.	
Disallowance.	5. An intimation of the disallowance by His Majesty of any Ordinance shall be published in the Gazette.	
When Ordinances etc. take effect.	6. Ordinances and subsidiary legislation shall be published in the Gazette and unless it is otherwise provided therein shall take effect and come into operation as law on the date of such publication.	
Inspection of Ordinances.	7. A copy of any Ordinance shall be available for inspection during office hours at any place appointed by the Governor.	
Admission of Ordinances etc. in evidence.	8. A copy of any Ordinance, Order-in-Council, Regulation or Notice printed by the Government Printer shall be admissible in evidence without further proof thereof.	
Repeals do not revive.	9. Where any Ordinance repealing in whole or in part any former enactment is itself repealed, the enactment or part before repealed shall not be revived unless express words to that effect are contained in the last repealing enactment.	
Rules, Regulations etc.	10. All orders, rules, regulations, by-laws made, and all scales of fees, charges or fines prescribed under or by virtue of any Ordinance shall come into force on publication thereof unless the contrary intention is expressed and shall be binding in the same manner and to the same extent as if they formed part of such Ordinance.	
Appointments.	11. (1) The Governor may appoint such persons as may be required to carry out the duties imposed by any Ordinance and such appointment shall be during pleasure only.	
Under Act.	(2) The powers and duties conferred and imposed by any Act upon the holder of any office which does not exist in the Colony shall be exercised and performed by any person duly authorised by the Governor in that behalf.	
Officer acting.	(3) Any reference to a public officer shall include the person for the time being lawfully exercising the duties and functions of such officer.	
Power to fill vacancies.	(4) Where powers and duties are conferred or imposed upon any person by an Ordinance and such elections or appointments have not been made as required, or the persons elected or appointed have declined to act, or a vacancy is caused by death, the Governor may appoint some person to exercise such powers and discharge such duties until some person who is willing to act has been duly elected or appointed.	
Power to fill vacancies during temporary absence.	(5) When any powers or duties are conferred or imposed upon a public officer by any Ordinance, the Governor may direct that during any period of absence of such public officer, owing to illness or any other cause, such powers and duties shall be exercised and performed by a person nominated by the Governor, subject to such conditions, exceptions and qualifications as the Governor may direct.	
Dismissal etc.	(6) Where a power of appointment is conferred by any Ordinance the power shall also be implied to remove, dismiss, suspend, re-appoint, or re-instate, any person appointed in exercise of the power unless the contrary intention is expressed in the Ordinance.	

	(7) When any change in the title of a public office occurs the Governor may, by notice in the Gazette, declare that such change in title shall take effect from the date specified in such notice, and any reference in any Ordinance to the former title of such office shall be read and construed as a reference to that office by the new title declared by the Governor in such notice.	Change of title of public office.
	12. Subject to the express provisions of any Ordinance all dues, fees, fines, penalties or forfeitures or proceeds thereof upon sale, shall be paid into the general revenues of the Colony, but the Governor may direct payment to the Stanley Town Council, or to any aggrieved person of such proportion of the fine or penalty as he may think fit.	Disposal of fines etc.
	13. (1) The precedence of members of any Commission or Board shall, unless specially determined, be by date of appointment, or when they are appointed on the same day by the order in which their names appear in the Gazette or instrument appointing them, and unless specially provided the senior member shall be the chairman.	Commissions, Boards etc.
	(2) When the quorum of any Commission or Board is not prescribed the majority thereof shall constitute a quorum.	
	(3) The Chairman shall have only an equal vote with other members, except in case of an equality of votes when he shall have a second or casting vote.	
	14. The common law, rules of equity, and the general statutes in force in England on the 1st day of January, 1948 shall be in force in the Colony in so far as the circumstances of the Colony permit, and provided they are not inconsistent with, or repugnant to, any Ordinance or Order in Council, in which case the Ordinance or Order in Council shall prevail.	Law of England in force.
	15. The Governor in Council may, when it is considered convenient for the more efficient operation of any Ordinance or any other purpose, divide, sub-divide, and re-divide the Colony into districts, or alter the boundaries of any such districts.	Division of Colony into districts.
	16. The Governor in Council may, with the approval of the Secretary of State, declare any place to be a town, and define the extent, limits, and boundaries of such town and of its suburbs, and vary or alter such extent, limits and boundaries.	Declaration of town.
	Provided that no part of the boundaries of the town shall be more than two miles, nor the suburbs more than six miles from the centre of the town.	
	17. This Ordinance shall apply to the Dependencies.	Operation.
	18. The following sections of the Interpretation and General Law Ordinance 1900 are hereby repealed :-	Repeal part of No. 3 of 1900.
	Sections 1 to 12 (inclusive); 15 to 21 (inclusive); 26, 28, 29, 30 (a) and 31.	

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of  
May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 7



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Administration of Justice  
Ordinance 1949.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Administration of Justice (Amendment) Ordinance 1949 and shall be read and construed as one with the Administration of Justice Ordinance 1949. Short title.

2. The Administration of Justice Ordinance 1949 shall be amended by the addition of the following section after section 51 thereof : Rehearing.

“51A. (1) The Judge shall in every case heard in the Supreme Court have the power to order a new trial to be had upon such terms as he thinks reasonable and in the meantime to stay the proceedings.

(2) A new trial may be ordered on any question without interfering with the finding or decision on any other question.”

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 8



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

**An Ordinance  
To amend the Income Tax Ordinance, 1939.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance 1949 and shall be read and construed as one with the Income Tax Ordinance 1939 (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 5 of the Principal Ordinance shall be amended by substituting the words "accruing in or derived from the Colony or elsewhere and whether received in the Colony or not" for the words "accruing in, derived from or received in the Colony in respect of" in lines 5 and 6 thereof and by the addition of the following proviso at the end of that section:

Amendments to Principal Ordinance.

Section 5.

"Provided that in the case of income arising outside the Colony which is earned income, or which arises to a person who is not ordinarily resident in the Colony or not domiciled in the Colony, the tax shall be payable on the amount received in the Colony".

3. Section 22 of the Principal Ordinance shall be amended as follows —

Section 22.

- (a) in sub-section (1) thereof by substituting the words "double taxation relief being let out of account" for the words "as reduced by any relief granted under sections 19, 46 and 47 of this Ordinance" in lines 3 and 4 thereof.

- (b) In subsection (2) by the addition of the following words at the end thereof :

"and also, where the tax paid or payable by the company is affected by double taxation relief, the rate (hereafter in this Ordinance referred to as "the net Colonial rate") of the tax paid or payable by the company after taking double taxation relief into account".

- (c) by the addition of the following subsection at the end thereof :

"(3) In this section the expression "double taxation relief" means any credit for foreign income tax which is allowable against income tax chargeable under this Ordinance by virtue of arrangements having effect under section 47A of this Ordinance, and any relief allowable under section 46 or section 47 of this Ordinance, including any credit or relief which has been taken into account in determining the net Colonial rate applicable to any dividends received by the company".

Double taxation relief : definition.

Section 24.

4. Section 24 of the Principal Ordinance shall be amended by deleting the words "and received therein" and by substituting the word "to" for "by" in line 2 thereof.

5. The Principal Ordinance shall be amended by the addition of the following sections after section 47 thereof :

Section 47A.

Double taxation relief:  
Order in Council.

47A. (1) If the Governor in Council by Order declares that arrangements specified in the Order have been made with the Government of any territory outside the Colony with a view to affording relief from double taxation in relation to income tax and any tax of a similar character imposed by the laws of that territory and that it is expedient that those arrangements should have effect, the arrangements shall have effect in relation to income tax notwithstanding anything in any enactment.

(2) On the making of an Order under this section with respect to arrangements relating to the United Kingdom, section 46 of this Ordinance shall cease to have effect except in so far as the arrangements otherwise provide.

(3) On the making of an Order under this section with respect to arrangements relating to any territory forming part of His Majesty's dominions (other than the United Kingdom or the Colony), section 47 of this Ordinance shall cease to have effect as respects that territory except in so far as the arrangements otherwise provide.

(4) Any Order made under this section may be revoked by a subsequent Order.

(5) Where any arrangements have effect by virtue of this section, the obligation as to secrecy imposed by section 4 of this Ordinance shall not prevent the disclosure to any authorised officer of the government with which the arrangements are made or such information as is required to be disclosed under the arrangements.

(6) The Governor in Council may make rules for carrying out the provisions of any arrangements having effect under this section.

47B. The provisions of this section shall have effect where, under arrangements having effect under section 47A of this Ordinance, tax payable in respect of any income in the

Section 47B.

Amount of relief.

territory with the Government of which the arrangements are made is to be allowed as a credit against tax payable in respect of that income in the Colony; and in this section the expression "foreign Tax" means any tax payable in that territory which under the arrangements is to be so allowed and the expression "income tax" means tax chargeable under this Ordinance.

(2) The amount of the income tax chargeable in respect of the income shall be reduced by the amount of the credit :

Provided that credit shall not be allowed against income tax for any year of assessment unless the person entitled to the income is resident in the Colony for that year.

(3) The credit shall not exceed the amount which would be produced by computing the amount of the income in accordance with the provisions of this Ordinance and then charging the income tax at a rate ascertained by dividing the income tax chargeable (before allowance of credit under any arrangements having effect under section 47A of this Ordinance) on the total income of the person entitled to the income by the amount of his total income.

(4) Without prejudice to the provisions of the preceding subsection, the total credit to be allowed to a person for any year of assessment for foreign tax under all arrangements having effect under section 47A of this Ordinance shall not exceed the total income tax payable by him for that year of assessment, less any tax payable by him under the provisions of section 32 of this Ordinance.

(5) In computing the amount of the income —

- (a) no deduction shall be allowed in respect of foreign tax (whether in respect of the same or any other income);
- (b) where the income tax chargeable depends on the amount received in the Colony, the said amount shall be increased by the appropriate amount of the foreign tax in respect of the income;
- (c) where the income includes a dividend and under the arrangements foreign tax not chargeable directly or by deduction in respect of the dividend is to be taken into account in considering whether any, and if so what, credit is to be given against income tax in respect of the dividend the amount of the income shall be increased by the amount of the foreign tax not so chargeable which falls to be taken into account in computing the amount of credit;

but notwithstanding anything in the preceding provisions of this subsection a deduction shall be allowed of any amount by which the foreign tax in respect of the income exceeds the credit therefor.

(6) Paragraphs (a) and (b) of the preceding subsection (but not the remainder thereof) shall apply to the computation of total income for the purposes of determining the rate mentioned in subsection (3) of this section, and shall apply thereto in relation to all income in the case of which credit falls to be given for foreign tax under arrangements for the time being in force under section 47A of this Ordinance.

(7) Where —

- (a) the arrangements provide, in relation to dividends

of some classes, but not in relation to dividends of other classes, that foreign tax not chargeable directly or by deduction in respect of dividends is to be taken into account in considering whether any, and if so what, credit is to be given against income tax in respect of the dividends: and

- (b) a dividend is paid which is not of a class in relation to which the arrangements so provide,

then, if the dividend is paid to a company which controls, directly or indirectly, not less than one-half of the voting power in the company paying the dividend, credit shall be allowed as if the dividend were a dividend of a class in relation to which the arrangements so provide.

(8) Credit shall not be allowed under the arrangements against income tax chargeable in respect of the income of any person for any year of assessment if he elects that credit shall not be allowed in the case of his income for that year.

(9) Any claim for an allowance by way of credit shall be made not later than two years after the end of the year of assessment, and in the event of any dispute as to the amount allowable the claim shall be subject to objection and appeal in like manner as an assessment.

(10) Where the amount of any credit given under the arrangements is rendered excessive or insufficient by reason of any adjustment of the amount of any tax payable either in the Colony or elsewhere, nothing in this Ordinance limiting the time for the making of assessments or claims for relief shall apply to any assessment or claim made not later than two years from the time when all such assessments, adjustments and other determinations have been made, whether in the Colony or elsewhere, as are material in determining whether any and if so what credit falls to be given.

Section 47C.  
Relief for companies.

47C. (1) Where the tax paid or payable by a company is affected by double taxation relief the amount to be set off under section 23 of this Ordinance, or to be repaid under section 54 of this Ordinance, in respect of the tax deductible from any dividend paid by the company shall be reduced as follows:

- (a) if no tax is chargeable on the recipient in respect of the dividend, the reduction shall be an amount equal to tax on the gross dividend at the rate of double taxation relief applicable thereto;
- (b) if the rate of tax chargeable on the recipient in respect of the dividend is less than the rate of double taxation relief applicable to the dividend, the reduction shall be an amount equal to tax on the gross dividend at the difference between those two rates.

(2) For the purposes of this section —

- (a) if the income of the person chargeable includes one dividend such as is mentioned in the preceding subsection, that dividend shall be deemed to be the highest part of his income;
- (b) if his income includes more than one such dividend, a dividend shall be deemed to be a higher part of his income than another dividend if the net Colonial rate applicable to the former dividend is lower than that applicable to the latter dividend;

- (c) where tax is chargeable at different rates in respect of different parts of any such dividend, or where tax is chargeable in respect of some part of any such dividend and is not chargeable in respect of some other part thereof, each part shall be deemed to be a separate dividend;

- (d) the expression "double taxation relief" has the same meaning as in section 22 of this Ordinance, and the expression "the rate of double taxation relief" means the rate which represents the excess of the rate of tax deductible from the dividend over the net Colonial rate applicable thereto.

6. This Ordinance shall come into force on the 1st day of January, 1949.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,

*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of  
May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 9



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

**An Ordinance**

To provide for the maintenance of a  
Central Registry and the regulation of all  
matters to be registered therein.

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof as follows —

1. This Ordinance may be cited as the Registration Ordinance 1949. Short title.
2. Where the context so admits in this Ordinance and any Regulations made thereunder Definitions.
  - "Will" includes a codicil.
  - "Instrument" means any deed, contract, will or other matter required to be registered.
  - "Stillborn" applies to any child which has issued forth from its mother after the 28th week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other sign of life.
3. A Central Registry shall be maintained in Stanley for the registration of all matters required by law, and of all matters which the Governor in Council may require, to be registered in the Central Registry. Central Registry.

Registrar General.	<p>4. (1) The Registrar General shall be responsible for the proper registration of all matters required to be registered under section 3 hereof.</p> <p>(2) The Registrar General shall exercise all the powers perform all the duties and be subject to the liabilities of a registrar of births, deaths and marriages in the United Kingdom so far as the same are applicable.</p>	
Records etc. to form Central Registry.	<p>5. All registers, records, books, papers, maps and other documents now in the custody of the Registrar General under the Registration Ordinance 1853 shall be retained by him as part of the records of the Central Registry.</p>	
Registration of particulars of births.	<p>6. (1) The father or mother of every child born alive in the Colony and its Dependencies, or in the case of the death, illness or absence or inability of the father or mother the occupier of the house in which to his knowledge the child is born, or one of the persons present at the birth or the person having charge of the child shall, if the child shall have been born in Stanley, give to the Registrar General within ten days of the birth such particulars as he may require to be registered, and if the child shall have been born elsewhere shall give to the Registrar General or a Registrar appointed under this Ordinance such particulars within 42 days of the date of birth, and in every such case shall sign the register.</p> <p>(2) Any person responsible for giving such particulars to the best of his knowledge and belief who shall fail to do so or refuse to sign the register shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10.</p>	
Registration of birth of Stillborn child.	<p>7. The provisions of section 6 shall apply to the birth of a stillborn child and every person required to give information shall either</p> <p>(1) deliver to the Registrar General or nearest Registrar a written certificate that the child was not born alive signed by a registered medical practitioner or midwife who was in attendance at the birth or who has examined the body of such child; or</p> <p>(2) make a declaration to the effect that no registered medical practitioner or midwife was present at the birth, or has examined the body or that his or her certificate cannot be obtained and that the child was not born alive.</p>	
Information as to death.	<p>8. (1) The nearest relatives of the deceased present at the death or in attendance during the last illness, or in default any relative who has knowledge of any of the particulars required to be registered, or in default of such relatives, any person present at the death or the occupier of the house in which to his knowledge the death took place, or any person finding or taking charge of the body, or each inmate of the house or the person causing the body to be buried shall inform the Registrar or nearest Registrar within five days next after the death or finding the body if such death or finding occurred in Stanley or within 14 days if it occurred elsewhere and shall sign the register.</p> <p>(2) Any person whose duty it is to register a death who shall fail within twelve months of the date of death or finding the body and within seven days of the receipt of a notice from the Registrar General or nearest Registrar calling on him so to do shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10.</p>	
Ministers to keep registers of baptisms and burials.	<p>9. A Minister of Religion shall keep registers of baptisms and burials and shall record in them the particulars required under the Parochial Registers Acts and sign the same within seven days of the baptism or burial unless prevented by sickness or other unavoidable cause, and shall on or before the 15th day of January in each year forward to the Governor or to the person appointed by him in</p>	
	<p>the form required by him an abstract of the number of baptisms and burials registered during the preceding year. Any minister who shall refuse, or without reasonable cause omit to send such abstract shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10.</p>	
	<p>10. Any person who shall :</p> <p>(a) wilfully make or cause to be made a false statement for the purpose of it being inserted in any register;</p> <p>(b) knowingly or wilfully insert or cause or permit to be inserted any false statement in a register or abstract required under this Ordinance or any regulations made thereunder or shall knowingly or wilfully sign or verify any copy or abstract knowing the same to be false;</p> <p>(c) wilfully destroy or injure or cause to be destroyed or injured any register or map being a record in the Central Registry</p> <p>shall commit an offence and shall be liable on conviction to a fine not exceeding £100 or to imprisonment for a term not exceeding two years.</p>	Offences.
	<p>11. (1) Any Registrar General or Registrar who refuses on ceasing to hold such office to deliver up to the Governor or the person appointed by him to receive all registers, records, books, papers, maps, safes keys and other documents and things in his possession relating to his office shall commit an offence and be liable on summary conviction to a fine not exceeding £50 and a further fine not exceeding £10 for each day he shall so refuse to deliver up such registers, records, books, papers, maps, safes keys and other documents and things after conviction in respect thereof.</p> <p>(2) If a Justice is satisfied by information on oath that an offence under this section has been committed he may grant a search warrant authorising any constable named therein to enter at any time any premises or place named in the warrant, if necessarily by force, and to search the premises or place and any person found therein and to seize any register, record, book, paper, map, document, safe key or anything which is evidence of an offence under this section.</p>	Refusal by Registrar General etc. to hand over records.
	<p>12. The Governor in Council may make Regulations for the administration of this Ordinance and impose penalties for any breach thereof.</p>	Regulations.
	<p>13. The Registration Ordinance 1853 and the Registration (Amendment) Ordinance 1938 are hereby repealed.</p>	Repeals. 12 of 1853 7 of 1938.
	<p>14. This Ordinance shall apply to the Dependencies.</p>	Operation.
	<p>This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.</p> <p>L. W. ALDRIDGE, <i>Clerk of the Legislative Council.</i></p>	
	<p>FALKLAND ISLANDS : Printed at the Government Printing Office by H. H. Sedgwick.</p>	

Assented to in His Majesty's name this 26th day of  
May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 10



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

**An Ordinance**

To provide for the establishment of an  
Arbitration Board in connection with Trade  
Disputes, and to make provision for the  
settlement of such disputes.

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Trade Disputes      Short title.  
(Arbitration) Ordinance 1949.

2. (1) In this Ordinance where the context so admits —      Definitions.  
“trade dispute” means any dispute or difference between em-  
ployers and workmen, or between workmen and workmen,  
connected with the employment or non-employment, or the  
terms of the employment, or with the conditions of labour, of  
any workman.

“workman” means any person who has entered into or works  
under a contract with an employer whether the contract be by  
way of manual labour, clerical work, or otherwise, be expressed  
or implied, oral or in writing, and whether it be a contract of  
service or of apprenticeship or a contract personally to execute  
any work or labour.

(2) This Ordinance shall not apply to persons in the      Application.  
Naval, Military, or Air services of the Crown, or to members of  
the Police Force, but otherwise shall apply to workmen employed  
by the Government in the same manner as if they were employed by  
a private person.

Trade disputes may be reported to the Governor.

3. (1) Any trade dispute, may be reported to the Governor by or on behalf of either of the parties to the dispute, and the Governor shall thereupon take such steps as seem to him expedient for promoting a settlement thereof.

Reference of disputes to arbitration board and constitution of the board.

(2) Where a trade dispute exists, the Governor may, subject as hereinafter provided, if both parties consent, refer the matter for settlement to an Arbitration Board (hereinafter referred to as the "Board") constituted of either—

- (a) a sole arbitrator appointed by the Governor; or
- (b) an arbitrator appointed by the Governor, assisted by not more than three assessors nominated by or on behalf of the employers concerned and an equal number of assessors nominated by or on behalf of the workmen concerned, all of whom shall be appointed by the Governor: Provided that the award shall be made and issued by the arbitrator only; or
- (c) not more than three arbitrators nominated by or on behalf of the employers concerned and an equal number of arbitrators nominated by or on behalf of the workmen concerned, and an independent chairman, all of whom shall be appointed by the Governor: Provided that where all the members of the Board are unable to agree as to their award, the matter shall be decided by the chairman as sole arbitrator.

(3) The Arbitration Act 1889 or any Act amending or substituted for it shall not apply to any proceedings of a Board under this Ordinance or to any award issued by it.

4. (1) Whenever a vacancy occurs in the number of assessors on a Board constituted under section 3 (2) (b) hereof the Board may in the discretion of the arbitrator either act notwithstanding such vacancy or consent to another assessor being appointed to fill such vacancy.

(2) Whenever a vacancy occurs in the number of arbitrators on a Board constituted under section 3 (2) (c) hereof the Board may, with the consent of the parties, act notwithstanding such vacancy.

(3) No act, proceeding or finding of the Board shall be invalidated by reason of any such vacancy provided that the consent required under sub-section (2) hereof was first obtained.

Award of Board not to conflict with any law.

5. Where a trade dispute referred to a Board involves questions as to wages, or as to hours of work, or otherwise as to the terms or conditions of or affecting employment which are regulated by any Ordinance other than this Ordinance, any award which is inconsistent with the provisions of that Ordinance shall be invalid.

Publication of the award.

6. The award of a Board shall be submitted to the Governor who shall as soon as possible thereafter cause the same to be published in such manner as he thinks fit.

Interpretation of the award.

7. Where a question arises as to the interpretation of an award of a Board the Governor may refer the question or any party to the award may apply to the Board for a decision, and the Board shall decide the matter after hearing the parties, or without such hearing provided the consent of the parties has been first obtained. The decision of the Board shall be notified to the Governor and to the parties and shall be deemed to form part of and shall have the same effect in all respects as the original award.

Evidence.

8. For the purpose of dealing with any matter referred to it, a Board shall have full power to order any person to furnish, in writing or otherwise, such particulars in relation to such matter

as the Board may require, and attend before the Board and give evidence on oath or otherwise, and to require the production of documents, so as to elicit all such information as the Board may consider necessary, without being bound by the rules of evidence in civil or criminal proceedings; Provided always that, if any witness objects to answer any question on the ground that it will tend to incriminate him or on any other lawful ground, he shall not be required to answer the question nor be liable to any penalties for refusing to answer.

9. It shall be in the discretion of a Board to permit any interested person to appear by counsel or solicitor on any proceedings before such Board.

Appearance of Counsel or Solicitor.

10. (1) It shall be in the discretion of a Board to admit or exclude the public or the press from any of its sittings.

Sitting may be public or private.

(2) Any person who shall, before an award of a Board has been published by order of the Governor, publish any comment on the Board, any proceeding or evidence, other than a fair and accurate report or summary of the proceedings including the evidence adduced at a sitting of the Board, shall be liable on summary conviction to a fine not exceeding £50.

11. The Governor in Council may make Rules regulating the procedure to be followed by a Board, and whenever any question shall arise in the course of an arbitration in respect of which Rules have not been made, the Board shall regulate its own procedure.

Rules of procedure.

12. (1) The Governor may appoint at such remuneration and on such terms and conditions as he may determine such officers and other servants as may be necessary for carrying out the purposes of this Ordinance.

Expenses.

(2) Any expenses incurred in the operation of this Ordinance and approved of by the Governor shall be paid out of the general revenues of the Colony.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,

*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of  
May, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 11



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

G. M. CLIFFORD, C.M.G., O.B.E., E.D.,  
*Governor.*

**An Ordinance**

**To provide for the maintenance of a  
Police Force and Prison.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council, thereof, as follows —

1. This Ordinance may be cited as the Police and Prison Short title.  
Ordinance, 1949.

2. In this Ordinance and any Regulations made thereunder Definitions.  
where the context so admits

“constable” means the Chief Constable and any other police  
officer appointed under this Ordinance.

**PART I — POLICE.**

3. (1) The Governor may for any period he may think fit Appointment of  
appoint any person to be a constable. Constables.

(2) After taking the oath next hereinafter prescribed a constable shall be given a warrant of authority in the following form

"This is to certify that  
has been appointed to act as constable in the Falkland Islands  
and Dependencies.

Date for Governor".

(3) A constable shall on termination of his appointment return the warrant to the Colonial Secretary.

Oath.

4. On appointment a constable shall take the following oath before a Justice -

"I, ..... do swear that I will well and truly serve our Sovereign Lord the King in the office of constable for the Falkland Islands and Dependencies, without favour or affection, malice, or ill-will, and that I will, to the best of my power, cause the peace to be kept and preserved, and prevent all offences against the persons and properties of His Majesty's subjects, and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge the duties thereof according to law."

Powers and duties of a constable.

5. (1) A constable shall have and exercise all the powers, authorities and immunities and be liable to all the duties and responsibilities of any constable in England so far as they are applicable in the Colony and its Dependencies.

(2) A constable may stop, search or detain any vessel, motor-vehicle, cart or bicycle which he has reason to suspect is being, or has been, used in the commission of an offence and may seize any property found therein or thereon in respect whereof any person on such vessel, motor-vehicle, cart or bicycle, is unable to give a satisfactory explanation and may arrest any such person.

(3) A constable shall, when so required by the Chief Constable, perform the duties of prison officer or warder.

Offences by constable.

6. Any constable who shall

- (a) be guilty of any neglect or violation of his duty, or
- (b) not deliver up forthwith on his ceasing to hold office all his accoutrements, clothing and other necessities of office supplied to him

shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10 or to imprisonment for a term not exceeding one month and a search warrant may be granted for articles not delivered up.

Personation of constable.

7. Any person who for any unlawful purpose or without the authority of the Governor puts on the dress, accoutrements or takes the name, designation or character of a constable shall be liable on summary conviction to a fine not exceeding £10.

## PART II - PRISONS.

Governor may appoint any place to be a prison.

8. The Governor may appoint any building to be a prison for the confinement of any prisoner sentenced by a Court in the Colony or sent to the Colony on conviction under any Act.

Visiting Justices.

9. (1) The Governor may on the 1st day of January in each year appoint from the panel of Justices resident in Stanley three such Justices to constitute a Board of Visiting Justices of whom the Magistrate shall be a permanent and senior member for the ensuing year.

(2) Visiting Justices shall enter and inspect any prison and see and receive complaints from prisoners when they may so decide but at least four times in any year and after each such inspection shall report thereon and as to any complaints received from prisoners and the manner in which they were dealt with to the Governor.

10. Any person may be permitted to visit any prisoner on the order in writing of a Visiting Justice. Visitors.

11. (1) Any person who brings or attempts to introduce into any prison any spirituous or fermented liquor or tobacco and every officer of a prison who suffers any spirituous or fermented liquor or tobacco to be sold or used therein contrary to Prison Regulations shall commit an offence and shall be punishable on conviction by imprisonment for a term not exceeding 6 months or to a fine not exceeding £20 or both such fine and imprisonment and if the offender be a prison officer he shall be dismissed the service. Forbidden articles.

(2) Any person conveying or attempting to convey any letter or notice not allowed by Prison Regulations in or out of any prison shall on summary conviction be liable to a fine not exceeding £10 and if the offender be a prison officer he shall be dismissed the service.

12. The period during which any prisoner has been unlawfully absent from prison shall be added to his sentence. Unlawful absence.

13. A prisoner shall be removed from prison to the hospital on a certificate signed by the Senior Medical Officer stating the nature of the illness and that the removal is necessary for his restoration to health, countersigned by the Magistrate, and delivered to the Chief Constable. Illness.

14. The Chief Constable shall give immediate notice of the death of any prisoner to the Coroner. Coroner to be informed of death.

15. The body of every offender executed shall be buried in such place as the Governor may, by writing under his hand, appoint. Burial of body of executed prisoner.

## PART III - GENERAL.

16. The Governor in Council may make regulations as to - Regulations.

- (1) the duties and discipline of constables and the imposition of any fines for any infringement in addition to any other punishment to which the constable may be liable;
- (2) the duties of Visiting Justices;
- (3) the duties and discipline of prison officers, the maintenance of good order in any prison and the discipline of prisoners therein and the imposition of punishment for any infringement thereof;
- (4) the execution of the death sentence.

17. The Gaols Ordinance 1898 and sections 10 to 15 (inclusive) of the Summary Jurisdiction Ordinance 1902 are hereby repealed. Repeals: 5 of 1898, 5 of 1902 (part)

18. This Ordinance shall apply to the Dependencies. Operation.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 12



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To consolidate and amend the law as  
to Licensing.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

#### PART I. — PRELIMINARY.

1. This Ordinance may be cited as the Licensing Ordinance, 1949. Short title.
2. In this Ordinance where the context so admits — Interpretation.
  - “auctioneer” means any person selling by public auction any goods, chattels or land whether in lots or otherwise;
  - “billiard table licence” means a licence to keep and maintain billiard and/or bagatelle tables for hire on the premises and on the days and between the hours specified in the licence;
  - “cigarette” includes cut tobacco rolled up in paper, tobacco leaf or other material in such form as to be capable of immediate use for smoking;
  - “club” means a society of persons associated together for social intercourse or for the promotion of politics, sport, art, science or literature or similar purposes.

"club licence" means a licence for the sale of intoxicating liquor to members of a club and to the guests of such members only on the premises of the club but the holder thereof shall not be restricted to the hours specified in section 35 hereof;

"intoxicating liquor" means spirits, wine, beer, porter, cider, perry, and any fermented distilled or spirituous liquor which cannot, according to any law for the time being in force, be sold without a licence;

"licensed premises" means premises in respect of which a licence has been granted and is in force;

"licensing authority" means the officer in charge of the Treasury in the Colony and, in the Dependencies, the Administrative Officer, in South Georgia;

"packet licence" means a licence to the master of the vessel therein mentioned to sell any intoxicating liquor during a voyage to any passenger subject in the case of voyages directly from and to places within the Colony no intoxicating liquor on which the proper duties of Customs have not been paid shall be sold;

"publican's retail licence" means a licence for the sale of any intoxicating liquor in any quantity less than two gallons for consumption on or off licensed premises;

"still" means any apparatus susceptible of being used for the manufacture or rectifying of spirits and includes any part of such apparatus;

"tobacco" includes cigarettes, cigars, cigarillos, smoking mixtures and snuff;

"wholesale licence" means a licence for the sale of any intoxicating liquor for consumption off the licensed premises.

#### Kinds of licences.

3. (1) The licensing authority may, subject as hereinafter mentioned, grant the following licences upon payment of the fees respectively set out against them:

#### Fees.

Publican's retail	£15 : 0 : 0.
Billiard table (each table)	2 : 10 : 0.
Packet	5 : 0 : 0.
Wholesale	30 : 0 : 0.
Club	10 : 0 : 0.
Tobacco (for Stanley and within 15 miles thereof by land or sea)	3 : 0 : 0.
Tobacco (outside the above limit)	1 : 10 : 0.
Auctioneer	5 : 0 : 0.
" (occasional)	1 : 0 : 0.

#### Duration.

(2) (a) Packet, wholesale, tobacconist's, club, and auctioneer's (other than an occasional licence) licences shall be in force for twelve months and publican's retail and billiard table licences shall be in force for six months.

(b) An auctioneer's occasional licence shall be in force only for the day of the particular auction in respect of which it is granted.

#### Form.

(3) All licences shall be in such form, contain such particulars and be subject to such conditions as the licensing authority may deem appropriate.

### PART II. — INTOXICATING LIQUOR LICENCES.

Licences already held to be subject to this Ordinance.

4. All licences held at the commencement of this Ordinance, and all licensed premises and licensed persons holding, or in respect of which a licence shall be held at the commencement of this Ordinance, shall, except where otherwise specially provided, be under and subject to the provisions of this Ordinance.

5. Nothing in this Ordinance shall apply to any person selling any spirituous or distilled perfume, *bona-fide* as perfumery, nor to the prescription or administration of any liquor simply as medicine, or for medicinal purposes by or under the direction of any registered medical practitioner, nor to any person who holds a licence as auctioneer, selling liquor at public auction in quantities of not less than two gallons at any one time.

Ordinance not to apply in certain cases.

6. No person shall sell or expose for sale any intoxicating liquor without being duly licensed to sell the same, or at any place where he is not duly authorised to sell the same, and any person who shall (except as the agent or servant of a licensed person, and then only in accordance with such person's licence) sell any liquor without a licence authorising such sale shall commit an offence and be liable to forfeit all liquor and the containers in his possession.

No liquor to be sold without licence.

7. (1) Any person applying for a new publican's retail or packet licence shall advertise notice of his application setting out the name and address of the applicant, the type of licence for which he intends to apply, the premises in respect of which the application is made and the date of application in the Gazette, and on the official notice board in Stanley, and in a paper circulating in the Colony not less than 21 days before making the application.

Application for new publican's retail or packet licence.

(2) The licensing authority may on the requirements of subsection (1) hereof having been complied with grant a licence provided that no objection as provided for in section 8 shall have been upheld by the Justices under section 9 hereof.

8. Objection to the grant or renewal of a licence may be taken on the ground that the applicant is of bad character or of drunken habits or has within the preceding year forfeited a licence, or within the preceding three years been convicted of selling intoxicating liquor without a licence, or that the premises are not structurally suitable to the class of licence which is required or that the premises are in the immediate vicinity of a place of worship, hospital or school or that the premises are not maintained to the required standard or that there are sufficient licensed premises to supply the needs of the neighbourhood.

Objections.

9. (1) Notice of any objection to the grant or renewal of a licence stating the ground thereof shall be given to the Magistrate, the licensing authority and the applicant within 21 days of publication of the notice in the Gazette as provided in section 7 (1) hereof.

Notices and hearing of objections.

(2) Objections to the grant or renewal of licences shall be heard and determined by the Magistrate sitting with not less than two nor more than four Justices within seven days of the receipt of the notice of objection or within the said period of 21 days whichever shall be the later: Provided that no Justice holding or interested in a licence under this Ordinance shall adjudicate.

(3) When an objection to the grant of a licence is upheld by the Justices an applicant shall not nor shall any person when the objection is on the ground of the unsuitability or otherwise of the premises apply for the grant or renewal of a licence within twelve months of the date of such decision.

10. (1) Any person who thinks himself aggrieved by the refusal of the justices to grant or renew a publican's retail or packet licence may appeal to the Supreme Court upon giving notice in writing to the Magistrate of his intention to appeal and of the grounds thereof within five days of the decision of the Justices.

Appeals.

(2) The order of the Supreme Court shall be final and conclusive.

(3) The Supreme Court may make such order as to costs or otherwise as it may deem fit and issue process for enforcing the order.

Renewal of licences.	11. All licences held at the commencement of this Ordinance or granted during its operation may be renewed without publication of the notices as required under section 7: Provided that any objection thereto is not upheld by the Justices.	
Special licences.	12. The Magistrate may, at his discretion, grant on any special occasion to the holder of a publican's retail licence a special licence authorising such publican to keep his premises open during the hours specified on such special licence, and there shall be paid into the Treasury, on the issue of such special licence, the following fees –  In respect of a licence authorising premises to be kept open during any period prohibited under section 35: (a) between mid-day and mid-night, each and any hour or part of an hour, five shillings, and (b) after mid-night, each and any hour or part of an hour, ten shillings.	
Occasional licence.	13. The Magistrate may, at his discretion, grant to any person an occasional licence for the sale of intoxicating liquors at such place, in such quantities, and for such period of time not exceeding three consecutive days, as may be specified in such licence, and on the issue of any such licence there shall be paid into the Treasury a fee at the rate of ten shillings per diem in respect of any place within three miles of a public-house, and five shillings per diem in respect of any other place.  Provided that no such licence shall be granted except with the consent of the occupier of the place specified in such licence.	
Name of licensed person to be affixed to premises.	14. Every licensed person shall cause to be painted or fixed, and shall keep painted or fixed on the front of the premises in respect of which his licence is granted, in a conspicuous place, and in letters at least three inches in height, his name, with the addition after the name of the word "licensed" and of words sufficient to express the business for which his licence has been granted, and no person shall have any words or letters on his premises importing that he is licensed in any way other than that in which he is in fact duly licensed. Every licensed person who acts in contravention or, who fails to comply with the provisions of this section shall commit an offence.	
Retail dealers not to keep a store.	15. Any person licensed to sell liquor by retail in Stanley, or in any town who shall directly or indirectly keep a store, or sell or barter goods on the premises for which a retail licence has been granted under this Ordinance, shall commit an offence and be liable to forfeit his licence. Provided that this section shall not apply in the case of a licensed person supplying meals or provisions to be consumed on the licensed premises or selling tobacco under licence.	
Samples of liquor may be taken for test purposes.	16. Any constable may enter upon any premises where liquor is kept or stored for the purposes of sale and take samples of any such liquor to be tested, and any person refusing to furnish liquor required with this object, or who may interfere with, impede, resist or obstruct the officer in the discharge of his duty shall commit an offence.	
Sanitary precautions.	17. Every holder of a publican's retail licence shall thoroughly cleanse and disinfect all the rooms, passages, stairs, floors, walls, ceilings, closets, cesspools and drains of the licensed premises to the satisfaction of and as required by or in accordance with the directions of any inspector.	
Dancing etc. on licensed premises.	18. (1) Any licensed person who shall permit any part of the licensed premises or the appurtenances thereto to be used or occupied for the purposes of singing, dancing or theatrical entertainment without a licence provided for in sub-section (2) hereof shall commit an offence and shall be liable to forfeit his licence.	
	(2) The Magistrate may at his discretion grant to any licensed person a licence permitting such person to use a specified part of licensed premises or the appurtenances thereto (but not the whole) for the purposes of singing, dancing or theatrical entertainment on a day and within stated hours upon payment of a licence fee of five shillings.	
	19. Any person holding a wholesale licence or transfer thereof who shall sell or suffer to be sold any intoxicating liquor for consumption on the licensed premises and any person holding a publican's retail licence or transfer thereof who shall sell or suffer to be sold on the licensed premises to any person at one time intoxicating liquor amounting to or exceeding two gallons or to be convicted of any offence against the law for the proper regulation and good order of the licensed premises occupied by him or against the conditions of his licence shall in addition to any penalty on account of such offence be liable to forfeit his licence. Provided that any person holding both wholesale and retail licences may sell liquor either by wholesale or retail on the same premises.	Liability to revocation of licence on conviction.
	20. Any master employing journeymen, workmen, servants or labourers, who shall pay or cause any payment to be made to any such journeymen, workmen, servants or labourers in any licensed premises or in any house in which intoxicating liquor is sold shall commit an offence. Provided always that nothing herein contained shall extend to any licensed person paying his own journeymen, workmen, servants or labourers employed solely in his business as licensed person in his licensed house.	Penalty for paying wages in licensed premises.
	21. No licensed person shall recover any debt or demand on account of any liquor supplied by him to any person for consumption on the premises; but such licensed person may sue for and recover the value of any liquor supplied in moderate quantity with meals to any person <i>bona fide</i> lodging in his house.	No debts for liquor recoverable.
	22. (1) Any licensed person who shall receive in payment or as a pledge for any liquor or entertainment supplied in or from his licensed premises anything except current money, shall commit an offence. The person to whom belongs anything given as a pledge as aforesaid shall have the same remedy for recovering such pledge or the value thereof as if it had never been pledged.	Liquor to be sold for money only.
	(2) No licensed person shall receive payment in advance for any liquor to be supplied; and any payment so made in advance may be recovered notwithstanding that any liquor may have been supplied subsequently to such payment.	
	23. (1) Any person holding a publican's retail licence or a club licence who shall permit any person apparently under the age of 18 years to enter or remain in any bar in such licensed premises shall commit an offence and shall be liable to forfeit his licence.	Persons under 18 years not to enter bars in licensed premises.
	(2) Any person under the age of 18 years who shall enter a bar in any premises in respect of which a publican's retail or club licence is held and anyone taking such person into such bar shall commit an offence.	
	24. Any person who sells or delivers any intoxicating liquor to any person apparently under the age of 18 years for consumption on or off licensed premises shall commit an offence.	Sale etc. of intoxicating liquor to persons under the age of 18 years.
	25. Any licensed person who knowingly harbours or suffers to remain on his premises any constable during any part of the time appointed for such constable being on duty, unless for the purpose of keeping or restoring order or in execution of his duty, or supplies any liquor or refreshments, whether by way of gift or sale, to any constable on duty, unless by the authority of some superior officer of such constable or bribes or attempts to bribe any constable shall commit an offence and shall be liable to forfeit his licence.	Penalty for harbouring constable.

Supply of liquor to  
drunkards prohibited.

26. Where it shall appear to a court that any person by excessive drinking of liquor misspends, wastes or lessens his or her estate, or greatly injures his or her health, or endangers or interrupts the peace and happiness of his or her family, the Magistrate or any two Justices may by writing under their hands, forbid any licensed person to sell to him or her any liquor for a period not exceeding one year, and such Magistrate or Justices or any other two Justices may, at the same time or any other time, in like manner, prohibit the selling of any such liquor to the said drunkard by any such licensed persons of any other district to which such drunkard shall or may be likely to resort for the same.

Prohibition renew-  
able.

27. The Magistrate or any two Justices may renew any such prohibition as aforesaid as to all such persons as have not in their opinion reformed within the period specified and if any licensed person shall during any period of prohibition, after service of a copy thereof upon him or with a knowledge thereof in other manner acquired, sell to any such prohibited person any liquor he shall commit an offence.

Penalties.

28. Any person

- (a) against whom an order of prohibition has been made under section 26 or renewed under section 27 of this Ordinance who shall, within the currency of such order, or any renewal thereof be in any place where liquor be sold by retail; or
- (b) who, being the holder of any retail liquor licence, shall suffer any such prohibited person to be in the place so licensed; or
- (c) who sells, supplies or distributes intoxicating liquor or authorises such sale, supply or distribution to any such prohibited person, shall commit an offence.

Provided that the Magistrate hearing a charge under this section, upon being satisfied that the person charged did not wilfully contravene the provisions of this section, or used every effort to prevent a prohibited person from being or remaining on his premises and immediately gave information thereof to the police, may dismiss the charge against such person.

Drunkard may not  
procure liquor.

29. When any person against whom a prohibition order has been made or renewed under section 26 or 27 of this Ordinance shall—

- (a) send or in any way influence any person to procure him liquor; or
- (b) be found in possession of any liquor; or
- (c) be found drunk in Stanley,

he shall commit an offence.

Sales by auction for-  
bidden on licensed  
premises.

30. Any licensed person who shall permit any sale by auction to be made on his premises shall commit an offence.

Penalty for  
permitting gaming.

31. Any licensed person who suffers any unlawful game or any raffle, lottery or betting to be carried on in his premises, or opens, keeps or uses or suffers his premises to be opened, kept or used for the purpose of fighting or baiting any dog, cock or other kind of animal whether of domestic or wild nature, shall commit an offence. The penalty shall be irrespective of and in addition to any other penalties to which any person may be liable under any law relating to gaming or cruelty to animals.

Forfeiture of licence  
for permitting house  
to be a brothel.

32. Any licensed person who permits his premises to be used as a brothel shall commit an offence and he shall forfeit his licence and be disqualified for any period from holding any licence for the sale of liquors.

33. Any licensed person may refuse to admit to and may turn out of the premises in respect of which his licence be granted any person who is drunken or who is violent, quarrelsome or disorderly, whether drunken or not, and any person whose presence on his premises would subject him to a penalty under this Ordinance, and may refuse to serve any such person with liquor if demanded only as a pretext for remaining on the premises.

Power to exclude per-  
sons from premises  
and to refuse liquor.

34. Any person who, upon being requested by a licensed person or his agent or servant or any constable to quit, such premises, refuses or fails to do so, shall commit an offence, and any constable shall on the demand of such licensed person, agent or his servant, expel or assist in expelling every such person from such premises and may use such force as may be required for that purpose.

Penalty for refusing  
to quit premises on  
demand.

35. All premises in which intoxicating liquors are sold by retail shall be open for the following hours only :

On week-days from 10 a.m. until 1 p.m. and from 5.30 p.m. until 10 p.m.

On Sundays, Christmas Day & Good Friday from 12 noon until 1 p.m.

Provided that it shall be lawful for the Governor by Order-in-Council to vary the said hours.

36. Any person who, during the time at which licensed premises are directed to be closed by or in pursuance of this Ordinance, sells or exposes for sale on such premises, any liquor, or opens, or keeps open such premises for the sale of liquors, or allows any liquors although purchased before the hours of closing, to be consumed on such premises, or during such aforesaid time allows any one whomsoever to play at billiards or bagatelle, or any other game on such premises, and any person other than one *bona-fide* lodging in such premises who shall consume any liquor or play any game as aforesaid during such time shall commit an offence.

Penalty for sale of  
liquor at unauthorised  
times.

37. The occupier of any unlicensed premises on which any liquor is sold, if such premises are occupied by more than one person, every occupier thereof shall, if he was privy or consenting to the sale, commit an offence.

Occupier of unlicen-  
sed premises liable for  
the sale of liquor.

38. (1) If any purchaser of any liquor from a person who is not licensed to sell the same to be drunk on the premises, drinks such liquor on the premises where the same is sold, the seller of such liquor shall, if it shall appear that the drinking was with his privity and consent, commit an offence.

Seller liable for  
drinking on premises  
contrary to licence.

(2) For the purposes of this section the expression "premises where the same is sold" shall include the premises adjoining, or near the premises where the liquor is sold, if belonging to the seller or under his control, or used by his premises.

39. (1) If any person having a licence to sell liquors, not to be drunk on the premises, himself takes or carries, or employs or suffers any other person to take or carry any liquor out of, or from the premises of such licensed person, for the purpose of being sold on his account, or for his benefit or profit, and of being drunk or consumed in any other house, or in any tent, shed or other building of any kind whatever, belonging to such licensed person, or hired, used or occupied by him, or on or in any place, whether enclosed or not, and whether or not a public thoroughfare, such shall be deemed to have been consumed by the purchasers thereof on the premises of such licensed person with his privity and consent, and such licensed person shall commit an offence.

Evasion of law as to  
drinking on premises  
contrary to licence.

(2) In any proceeding under this section it shall not be necessary to prove that the premises, or place or places to which such

liquor is taken to be drunk, belonged to or were hired, used or occupied by the seller, if proof is given to the satisfaction of the Court, that such liquor was taken to be consumed thereon or therein, with intent to evade the conditions of his licence.

Penalty on internal communication with unlicensed premises.

40. (1) Every person who makes or uses, or allows to be made or used, any internal communication between any licensed premises and any unlicensed premises which are used for public entertainment or resort, or as a refreshment house, shall commit an offence.

(2) Any holder of a licence convicted under this section shall in addition to a penalty, be liable to forfeit his licence.

No bars beyond the number licensed to be used.

41. (1) No bar, beyond the number stated on a publican's licence shall be opened or used in or upon the licensed premises, except with the consent of the Magistrate, which consent shall be endorsed on the licence.

(2) Any person who shall open or use any additional bar for the sale of liquors, or shall knowingly permit the same to be opened or used for such sale, without such consent and endorsement as aforesaid and without having paid a licence fee at the rate of five pounds per annum for each additional bar, shall be deemed to have been guilty of selling without a licence.

Club not to sell liquor without licence.

42. Any person operating or controlling a club or taking an active interest therein or being a member official or servant thereof who shall sell or cause to be sold any liquor on any premises occupied by a club, whether permanently or temporarily, without first obtaining a club licence shall commit an offence.

43. In any proceedings relative to an offence under this Ordinance it shall not be necessary, when the sale or consumption of liquor is involved, for the prosecution to prove that any money actually passed or liquor was actually consumed. The Court may be satisfied by evidence that a transaction in the nature of a sale actually took place, or that any consumption of liquor was about to take place, and proof of consumption or intended consumption of liquor on premises to which a licence is attached by some person, other than the occupier of or a servant in such premises, shall be evidence that the liquor was sold to the person consuming, or being about to consume, or carrying away the same by or on behalf of the holder of the licence.

Unlawful sale of liquor provable by purchaser thereof.

44. The evidence of any person shall be admitted in proof of unlawful sale of liquor, although he may have himself purchased the same, and such evidence shall be sufficient to support a conviction for such offence.

Persons deemed unlicensed if not producing licence.

45. (1) In all proceedings against any person for selling or allowing to be sold any liquor without a licence, such person may be deemed to be unlicensed, unless he shall at the hearing of the case produce his licence.

(2) The fact of any person, not being a licensed person, keeping up any sign, writing, painting or other mark in or near to his house or premises, or having such house fitted up with a bar or other place containing bottles or casks displayed so as to induce a reasonable belief that such house or premises is or are licensed for the sale of any liquor, or that any is sold or served therein, or of there being on such premises more liquor than is reasonably required for the use of the persons residing therein, shall be *prima facie* evidence of the unlawful sale of liquor by such person.

Penalty for permitting drunkenness.

46. (1) Any licensed person who permits drunkenness or any violent quarrelsome, or riotous conduct to take place on his premises, or sells any liquor to any person already in a state of intoxication, or by any means encourages and incites any person to drink shall commit an offence.

(2) Any person who is drunken, violent, quarrelsome or disorderly and refuses or fails to quit licensed premises in pursuance of a request by the licensed person his servant or agent so to do shall commit an offence.

47. (1) Every house for which a publican's licence shall be granted shall be considered as a common inn, and no goods or chattels whatsoever *bona fide* the property of any lodger or stranger, and being in such licensed house, or the appurtenances thereof, or any place used and occupied therewith in the ordinary course of resort at such licensed house, shall be subject to be distrained or seized for or in respect of any claim for rent for such licensed house or appurtenances or in respect of any other claim whatsoever against the said house or appurtenances or the owner or occupier thereof.

Protection of property of guests.

(2) If any such goods or chattels shall be distrained or seized for rent, or in any other manner contrary to the provisions hereof the Magistrate, or any two Justices may inquire into any complaint made in such respect in a summary manner and order such goods or chattels to be restored to the owner thereof, and order the payment of such reasonable costs as shall be incurred by such proceedings.

48. No publican shall be liable to make good to a guest any loss of, or injury to, goods or property brought to his licensed premises or to a greater amount than £30 unless

(a) the goods or property shall have been stolen, lost, or injured through the wilful act, default, or neglect of such licensee or his servant in his employ;

(b) the goods or property shall have been deposited expressly for safe custody with such licensee.

Provided always that in the case of such deposit the licensee may require as a condition of his liability that such goods or property shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the same.

49. No claim for money lent or goods sold to any lodger or customer shall be recoverable by any publican before any court.

Money lent to lodgers or customers not recoverable by law.

50. Every licensed publican who fails to provide suitable accommodation, with bed and board, for at least one traveller shall commit an offence.

To provide accommodation for at least one traveller.

51. (1) No publican's retail licence shall be granted to any person until an accurate description of the premises in writing, with a diagram or plan of the same attached thereto, shall have been furnished by the applicant, and approved by the Magistrate and in the case of premises in Stanley, by the Stanley Town Council, and in the case of premises not in Stanley by the Board of Health and should the description so furnished by such applicant be found to be false or inaccurate in any material fact the party making such false or inaccurate statement shall commit an offence and forfeit any licence which may have been granted to him by reason of such false or inaccurate description.

Accurate description of premises to be given.

(2) The description given by the applicant shall in all cases be endorsed on or embodied in the licence.

52. (1) Any person holding a publican's retail licence who shall remove from the premises described in the licence to any other premises or make any structural alteration which gives increased facilities for drinking or conceals from observation any part of the premises used for drinking or which affects the communication between the part of the premises where intoxicating liquor is sold and any other part of the premises or any street or public way without the approval of the Magistrate and the Board of Health or Stanley Town Council, as the case may be, shall forfeit his licence unless he

Removal and alteration of premises.

shall return to the premises described in the licence or restore the premises to their original condition within a time fixed by the Magistrate.

(2) Objections to the removal of a publican's retail licence may be made in the manner and on the grounds herein provided in respect of objections to the grant of a licence.

Transfer of retail licences.

53. No publican's retail licence shall be transferred to any person except with the consent in writing of the Magistrate, and on the production by the person to whom the licence is proposed to be transferred of a certificate of good character and fitness signed by two Justices not holding licences under this part of this Ordinance.

Approval of Managers and Agents.

54. Any person holding a publican's retail licence who employs another person as his manager or agent without the approval of the Magistrate first obtained and endorsed on the licence and any person so acting without such approval and endorsement shall commit an offence.

Provision in case of the death of licensee.

55. In the case of the death of any person holding a publican's retail licence, his widow, or any executor or administrator, or person appointed by them may, subject to the approval of the Magistrate endorsed by him on the licence in writing carry on the business of the deceased on the licensed premises until the expiration of the licence.

Governor or Justices may order licensed houses to be closed.

56. The Governor, the Magistrate, or any two Justices of the peace, may when any riot, tumult, breach of the peace or disorderly conduct shall happen, or be expected to take place, order any person holding a publican's retail licence, or transfer thereof, to close his house when and for so long as the Governor, the Magistrate, or the Justices shall direct and if any such licensed person shall keep his house open during such time he shall commit an offence.

Searching unlicensed premises.

57. Upon reasonable cause of suspicion that any liquor is in or upon any house, premises, vessel or boat, which has been illegally sold, or is there for the purpose of illegal sale, or that any person is there illegally purchasing liquor, it shall be lawful for any constable or constables, to enter and search any such house, premises, vessel or boat; or any part thereof at any hour; and it shall be lawful for any Justice to grant a warrant to search any such house, premises, vessel or boat, and any constable or constables or such person to whom such warrant may be addressed may and shall seize and remove to the police office all such liquor, together with the casks or bottles, and packages containing the same as shall be found there, and may arrest any person found there illegally purchasing or selling liquor; and the Magistrate or any two Justices before whom the case shall be heard may, in addition to any penalty which he may impose, declare such liquor, together with the casks or bottles and packages containing the same, to be, and the same shall thereupon be forfeited to the use of His Majesty, unless the defendant shall prove that such liquor was not illegally sold, or there for the purpose of illegal sale.

Constables may stop any person removing liquor.

58. Any person who shall knowingly remove or convey any liquor for the purpose of being or that shall have been illegally sold shall commit an offence. It shall be lawful for any constable to stop any person conveying in any manner any liquor, and if such person shall not upon request satisfy the constable that such liquor has not been illegally removed or sold as aforesaid, to detain and convey such person and liquor, together with the packages, before the Magistrate, or any two Justices and to seize and take into his possession the horse, cart, boat, vessel or other conveyance used in removing the same; and if such person shall not satisfy the Magistrate or Justices that such liquor had not been illegally removed or sold as aforesaid, they may declare the same to be forfeited to His Majesty, as well as the horse, cart, boat, vessel or other conveyance, if any, used in removing the same.

59. Any licensed person convicted of felony, perjury, or infamous offence, shall forfeit his licence. If convicted of a misdemeanour he shall be liable to forfeit his licence.

Forfeiture of licence for felony etc.

60. Any Justice holding a licence under this Ordinance who shall act as a Justice under any of the provisions of this Ordinance shall commit an offence.

No licensed person to act as a Justice.

61. Any licensed person who shall mix, or suffer to be mixed with any liquor any unwholesome ingredient, or shall receive or have in his possession any unwholesome ingredient, with intent to mix the same with any liquor, shall commit an offence and be liable to forfeit his licence, and all such unwholesome liquor and ingredients.

Adulterating liquor.

62. Where any licensed person is convicted of any offence, and in consequence either becomes personally disqualified, or has his licence forfeited, the Magistrate on the application by or on behalf of the owner of the premises in respect of which the licence was granted (where the owner is not the occupier) and upon being satisfied that such owner was not privy to, nor a consenting party to the act of the tenant, and that he has legal power to eject the tenant of such premises, may by order authorise an agent to carry on the business of such premises until the end of the period for which such licence was granted, in the same manner as if such licence had been formally transferred to such agent.

Continuance of forfeited licence to owners of premises in certain cases.

63. Any licensed person who shall sell by wholesale or retail any spirits of less strength than 30 underproof shall commit an offence.

64. Any owner, lessee, manager, or agent in charge of station may, without a licence, sell liquor to shepherds and other employees *bona fide* in his own employment, provided such station be at a distance of not less than six miles from Stanley, or any other town, and provided that such liquor shall have been properly imported into the Colony and the requisite duty has been paid thereon. Any owner, lessee, manager or agent selling liquor to other than his own employees shall commit an offence.

Supply of liquor without licence by owner of stations to their employees under certain conditions.

65. (1) No person shall import or have in his possession a still without having first received the written permission of the Colonial Secretary.

Still illegal without permission.

(2) Any Officer of Customs or Constable may enter into and search without warrant any buildings, premises, vessel or boat where there is reasonable cause to suspect that an illicit still may be found and to make such examination or enquiry as may be proper to ascertain whether any offence against this Ordinance has been committed.

(3) Any person unlawfully importing a still into the Colony or colonial waters shall commit an offence.

(4) Any person found unlawfully in possession of, making, erecting, concealing, or using a still shall be guilty of an offence.

66. The Chief Constable and all constables shall be inspectors of licensed premises under this Ordinance, and it shall be their duty to enforce and superintend the carrying out of this Ordinance in every respect.

Constables to be *ex-officio* inspectors.

67. Any inspector may at all times during business hours, and after such hours for reasonable cause, enter on any premises licensed under this Ordinance, and may examine every room and part of such premises, and take an account of all liquor therein, and may demand, select, and obtain any samples of liquor which may be in such house or premises, and on paying, or tendering payment for such samples of liquor may remove the same for the purpose

Inspectors may enter premises and search for adulterated drink.

of analysis or otherwise. If any licensed or other person in charge of any premises refuses or fails to admit any inspector demanding to enter in pursuance of this section, or refuses to permit any inspector to select or obtain such samples, or refuses or fails to furnish him with such light or assistance as he may require, or obstructs such inspector, or causes or permits him to be obstructed or delayed in the discharge of his duty, such licensed or other person shall commit an offence.

Penalty for obstructing inspector.

Commencement of prosecutions.

68. All prosecutions under this Ordinance shall be commenced within six calendar months after the alleged offence.

Application of fines, penalties etc.

69. All forfeitures shall be sold or otherwise disposed of in such manner as the Magistrate or Justices making the order may direct, and the proceeds of such sale or disposal shall be paid into the Treasury for the use of the Government.

Penalties.

70. (1) Any person who commits an offence against this part of this Ordinance shall in addition to any penalty otherwise provided, be liable—

- (a) to a fine not exceeding twenty pounds or to imprisonment for a period not exceeding three months; and
- (b) for a second offence, to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months; and
- (c) for a third or subsequent offence, to both such last-mentioned fine and imprisonment.

(2) If a person convicted is the holder of a licence the Court may order that particulars of the conviction be endorsed on the licence.

### PART III. — BILLIARD TABLE LICENCES.

Application for grant of a billiard table licence.

71. Any person applying for a new billiard table licence shall advertise such application in the manner prescribed in section 7 (1) and such application shall be subject to the objections contained in section 8. Objections shall be heard in the manner laid down in section 9.

Special billiard licence.

72. The Magistrate may, at his discretion, grant on any special occasion to the holder of a billiard table licence a special licence, authorising such licensee to keep his premises open during the hours specified on such special licence, and there shall be paid into the Treasury, on the issue of such special licence, the following fees:—

In respect of a licence authorising premises to be kept open during any period not specified in the licence—

- (a) between mid-day and mid-night, any hour or part of an hour, two shillings and
- (b) after mid-night, any hour or part of an hour, four shillings.

Penalty for unlawful hire of billiard table.

73. Any person who shall permit or allow a billiard or bagatelle table to be used for hire on any premises for which a billiard table licence has not been obtained shall commit an offence, and shall be liable to the penalties provided for in section 70.

### PART IV. — AUCTIONEERS.

Grant of licence.

74. (1) No person shall carry on the business of an auctioneer before he has applied and been granted a licence so to do by the licensing authority.

(2) An auctioneer's licence shall be renewed on the 1st day of January in each year.

(3) The licensing authority may grant an occasional licence to conduct a sale by public auction on a date specified on the licence. Occasional licence.

75. Any person who carries on the business of an auctioneer or who sells any goods or chattels or land by public auction without a licence as required under section 74 or who does not comply with the provisions hereof and the conditions of the licence shall commit an offence and be liable on summary conviction to a fine not exceeding £100.

Penalty on sale etc. without licence.

76. (1) An auctioneer shall retain from all proceeds of any sale by auction of any goods, chattels or land (other than agricultural implements and live animals) an amount equal to 2½% of the gross proceeds of such sale and shall within seven days from the date of such sale pay such sum into the Colonial Treasury.

Payment of 2½% of goods proceeds of sale into Treasury.

Provided that the said sum shall not be deducted when any lot is bought in under the reserve price and the auctioneer shall publicly state that the lot was bought in and the licensing authority is so satisfied.

(2) The sum provided for under subsection (1) hereof shall be recoverable from the auctioneer as a personal debt due from him to Government.

77. The Auctioneer shall within seven days of any public auction render to the Colonial Secretary a true and complete account in writing of the price at which each lot or article was sold and shall furnish such information relative to the auction as the Colonial Secretary may require.

Auctioneer to furnish Colonial Secretary with information as to sale.

78. No auction shall be held on board any vessel without the written permission of the Colonial Secretary unless the vessel be attached to a wharf or hulk and the public have full access thereto by jetty or gangway.

No auction on board vessel without permission.

79. This Part of this Ordinance shall not apply to an official acting on Government instructions or to a person selling under Order of any court.

This Part not applicable to Govt. officials or person acting under Order of Court.

### PART V. — TOBACCO LICENCES.

80. Any person who shall directly or indirectly sell tobacco without first obtaining a licence from the Licensing Authority authorising him so to do shall commit an offence and shall be liable to a penalty not exceeding £10 for each offence.

Penalty on sale without licence.

81. The Licensing Authority may, at his discretion, grant to any person an occasional licence for the sale of tobacco at such place, in such quantities, and for such period of time, not exceeding three consecutive days, as may be specified in the licence and there shall be paid a fee of two shillings and sixpence a day in respect of such licence.

Occasional licence.

82. (1) If any person sells to a person apparently under the age of sixteen years any cigarettes or cigarette papers (whether for his own use or not) or tobacco, he shall be liable in the case of a first offence to a fine not exceeding two pounds, and in the case of a second offence to a fine not exceeding five pounds, and in the case of a third or subsequent offence to a fine not exceeding ten pounds.

Penalty for selling tobacco to children and young persons.

(2) A constable shall seize any cigarette or cigarette papers in the possession of any person apparently under the age of sixteen whom he finds smoking in any street or public place, and any cigarettes or cigarette papers so seized shall be disposed of in such manner as the Chief Constable may direct. Every constable is hereby

Forfeiture of tobacco.

Search.

authorised to search any boy found smoking. Any girl found smoking may be conducted to and searched by the Gaol Matron.

Provision as to automatic machines for the sale of tobacco.

83. (1) If a court is satisfied that any automatic machine for the sale of cigarettes kept on any premises is being extensively used by children or young persons, the court may order the owner of the machine or the person on whose premises the machine is kept to take such precautions to prevent the machine being so used as may be specified in the order, or, to remove the machine, within such time as may be specified in the order: Provided that any person aggrieved by such an order may appeal against it to the Judge in Chambers.

(2) If any person against whom any such order has been made fails to comply with the order, he shall be liable on summary conviction to a fine not exceeding five pounds, and to a further fine not exceeding one pound for each day during which the offence continues.

#### PART VI. — GENERAL.

Powers of Governor in Council to make regulations.

84. The Governor in Council may from time to time make, alter, annul and revoke regulations for the more effective carrying out of the purposes of this Ordinance, and may impose penalties for the breach of any such regulations.

Repeals :

5 of 1853. 5 of 1911.  
4 of 1944. 9 of 1944.  
1 of 1946. 3 of 1948.  
4 of 1948.

85. The Auctioneer's Ordinance 1853, the Licensing Ordinance (South Georgia) 1911, the Licensing Ordinance 1944, the Licensing (Amendment) Ordinance 1946, the Licensing (Amendment) Ordinance 1948, the Tobacco Ordinance 1944 and the Tobacco (Amendment) Ordinance 1948 are hereby repealed.

M.P. 1092.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,

*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 13

1949.

### Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To provide for the grant of Pensions, Gratuities and other Allowances to persons who have been in the Public Service of the Colony of the Falkland Islands.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Pensions Ordinance, 1949. Short title.
2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say — Interpretation.
  - “pensionable office” means —
    - (a) in respect of service in the Colony an office which, by virtue of provision for the time being in force in an Order made by the Governor in Council and published in the Gazette, is declared to be a pensionable office; and any such Order may from time to time be amended, added to, or revoked by an Order so made and published; but where by virtue of any such amendment or revocation any office ceases to be a pensionable office, then so long as any person holding that office at the time of the amendment or revocation continues therein, the office shall, as respects that person, continue to be a pensionable office;

- (b) in respect of other public services an office which is for the time being a pensionable office under the law or regulations in force in such service.

"non-pensionable office" means an office which is not a pensionable office.

"pensionable emoluments" –

- (a) in respect of service in the Colony includes salary and personal allowance, but does not include duty allowance, entertainment allowance or any other emoluments whatever;
- (b) in respect of other public service means emoluments which count for pension in accordance with the law or regulations in force in such service.

"salary" means the salary attached to a pensionable office or, where provision is made for taking service in a non-pensionable office into account as pensionable service, the salary attached to that office.

"personal allowance" means a special addition to salary granted personally to the holder for the time being of the office, but does not include such an addition if it is granted subject to the condition that it shall not be pensionable.

"public service" means service in a civil capacity under the Government of the Colony or the Government of any other part of His Majesty's dominions, or of any British Protected State, Protectorate or territory under British Mandate or of the Anglo-Egyptian Sudan, or under the High Commissioner for Transport in Kenya and Uganda, and service which is pensionable under the Teachers (Superannuation) Act, 1925, or any Act amending or replacing the same, and any such other service as the Secretary of State may determine to be "public service" for the purpose of any provisions of this Ordinance; and, except for the purposes of computation of pension or gratuity and of section 9 of this Ordinance, includes service as a Governor-General, Governor or High Commissioner in any part of His Majesty's dominions, any British Protected State or Protectorate, any territory under British Mandate or the Anglo-Egyptian Sudan.

"other public service" means public service not under the Government of the Colony.

(2) For the avoidance of doubts it is hereby declared that, where an officer has been confirmed in a pensionable office and is thereafter appointed to another pensionable office, then, unless the terms of such appointment otherwise require, such last mentioned office is, for the purposes of this Ordinance, an office in which he has been confirmed.

Pension regulations.

3. (1) Pensions, gratuities and other allowances may be granted by the Governor in Council in accordance with regulations made under this Ordinance to officers who have been in the service of the Colony.

The said regulations may from time to time be amended, added to, or revoked by regulations made by the Governor in Council with the sanction of the Secretary of State, and all regulations so made shall be laid before the Legislative Council and published in the Gazette.

(2) All regulations made under this section shall have the same force and effect as if they were contained in the Regulations to this Ordinance, and the expression "this Ordinance" shall, wherever it occurs in this Ordinance, be construed as including a reference to the said Regulations.

(3) Whenever the Governor in Council is satisfied that it is equitable that any regulation made under this section should

have retrospective effect in order to confer a benefit upon or remove a disability attaching to any person, that regulation may be given retrospective effect for that purpose :

Provided that no such regulation shall have retrospective effect unless it has received the prior approval of the Legislative Council signified by resolution.

4. There shall be charged on and paid out of the revenues of the Colony all such sums of money as may from time to time be granted by way of pension, gratuity or other allowance in pursuance of this Ordinance.

Pensions etc. to be charged on revenues of Colony.

5. (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity, or other allowance; nor shall anything in this Ordinance affect the right of the Crown to dismiss any officer at any time and without compensation.

Pensions etc. not of right.

(2) Where it is established to the satisfaction of the Governor in Council that an officer has been guilty of negligence, irregularity or misconduct, the pension, gratuity, or other allowance may be reduced or altogether withheld.

6. No pension, gratuity or other allowance shall be granted under this Ordinance to any officer except on his retirement from the public service in one of the following cases –

Circumstances in which pension may be granted.

(1) on attaining the age of 60 years or with the approval of the Governor in Council on or after attaining the age of 55 years, or in special cases, with the approval of the Secretary of State, on or after attaining the age of 50 years;

(2) in the case of transfer to other public service, on or after attaining the age at which he is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity;

(3) on the abolition of his office;

(4) on compulsory retirement for the purpose of facilitating improvement in the organization of the department to which he belongs, by which greater efficiency or economy may be effected;

(5) on medical evidence to the satisfaction of the Governor in Council or the Secretary of State that he is incapable by reason of any infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;

(6) in the case of removal on the ground of inefficiency as provided in this Ordinance;

(7) on retirement in circumstances, not mentioned in the preceding paragraphs of this section, rendering him eligible for a pension under the Pensions (Governors of Dominions, &c.) Acts, 1911 to 1936, or any Act amending or replacing those Acts.

Provided that the pensionable service of the officer is not less than ten years.

7. Where an officer is removed from his office on the ground of his inability to discharge efficiently the duties thereof, and a pension, gratuity or other allowance cannot otherwise be granted to him under the provision of this Ordinance, the Governor in Council may, if he considers it justifiable having regard to all the circumstances of the case, grant such pension, gratuity or other allowance as he thinks just and proper, not exceeding in amount that for which the officer would be eligible if he retired from the public service in the circumstances described in paragraph (5) of the preceding section.

Retirement for inefficiency.

8. (1) It shall be lawful for the Governor in Council to require an officer to retire from the service of the Colony –

Compulsory and voluntary retirement.

(a) at any time after he attains the age of 55 years, or

(b) in special cases, with the approval of the Secretary of State, at any time after he attains the age of 50 years.

(2) An officer may with the approval of the Governor in Council retire at any time after he attains the age of 55 years.

Maximum pension.

9. (1) Except in cases provided for by subsection (2) of this section, a pension granted to an officer under this Ordinance shall not exceed two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his service in the Colony.

(2) An officer who shall have been granted a pension in respect of other public service shall not at any time draw from the funds of the Colony an amount of pension which, when added to the amount of any pension or pensions drawn in respect of other public service, exceeds two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his public service:

Provided that where an officer receives in respect of some period of public service both a gratuity and a pension, the amount of such pension shall be deemed for the purpose of this subsection to be four-thirds of its actual amount.

(3) Where the limitation prescribed by the preceding subsection operates, the amount of the pension to be drawn from the funds of the Colony shall be subject to the approval of the Secretary of State, in order that it may be determined with due regard to the amount of any pension or pensions to be drawn in respect of other public service.

(4) For the purposes of the preceding subsections an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such an additional pension under this Ordinance, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of his highest pensionable emoluments at any time in the course of his public service.

Liability of pensioners to be called upon to take further employment.

10. (1) Every pension granted under this Ordinance shall be subject to the condition that unless or until the officer shall have attained the age of 55 years, he may, if physically fit for service, be called upon by the Secretary of State to accept, in lieu of his pension, an office, whether in the Colony or in other public service, not less in value, due regard being had to circumstances of climate, than the office which he held at the date of his retirement.

If a pensioner so called upon declines to accept such office the payment of his pension may be suspended until he has attained the age of 55 years.

(2) The provisions of the foregoing subsection shall not apply in any case where the Governor, being of opinion that the officer is not qualified for other employment in the public service or that there is no reason to expect that he can be shortly re-employed therein, otherwise directs.

Suspension of pensions on re-employment.

11. If an officer to whom a pension has been granted under this Ordinance is appointed to another office in the public service, the payment of his pension may, if the Governor in Council thinks fit, be suspended during the period of his re-employment.

Pensions, etc., not to be assignable.

12. A pension, gratuity or other allowance granted under this Ordinance shall not be assignable or transferable except for the purpose of satisfying -

(1) a debt due to the Government, or

(2) an Order of any Court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the officer to whom the pension, gratuity or other allowance has been granted,

and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the Government.

13. (1) If any person to whom a pension or other allowance has been granted under this Ordinance is adjudicated bankrupt or is declared insolvent by judgment of any Court, then such pension or allowance shall forthwith cease.

Pensions etc., to cease on bankruptcy.

(2) If any person is adjudicated bankrupt or declared insolvent as aforesaid either

(a) after retirement in circumstances in which he is eligible for pension or allowance under this Ordinance but before the pension or allowance is granted, or

(b) before such retirement, and he shall not have obtained his discharge from bankruptcy or insolvency at the date of retirement,

then, in the former case any pension or allowance eventually granted to him shall cease as from the date of adjudication or declaration as the case may be and, in the latter case, the pension or allowance may be granted, but shall cease forthwith and not become payable.

(3) Where a pension or allowance ceases by reason of this section, it shall be lawful for the Secretary of State, or if the person in question is resident in the Colony, the Governor, from time to time during the remainder of such person's life, or during such shorter period or periods, either continuous, or discontinuous, as the Secretary of State or the Governor, as the case may be, shall think fit, to direct all or any part of the moneys to which such person would have been entitled by way of pension or allowance, had he not become bankrupt or insolvent, to be paid to, or applied for the maintenance or benefit of, all or any to the exclusion of the other or others, of the following, that is to say, such person and any wife, child or children of his, in such proportions and manner as the Secretary of State or the Governor, as the case may be, thinks proper, and such moneys shall be paid or applied accordingly.

(4) Moneys applied for the discharge of the debts of the person whose pension or allowance has so ceased shall, for the purpose of this section, be regarded as applied for his benefit.

(5) When a person whose pension or allowance has so ceased obtains his discharge from bankruptcy or insolvency, it shall be lawful for the Secretary of State or, if such person is resident in the Colony, the Governor to direct that the pension or allowance shall be restored as from the date of such discharge or any later date, and the pension or allowance shall be restored accordingly.

14. (1) If any person to whom a pension or other allowance has been granted under this Ordinance is sentenced to a term of imprisonment by any competent Court for any offence, such pension or allowance shall, if the Secretary of State, or if such person is resident in the Colony, the Governor, so direct, cease as from such date as the Secretary of State or the Governor, as the case may be, determines.

Pensions, etc., may cease on conviction.

(2) If any person is sentenced as aforesaid after retirement in circumstances in which he is eligible for pension or allowance under the Ordinance but before the pension or allowance is granted, then the provisions of the foregoing paragraph shall apply as respects any pension or allowance which may be granted to him.

(3) Where a pension or allowance ceases by reason of this section it shall be lawful for the Secretary of State or the Governor, as the case may be, to direct all or any part of the moneys to which such person would have been entitled by way of pension or allowance had he not been sentenced as aforesaid to be paid, or applied, in the same manner in all respects as prescribed in the preceding section, and such moneys shall be paid or applied accordingly.

(4) If such person after conviction at any time receives a free pardon, the pension or allowance shall be restored with retrospective effect; but in determining whether arrears of such pension or allowance are payable to such person and in computing the amount thereof, account shall be taken of all moneys paid or applied under the preceding subsection.

Pensions etc., may  
cease on accepting  
certain appointments.

15. If any person to whom a pension or other allowance has been granted under this Ordinance otherwise than under section 17 becomes either a director of any company the principal part of whose business is in any way directly concerned with the Government, or an officer or servant employed in the Colony by any such company, without the prior permission of the Governor in writing, such pension or allowance shall cease if the Governor so directs :

Provided that it shall be lawful for the Governor, on being satisfied that the person in respect of whose pension or allowance any such direction shall have been given has ceased to be a director of such company or to be employed as an officer or servant of such company in the Colony, as the case may be, to give directions for the restoration of such pension or allowance, with retrospective effect, if he shall see fit, to such a date as he shall specify, and the pension or allowance shall be restored in accordance with any such directions.

Gratuity where an  
officer dies in the  
service.

16. (1) Where an officer holding a pensionable office who is not on probation or agreement, or an officer holding a non-pensionable office to which he has been transferred from a pensionable office in which he has been confirmed, dies while in the service of the Colony, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity of an amount not exceeding his annual pensionable emoluments.

(2) For the purpose of this section, "annual pensionable emoluments" means the emoluments which would be taken for the purpose of computing any pension or gratuity granted to the officer if he had retired at the date of his death in the circumstances described in paragraph (5) of section 6 of this Ordinance.

Pensions to depend-  
ants when an officer  
is killed on duty.

17. (1) Where an officer dies as a result of injuries received—

- (a) in the actual discharge of his duty, and
- (b) without his own default, and
- (c) on account of circumstances specifically attributable to the nature of his duty,

while in the service of the Government of the Colony, it shall be lawful for the Governor in Council to grant, in addition to the grant, if any, made to his legal personal representative under section 16 of this Ordinance —

- (i) if the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding ten-sixtieths of his annual pensionable emoluments at the date of the injury or fifteen pounds a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of each child, until such child attains the age of 18 years, of an amount not exceeding one eighth of the pension prescribed under the preceding paragraph;
- (iii) if the deceased officer leaves a child or children, but does not leave a widow or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of 18 years, of double the amount prescribed by the preceding paragraph;
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of 18 years, of double the amount prescribed in paragraph (ii) of this subsection.

- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow, and his mother was wholly or mainly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow;

Provided that—

- (A) pension shall not be payable under this subsection at any time in respect of more than six children; and
  - (B) in the case of a pension granted under paragraph (v) of this subsection, if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of remarriage; and if it appears to the Secretary of State at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the Secretary of State may determine;
  - (c) a pension granted to a female child under this section shall cease upon the marriage of such child under the age of 18 years.
- (2) In the case of an officer not holding a pensionable office, the expression "pensionable emoluments" in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

(3) For the purpose of this section the word "child" shall include

- (a) posthumous child;
- (b) a step-child or illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support, and
- (c) an adopted child, adopted in a manner recognised by law, before the date of the injury, and dependent as aforesaid.

(4) An officer who dies as a result of injuries received while travelling by air in pursuance of official instructions shall be deemed to have died in the circumstances detailed in (a) and (c) of subsection (1) of this section; provided that in such a case and if (b) is also satisfied the rates of pension prescribed in (i) and (ii) of that subsection shall be fifteen-seventy seconds and one sixth respectively.

(5) This section shall not apply in the case of the death of any officer selected for appointment to the service of the Colony on or after the date of operation of this subsection if his dependants as defined in the Workmen's Compensation Ordinance 1937, or any Ordinance amending or replacing that Ordinance, are entitled to compensation under that Ordinance.

18. (1) The provisions of this Ordinance shall apply —

- (a) to every officer first appointed to the public service of the Colony
  - (i) after the commencement of this Ordinance; or
  - (ii) before the commencement of this Ordinance, to whom it was intimated before appointment that he would be liable to be affected by any change in the pensions law of the Colony; and
- (b) to every other officer serving in the Colony at the commencement of this Ordinance or transferred

Application of  
Ordinance.

from the Colony to any other public service before the date of such commencement and still in public service on that date, unless not later than 12 months after such commencement or within such further period as the Governor may in any special case allow, he gives notice in writing to the Colonial Secretary of his desire that the provisions of the Ordinances and Regulations referred to in section 19 of this Ordinance shall apply to him, in which case they shall continue to apply accordingly.

(2) If any officer who shall have given notice under paragraph (b) of the preceding subsection is thereafter re-appointed to the service of the Colony the provisions of this Ordinance shall apply to him in respect of his whole service:

Provided that except where such an officer shall eventually become eligible for a pension or gratuity under this Ordinance in respect of his service both before and after his re-employment, a pension or gratuity granted to him solely in respect of service prior to such re-employment shall not be recomputed.

Repeals :

5 of 1937.  
13 of 1940.  
4 of 1941.  
2 of 1946.

19. The Pensions Ordinance, 1937, the Pensions (Amendment) Ordinance, 1940, the Pensions (Amendment) Ordinance, 1941, and the Pensions (Amendment) Ordinance, 1946, are hereby repealed and all Regulations made thereunder are hereby revoked.

M.P. 0829.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 14

1949.

### Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

### To amend the Seditious Offences (Penalties) Ordinance, 1938.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Seditious Offences (Amendment) Ordinance, 1949, and shall be read and construed as one with the Seditious Offences (Penalties) Ordinance, 1938, (hereinafter referred to as the Principal Ordinance). Short title.
2. The word "Penalties" shall be deleted from the title of the Principal Ordinance. Amendments :  
Title.
3. The words "Officer acting as legal adviser to the Governor" shall be substituted for the words "Colonial Secretary" in the last line of section 5 (2) of the Principal Ordinance. Section 5 (2).

M.P. C/8/38.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 15



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Interpretation and General  
Law Ordinance, 1949.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Interpretation and  
General Law (Amendment) Ordinance, 1949, and shall be read and  
construed as one with the Interpretation and General Law Ordinance,  
1949. Short title.

2. Section 14 of the Interpretation and General Law Ordinance,  
1949, shall be amended by substituting "1949" for "1948" in  
line 2 thereof. Amendment :  
Section 14.

This printed impression has been carefully compared by me  
with the Bill which has passed the Legislative Council, and is found  
by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 16



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend and consolidate the law as  
to marriage.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows—

1. This Ordinance may be cited as the Marriage Ordinance, Short title.  
1949.
2. In this Ordinance where the context so admits— Interpretation.  
“Registrar General” means the person holding that office under  
the Registration Ordinance 1949.  
“Minor” or “Infant” means a person under the age of 21 years  
and who is not a widow or widower.  
“Minister” means a Minister registered to celebrate marriages  
under this Ordinance.  
“Court” means
  - (a) the Judge in chambers;
  - (b) a court of summary jurisdiction otherwise than in open  
court.
3. Every marriage Valid Marriages.
  - (1) which by the law of England would be valid,
  - (2) celebrated in the Colony in accordance with the law  
prior to the passing of this Ordinance,
  - (3) celebrated by a minister or Registrar in conformity  
with the provisions of this Ordinance,

shall be good and valid to all intents and purposes :

Provided that nothing herein contained shall render valid any

marriage between parties who at the time of marriage would, by the law of England, be incapable of intermarrying.

Appointment of Registrars.

4. The Governor may appoint Registrars for the purposes of this Ordinance.

Registered ministers.

5. Every minister of religion ordinarily officiating as such in the Colony shall be deemed to be a minister registered for celebrating marriages and any minister of religion, or the head of any religious denomination in the Colony may apply to the Colonial Secretary to be registered as a minister for celebrating marriages. The Governor may grant a certificate of registration under the Public Seal to any person so applying :

Provided that the Governor may refuse any such application and may remove the name of any person from the register.

Places registered for celebration of marriages.

6. (1) Christ Church Cathedral, the Roman Catholic Church and the Nonconformist Tabernacle shall be deemed to be places registered for celebrating marriages.

(2) The Governor may grant a certificate of registration under the Public Seal in respect of any other building commonly used for religious purposes.

When and where a marriage may be solemnised.

By minister.

7. (1) A minister may at any time within three months after declaration made under section 8 and the banns have been published on three consecutive Sundays, or the Registrar-General has issued his licence as in Form 2 in the First Schedule hereto, or the Governor has issued a special licence, solemnise a marriage between the parties named in such declaration and in accordance with the provisions of this Ordinance :

Provided that -

- (a) a marriage by banns shall be solemnised in a place registered for celebrating marriages,
- (b) a marriage by licence other than the Governor's special licence shall be solemnised in a place registered for celebrating marriages, or in the house of a Justice.

By Registrar.

(2) A Registrar may, at any time within three months from the date of the issue of the licence by the Registrar-General, solemnise a marriage in his office between the parties named in such licence.

Declaration of intended marriage.

8. One of the parties to the intended marriage shall make and sign before a Registrar or a Justice a solemn declaration as in Form 1 in the First Schedule hereto, before any licence is granted.

Notice of marriage to be publicly posted.

9. The Registrar-General shall, upon receiving or taking any such declaration, post the same in his office for twenty-one days, and such declaration shall constitute a notice of an intended marriage, and shall be open, without fee, during office hours, for inspection by any person.

Marriage Licence.

10. The Registrar-General may, not less than twenty-one days nor more than three months after the said posting of the notice of marriage, issue a marriage licence in the Form 2 in the First Schedule hereto and he shall upon issue of such licence file a notice of marriage in his office.

Consents required to marriage of minors.

11. The Registrar-General shall not enter any notice of marriage when either party is a minor without the consent of the person or persons mentioned in the 2nd Schedule hereto :

Provided that -

(1) if the Registrar-General or a minister is satisfied that the consent of any person whose consent is so required cannot be obtained by reason of absence or inaccessibility or by reason of his

being under any disability he may dispense with the necessity for the consent of that person if there is any other person whose consent is so required, or a Court may on application being made, consent to the marriage and the consent of the Court as given shall have the same effect as if it had been given by the person whose consent cannot be so obtained;

(2) if any person whose consent is required refuses his consent a Court may on application being made consent to the marriage and the consent of the Court so given shall have the same effect as if it had been given by the person whose consent is so refused.

12. No person shall except as provided in section 13, solemnise any marriage -

Conditions as to marriage.

- (1) until a marriage licence has been issued and the banns published as provided in section 7 hereof;
- (2) after the expiration of three months from the date of the marriage licence or publication of the banns;
- (3) save in a place registered for the celebration of marriages or in the office of the Registrar, or in the house of a Justice, or in such place as any special licence shall specify;
- (4) save in the presence of two witnesses who shall sign the certificate of marriage;
- (5) in any building with closed doors or before 9 o'clock in the morning or after 4.30 in the afternoon.

13. (1) A marriage by the Governor's special licence may be celebrated by a minister or a Registrar at any time and in any place therein stated.

Governor's special licence.

(2) The Governor's special licence may be issued at any time after the declaration prescribed in section 8.

14. Any person whose consent to a marriage by licence is required as hereinbefore provided may forbid the issue of a licence by writing upon the notice of marriage the word "forbidden" and signing his name and serving upon the Registrar-General a notice in writing signed by or on behalf of such person stating the grounds of objection and no licence shall in such case be issued without an order of the Court.

Forbidding marriages.

15. (1) Any person may enter a caveat with the Registrar-General against the grant of a certificate or licence for the marriage of any person therein named. Any caveat shall be signed by or on behalf of the person entering the same and shall state the ground of objection. No licence or certificate shall be issued until the caveat shall be withdrawn by the person who entered the same or it shall be determined by the Judge.

Caveats.

(2) Any person who shall enter a caveat on grounds which the Judge shall declare to be frivolous shall be liable for the costs of the proceedings and for damages recoverable by the party against whose marriage the caveat was entered.

16. In every case of solemnisation of marriage each of the parties shall, in some part of the ceremony and in the presence of the officiating minister or Registrar and of the witnesses make the following declaration :

Form of words at marriage.

"I do solemnly declare that I know not of any lawful impediment why I *A.B.* may not be joined in matrimony to *C.D.*"

and say to each other

"I *A.B.* do take thee *C.D.* to be my wedded wife (or husband)".

Certificates.

17. The person celebrating a marriage, the parties thereto and the two witnesses of such marriage shall sign in triplicate a certificate as in Form 3 in the First Schedule hereto, and one copy of such certificate shall be forthwith transmitted to the Registrar-General in Stanley, one copy shall be given to the husband and one shall be recorded in a book by the person celebrating the marriage.

The certificates shall be numbered consecutively, and all certificates referring to one marriage shall have the same number.

Marriages to be registered.

18. The Registrar-General shall forthwith enter every certificate of marriage in the marriage register book, and certify the accuracy of the entry and file and index the certificate of marriage.

Proof of marriage.

19. A copy of the certificate of any marriage registered by a minister or a Registrar under his hand shall be *prima facie* evidence in all proceedings of the fact of such marriage having been duly celebrated.

Wrongful celebration.

20. Any person who shall wilfully and knowingly celebrate any marriage contrary to the provisions of this Ordinance or where the provisions of this Ordinance have not been complied with shall be guilty of a misdemeanour and be liable to a fine not exceeding £500, or to imprisonment not exceeding two years or both such fine and imprisonment.

False declaration.

21. Any person who for the purpose of procuring a marriage or a certificate or licence for marriage knowingly and wilfully makes a false oath or makes or signs a false declaration notice or certificate required under this Ordinance is guilty of a misdemeanour and is liable on conviction on indictment to penal servitude for a term not exceeding seven years or to imprisonment for a term not exceeding two years or to a fine or to penal servitude or imprisonment and fine or on summary conviction to a fine not exceeding £50.

Neglect.

22. Any person who shall offend against or fail to comply with any of the provisions of this Ordinance for the breach of which no penalty is provided, shall be liable on summary conviction to a fine not exceeding £50.

Marriages under the Foreign Marriages Acts 1892 to 1947. Notice.

23. A party to a marriage intended to be solemnised under the Foreign Marriages Acts 1892 to 1947 who has had his usual place of abode in the Colony or its Dependencies for a period of not less than one week immediately preceding such intended marriage or such other period as may be determined by His Majesty in Council shall give notice thereof to the Registrar-General in Form 1 in the Fourth Schedule hereto.

Posting of notice.

24. The Registrar-General shall post up a true copy of such notice in some conspicuous place in his office and shall keep the same so posted up during fourteen consecutive days before the marriage.

Certificate of notice.

25. The Registrar-General shall unless he is aware of any impediment or objection to the solemnisation of the marriage give a certificate in Form 2 in the Fourth Schedule hereto that such notice has been given and posted up as aforesaid.

26. The fees specified in the Third Schedule hereto shall be paid for the services therein specified.

Repeal: 8 of 1902.

27. The Marriage Ordinance, 1902, is hereby repealed.

M.P. 1131.

Form 1.

FIRST SCHEDULE.

Notice of Marriage.

No.	Christian and Surnames in full.	"Under" or "above" the age of 21.	Condition: Bachelor, Spinster, Widower or Widow.	Rank or Profession.	Residence.	Father's Christian and Surnames in full. (If either party be under the age of 21, the father or guardian must write here "I Consent" and sign his name.	Father's Profession.

I do solemnly and sincerely declare that I believe the foregoing particulars to be true in every respect and that there is no impediment or lawful objection by reason of any kindred, relationship, or alliance or any former marriage or want of consent or any other lawful cause to the marriage of the parties above named.

Signed and declared to before me by \_\_\_\_\_ at \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Signature \_\_\_\_\_ Registrar or J.P. Signature \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

I certify that the above declaration was duly received by me on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Signature \_\_\_\_\_ Registrar-General N.B.—If Marriage is to be in Camp or by Special Licence say where.

Marriage Licence.

Form 2

I hereby certify that the persons named and described below have given notice of their intended marriage and made the declaration required by law and that I know of no lawful objection to the proposed marriage : These are therefore to license any registered minister of religion or any Registrar to marry the said persons according to the provisions of the Marriage Ordinance, 1949, on any day before the ..... day of ..... 19.....

Christian and Surnames in full.	"Under" or "above" the age of 21.	Condition : Bachelor, Spinster, Widower or Widow.	Rank or Profession.	Residence.	Father's Christian and Surnames in full.	Father's Profession

Date.....

Registrar-General.

No. in the Registrar-General's Office.

FALKLAND ISLANDS.

Form 3

Marriage Certificate.

No.	When married.	Christian and Surnames in full.	"Under" or "above" the age of 21.	Condition. Bachelor, Spinster, Widower or Widow.	Rank or Profession and Country.	Father's Christian and Surnames in full.	Father's Rank or Profession.	Where Married.

This Marriage was solemnized between us

In the presence of us

Witness.

Married by me

Witness.

Signature

Title

Three copies of this Certificate shall be signed by all the parties : One shall be given to the Bridegroom, one sent to the Registrar-General, and one entered in the book kept by the person solemnising the Marriage.

SECOND SCHEDULE.

Consents required to the Marriage of an Infant.

1. Where the Infant is Legitimate.

CIRCUMSTANCES.	PERSON OR PERSONS WHOSE CONSENT IS REQUIRED.
1. Where both parents are living	
(a) if parents living together :	Both parents.
(b) if parents are divorced or separated by order of court or by agreement :	The parent to whom the custody of the infant is committed, or, if the custody of the infant is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents.
(c) if one parent has been deserted by the other :	The parent who has been deserted.
(d) if both parents deprived of custody of infant by order of court :	The person to whose custody the infant is committed by order of the court.
2. Where one parent is dead :	
(a) if there is no other guardian :	The surviving parent.
(b) if a guardian has been appointed by the deceased parent :	The surviving parent and the guardian if acting jointly, or the surviving parent or the guardian if the parent or the guardian is the sole guardian of the infant.
3. Where both parents are dead :	The guardians or guardian appointed by the deceased parents or by the court.

2. Where the Infant is Illegitimate.

CIRCUMSTANCES.	PERSON WHOSE CONSENT IS REQUIRED.
If the mother of the infant is alive :	The mother, or if she has by order of the court been deprived of the custody of the infant, the person to whom the custody of the infant has been committed by order of the court.
If the mother of the infant is dead :	The guardian appointed by the mother.

THIRD SCHEDULE.

Table of Fees.

TO WHOM PAYABLE.	FOR WHAT DUTY.	AMOUNT.
		£ s. d.
The Governor	Special Licence ... ..	3 : 0 : 0
The Minister	Marriage by Governor's licence ... ..	2 : 0 : 0
The Clerk	The same ... ..	10 : 0
The Minister	Marriage after banns or on Registrar-General's licence ... ..	10 : 0
The Clerk	The same ... ..	5 : 0
The Minister	Publication of banns of marriage ... ..	2 : 6
" "	Who performs a marriage elsewhere than in Stanley for travelling expenses for every mile beyond Stanley ... ..	3 : 6
The Treasury	Entry of notice of marriage ... ..	2 : 6
" "	Registrar-General's licence ... ..	5 : 0
" "	Entering caveat ... ..	5 : 0
" "	Marriage by Registrar ... ..	10 : 0
" "	Notice under Foreign Marriage Act ... ..	1 : 0
" "	Certificate under Foreign Marriage Act ... ..	2 : 0
The Minister	Copy certified by Minister of entry in registry kept by Minister	2 : 6

FOURTH SCHEDULE.

Form 1.

To the Registrar-General, Falkland Islands.

I hereby give you notice that a marriage is intended to be solemnised within three months from the date hereof between the parties named and described.

Name and Surname.	Condition.	Rank or Profession.	Age.	Residence.	Church or building where marriage to be solemnised.
A.B.					
C.D.					

Witness my hand at , Falkland Islands this day of 19

(Signed) A.B.  
or  
C.D.

Form 2.

I, Registrar-General, Falkland Islands, hereby certify that on the notice of marriage between the parties hereinafter described was given under the hand of one of the said parties.

Name and Surname.	Condition.	Rank or Profession.	Age.	Residence.	Church or building where marriage to be solemnised.
A.B.					
C.D.					

Date of notice.  
Date of certificate.  
The issue of this certificate has not been forbidden by any person authorised to forbid the issue thereof.  
Witness my hand this day of 19  
Registrar-General.

N.B. This certificate will be void unless the marriage is solemnised on or before the day of 19

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 17



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Quarantine Ordinance, 1908.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Quarantine (Amendment) Ordinance, 1949, and shall be read and construed as one with the Quarantine Ordinance, 1908, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 1 of the Principal Ordinance shall be amended by the addition of the words "other than by wireless telegraphy and the term 'Health Officer' means the Senior Medical Officer or any person delegated by him or appointed by the Governor under this Ordinance" at the end thereof.

Amendments:  
Section 1.

3. Section 9 of the Principal Ordinance shall be amended by

Section 9.

(a) the deletion of the words between the word "person" in line 1 and the word "obstructs" in line 5 thereof;

(b) the deletion of the words "Inspector or other" in line 7 thereof;

(c) the insertion of the words "may be apprehended without warrant and" after the word "he" in line 9 thereof.

Section 10.  
Section 12 (2), (3) &  
(4). Section 16.  
Section 12 (1).

4. Section 10, subsections (2), (3) and (4) of section 12, and section 16 of the Principal Ordinance shall be deleted.

5. Subsection (1) of section 12 of the Principal Ordinance shall be amended by the deletion of the words "Inspector or other" in line 5 thereof.

Schedule.

6. (a) The definition "infectious or contagious disease" in Regulation No. 2 in the Schedule to the Principal Ordinance shall be amended by the deletion of the remainder of the definition after "small pox" in line 2 thereof.

(b) Regulation No. 25 (d) in the Schedule to the Principal Ordinance shall be amended by the substitution of the word "three" for the word "ten" in line 3 thereof.

M.P. 1085.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 18



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Trade Unions and Trade Disputes Ordinance.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Trade Unions and Trade Disputes (Amendment) Ordinance, 1949, and shall be read and construed as one with the Trade Unions and Trade Disputes Ordinance. Short title.

2. The definitions to "intimidate" and "injury" in subsection (1) of section 17, subsection (2) of section 21 and subsection (2) of section 22 of the Trade Unions and Trade Disputes Ordinance shall be deleted. Amendments :  
Sections 17, 21 & 22.

M.P. C/17/30.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 19



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To provide for the maintenance of  
Waterworks at Stanley.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Colony thereof, as follows —

1. This Ordinance may be cited as the Stanley Waterworks Ordinance, 1949. Short title.
2. "Waterworks" mean the Stanley Waterworks and includes any pumping station, reservoir, tank, filter-bed or other appliance used or intended to be used for collecting, storing or purifying water and any pipe used or intended to be used for conveying water between any pumping station, reservoir, tank and filter-bed which is or may become the property of the Government. Definition.
3. (1) The Governor may appoint any person to be Water Authority. Water Authority.  
(2) The duties of the Water Authority shall include the management of the Waterworks, the control of all matters relating thereto, and carrying out the provisions of this Ordinance and any Regulations made thereunder. Duties and Powers.  
(3) The Water Authority may with the approval of the Governor bring an action in any Court in any matter affecting the management or control of the Waterworks or under this Ordinance or any Regulation made thereunder.  
(4) The Water Authority may
  - (a) at any time enter on any land, hereditaments and premises to inspect and repair any pipe or other appliance;

- (b) after 21 days' notice in writing to the owner or occupier thereof lay pipes and other appliances on or through such land.
- (5) The Water Authority shall not be liable to any claim for compensation on account of any interruption in or insufficiency of the supply of water caused by drought or other unavoidable circumstance.

Offences.

4. Any person who

- (1) puts or causes or allows to be put into the Waterworks or any part thereof any foul or injurious matter liable to pollute or render the water therein unfit for use or to impede the flow of water therein, or
- (2) wilfully damages or causes or allows to be damaged any part of the Waterworks, or
- (3) opens or closes or in any way interferes with or causes or allows to be opened or closed or in any way interfered with the Waterworks or any part thereof

shall commit an offence and on summary conviction be liable to a fine not exceeding £50 or to imprisonment for a term not exceeding one year or both such fine and imprisonment.

Regulations.

5. The Governor in Council may make regulations for the administration of this Ordinance.

Repeal: No. 4 of 1927.

6. The Stanley Water Supply Ordinance, 1927, is hereby repealed.

M.P. 30/26.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 20



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To make provision for the care of persons  
of unsound mind.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Mental Treatment Ordinance, 1949. Short title.

2. In this Ordinance unless the context otherwise requires—  
“person of unsound mind” means an idiot or a person who is suffering from mental derangement. Interpretation.

3. (1) Any Justice may, upon information on oath of any informant to the effect that the informant has good cause to suspect and believe and does suspect and believe that a particular person be of unsound mind and a proper subject to be placed under care and treatment, see and question the person so suspected and may together with another Justice hold an inquiry in private as to the state of mind of such person. For the purposes of such inquiry the Justices shall have the power of a Court and may, after one of them shall have seen the person suspected of being of unsound mind, proceed with such inquiry in the absence of such person and without proof of service of any summons upon him. Inquiry as to the state of a person's mind.

(2) If it shall appear to any Justice by information on oath that any person suspected of being of unsound mind is at large or is dangerous to himself or others, or is not under proper care and control or is cruelly treated or neglected by any relative or other person having the care or charge of him such Justice may by order under his hand require any constable to apprehend such person and bring him before himself and another Justice or two other Justices for the purpose of inquiry and examination.

(3) The Justices may adjourn the inquiry for a period not exceeding eight days for the purpose of medical examination or the production of evidence as to the state of mind of the person so suspected and may, if the person alleged to be of unsound mind has been apprehended as aforesaid or under the provisions of section 6, make such order for the detention and safe custody of such person during the said adjournment as they may deem fit.

Medical certificates.

4. (1) The Justices making an inquiry under section 3 hereof shall direct the Senior Medical Officer or another registered medical practitioner to examine the person suspected of being of unsound mind and thereupon such practitioner shall, if he considers that the facts warrant it, sign a certificate that in his opinion the suspected person is of unsound mind and specifying in full detail the facts upon which he founds his opinion.

(2) A certificate may contain information as to the previous medical history of the person so suspected but no certificate which purports to be founded wholly on facts communicated by others shall have any effect.

Adjudication of insanity and admission to a place for proper care and custody.

5. Where it appears to the Justices upon inquiry and upon the said registered medical practitioner having certified that any person is of unsound mind and a proper subject to be placed under care and treatment they may adjudge such person to be of unsound mind and a proper person to be placed under care and treatment and may make an order (hereinafter referred to as a "reception order") for the care and treatment of such person in an institution or place approved by the Governor in Council as a fit and proper place for the care and treatment of persons of unsound mind (hereinafter referred to as an "approved place") :

Provided that the Justices shall not make a reception order unless one, at least, of them shall have seen the person suspected of being of unsound mind.

Removal of person of unsound mind in urgent cases.

6. If a police constable is satisfied that it is necessary for the public safety, or for the welfare of a person alleged to be of unsound mind in respect of whom an inquiry ought to be made under this Ordinance that such person should be placed under care and control before such inquiry can be held, the constable may remove that person to an approved place and shall within 24 hours of such removal lay information on oath under section 3 hereof. The Senior Medical Officer or the person in charge of the approved place shall receive and detain such person therein but no person shall be so detained for more than three days.

Duration of reception orders.

7. (1) A reception order shall remain in force for one year from its date, and thereafter from year to year if at the end of each year a special report of the Senior Medical Officer as to the mental and bodily condition of the patient with a certificate under his hand that the patient is still of unsound mind and a proper person to be detained under care and treatment is sent to the Magistrate not more than one month nor less than seven days before the end of such year.

(2) A Magistrate or any two Justices may require the Senior Medical Officer to give such further information concerning the patient as he or they may require or order that the patient be brought before him or them for examination and, if necessary, discharge him from the approved place.

(3) Any person who detains a person after he has knowledge that an order for his reception has expired shall be guilty of a misdemeanour.

(4) A certificate under the hand of a Magistrate that an order for reception has been continued to the date therein mentioned shall be sufficient evidence of the fact.

8. The Senior Medical Officer shall be responsible for the management and control of an approved place, the patients and the staff thereof.

Control of an approved place.

9. If it shall appear to any Justice that the father, mother, husband, wife or children of any person confined in an approved place or elsewhere as hereinafter provided for is or are possessed of sufficient means to support or contribute to the support of such person he may summon such relatives to appear before a Court and the Court shall, if satisfied that such relative or relatives are able to maintain or assist in the maintenance of the person so confined, order that such relative or relatives pay such sum of money weekly or otherwise as it may consider reasonable having regard to the circumstances of the parties :

Maintenance of person of unsound mind.

Provided that a Court may vary an order upon proof that the means of such relative or relatives have changed since the date of the original order or any subsequent order varying it.

10. The Judge of the Supreme Court may make such inquiries as he may deem proper as to the estate of a person of unsound mind and may order all or any part thereof to be sold or dealt with as he may deem most expedient for the purpose of raising or securing money for the payment of or provision for the future maintenance of such person or for any purpose which the Judge may desire is for the benefit and interest of the person of unsound mind.

Maintenance may be charged to estate of person of unsound mind.

11. Whenever it shall appear to the Senior Medical Officer that a patient is fit to be discharged from an approved place he shall so certify to a Magistrate or two Justices who may order that such patient shall be discharged accordingly.

Discharge of patient if fit.

12. Whenever the Senior Medical Officer shall certify that a patient (except any criminal lunatic) is fit to be discharged to the care and custody of relatives or friends any Justice may order accordingly subject to such relatives or friends entering into a bond, with or without sureties, in such amount and conditions as the Justice may deem fit that such patient shall be properly taken care of and shall be prevented from doing injury to himself or others.

Discharge of person on undertaking of relative etc. for proper care.

13. (1) When it shall appear to the Senior Medical Officer that any person confined under this Ordinance (other than a criminal lunatic) is not dangerous he may at his discretion permit such person to be absent from an approved place upon trial for such period as he may think proper and subject to any undertaking or the observance of any conditions as to residence, occupation and surveillance, and sureties (if any) as the Senior Medical Officer may deem fit.

Release of patient on trial.

(2) In the case of any breach of an undertaking or condition imposed under this section or if a person does not return to an approved place at the expiration of the period for which he was released such person may at any time up to fourteen days after the expiration of such period be retaken by any officer and conveyed back to an approved place.

14. Any patient who shall leave an approved place otherwise than upon discharge, removal, or release on trial may without a fresh order and certificates be retaken at any time within fourteen days after his leaving the approved place by a police officer or any person authorised in writing by the Senior Medical Officer and conveyed back to, and received in, the approved place.

Escaped patient may be retaken within 14 days.

Magistrate may order person to be brought before him for examination.

15. (1) If it shall appear to a Magistrate on information on oath that there is reason to believe that any person of sound mind (other than a criminal lunatic) is confined in an approved place against his will he shall order that such person shall be brought before him or two Justices for examination on oath of such confined person and of any medical or other witnesses who may be called by the Senior Medical Officer or informant as to the state of mind of such person and if it shall appear to such Magistrate or Justices that such person is of sound mind and detained against his will he or they shall make an order that such person shall be discharged from an approved place and the Senior Medical Officer shall discharge such person accordingly.

(2) An examination under this section shall be conducted in private.

Removal of a person of unsound mind to the United Kingdom.

16. (1) The Magistrate or two Justices may upon being satisfied that adequate arrangements have been made for the safety and care of a person of unsound mind while on board ship and for his reception at the port of landing to secure his proper disposal into the care of friends or a mental hospital in the United Kingdom, or being an alien, in his country of origin, order that such person be removed from the Colony in a ship bound for a port in the United Kingdom or said country of origin as the case may be.

Provided that the father, mother, husband, wife or children of the person so removed shall pay such part of the cost of the passage and maintenance in a mental home of such person as a Justice shall after hearing the parties decide.

(2) When a person of unsound mind is removed from the Colony a transcript of the proceedings in respect of such person shall be transmitted by the Governor to His Majesty's Secretary of State for the Colonies.

(3) This section shall not apply to the removal of criminal lunatics which is governed by the Colonial Prisoners Removal Act 1884 and any Act amending or replacing that Act.

Visitors.

17. (1) The Governor shall appoint two or more persons to be visitors of approved places and may remove any of them and appoint others in their places.

(2) Two of the said visitors shall at least once in every month inspect every part of an approved place in which a person of unsound mind is confined and see and examine every such person therein and the orders for admission and shall enter in a book to be kept for that purpose any remarks which they may deem proper in regard to the condition and management of the approved place and the patients therein and shall sign the book after every such visit.

(3) The said visitors shall submit a joint report to the Governor in December in each year on the state and condition of any approved place in which persons of unsound mind are confined and as to the management and conduct thereof and the care of patients therein, and shall submit such reports upon any matter connected with an approved place as and when the Governor may specially direct.

Protection of persons enforcing Ordinance.

18. (1) No person who has presented an application or laid an information for a reception order or signed or carried out, or done any act with a view to signing or carrying out, an order purporting to be a reception order or any report, application or certificate purporting to be a report, application or certificate or has done anything in pursuance to this Ordinance shall be liable to any civil or criminal proceedings unless he has acted in bad faith or without reasonable care.

(2) No proceedings shall be brought against any person in any Court in respect of any matter referred to in subsection (1)

hereof without the leave of the Supreme Court and leave shall not be granted unless the Supreme Court is satisfied there is substantial ground for the contention that the person, against whom it is sought to bring proceedings, has acted in bad faith or without reasonable care.

(3) Notice of any application under subsection (2) hereof shall be given to the person against whom it is sought to bring proceedings, and such person shall be entitled to be heard against the application.

(4) Proceedings against any person for anything done under this Ordinance shall be commenced within twelve months of the alleged act in respect of which the proceedings are brought or from the date of release of the party who has been detained as a person of unsound mind, as the case may be, and for the purpose hereof the date of service of notice of an application under subsection (3) hereof shall be deemed to be date of commencement provided that proceedings are commenced within four weeks of leave to proceed having been granted.

(5) If proceedings are not commenced within the time stated in subsection (4) hereof judgment shall be given for the defendant.

19. Any person not being a registered medical practitioner who knowingly and wilfully signs a certificate prescribed under this Ordinance shall commit a misdemeanour and be liable to imprisonment for a term not exceeding twelve months.

Person other than registered medical practitioner signing certificate.

20. Any registered medical practitioner who knowingly and wilfully in any certificate prescribed under this Ordinance falsely certifies anything shall commit a misdemeanour and be liable to imprisonment for a term not exceeding two years.

False medical certificate.

21. Any person who wilfully assists the escape of any person of unsound mind while being conveyed to or confined in an approved place or who hides such person who has escaped from an approved place shall commit an offence and shall be liable to a fine not exceeding £20 or to imprisonment for a term not exceeding six months.

Assisting escape of person of unsound mind.

22. Any person employed at an approved place who through wilful neglect or connivance permits any person confined in an approved place to leave otherwise than on discharge, removal or release on trial prescribed by this Ordinance shall commit an offence and shall be liable to a fine not exceeding £20 or to imprisonment for a term not exceeding six months.

Permitting escape of person of unsound mind.

23. Any person employed or having duties at an approved place who carnally knows or attempts to have carnal knowledge of any female under care and treatment at such approved place shall commit a misdemeanour and shall on conviction on indictment be liable for a term of imprisonment not exceeding two years.

Abuse of female of unsound mind.

24. Any person employed at an approved place who strikes, ill-treats or neglects any patient therein shall commit an offence and be liable to a fine not exceeding £20 or to imprisonment for a term not exceeding six months.

Ill-treating patients in an approved place.

25. Any person who strikes or ill-treats any person released on trial from an approved place knowing him to be of unsound mind or obstructs an officer of an approved place in the execution of his duty in connection with a person of unsound mind shall commit an offence and be liable to a fine not exceeding £20 or a term of imprisonment not exceeding six months.

Ill-treating patients released on trial and obstructing officer.

26. Any person who, without the consent of the Senior Medical Officer gives, sells or barter any article or commodity to any patient in an approved place shall commit an offence and be

Selling etc. articles to persons in approved place.

liable to a penalty not exceeding £20 or to imprisonment for a term not exceeding six months.

Trespassing on premises of an approved place.

27. (1) Any person who trespasses upon any premises belonging or appertaining to an approved place or who enters the same without being duly authorised so to do shall commit an offence and be liable to a fine not exceeding £10 or to imprisonment for a term not exceeding three months.

(2) Any person committing an offence under this section may be apprehended without warrant by any servant at the approved place or by any constable.

Rules.

28. The Governor in Council may make rules for the better administration of this Ordinance and the control and management of approved places.

29. Any party to proceedings under sections 9 and 16 (1) hereof shall have a right of appeal to the Supreme Court against any order made by a Justice.

30. Nothing in this Ordinance shall apply to criminal lunatics or affect the Jurisdiction of the Supreme Court in matters relating to lunacy.

Repeal No. 4 of 1894.

31. The Lunacy Ordinance, 1894, is hereby repealed.

M.P. 1107.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 21



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance To amend the Vaccination Ordinance, 1868.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Vaccination (Amendment) Ordinance, 1949, and shall be read and construed as one with the Vaccination Ordinance, 1868, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 1 of the Principal Ordinance shall be deleted and the following substituted therefor :

Amendments :  
Section 1.

"1. Every medical practitioner registered under the Medical Practitioners, Midwives and Dentists Ordinance 1914 or any Ordinance amending or replacing it shall be a public vaccinator for the purposes of this Ordinance and shall vaccinate all persons who shall be brought to him for that purpose, provided they are fit subjects for vaccination, subject to any regulations made under this Ordinance."

3. Section 2 of the Principal Ordinance shall be amended — Section 2.

(a) by the deletion of the words "the Public Vaccinator of the district" in line 9 thereof and the substitution of the words "registered medical practitioner" therefor;

(b) by the deletion of the remainder of the section after the word "vaccinated" in line 10 thereof.

Section 4.

4. Section 4 of the Principal Ordinance shall be amended –

(a) by the deletion of the words “following week when the operation shall have been performed by the Public Vaccinator. such” in lines 1, 2 and 3 thereof and the words “week following the vaccination the” substituted therefor;

(b) by the substitution of the words “registered medical practitioner” for the word “him” in line 5 thereof.

Section 5.

5. Section 5 of the Principal Ordinance shall be amended by the substitution of the word “registered” for the words “Public Vaccinator or other qualified” in lines 2 and 3 thereof.

Sections 6, 7, 11 & 12.

6. The word “registered” shall be substituted for the words “Public Vaccinator or” whenever they appear in sections 6, 7, 11 and 12 of the Principal Ordinance.

Sections 8, 13, 14, 17 & 18.

7. Sections 8, 13, 14, 17 and 18 of the Principal Ordinance shall be deleted.

Section 15.

8. Section 15 of the Principal Ordinance shall be deleted and the following shall be substituted therefor :

“15. Court may order that any child under the age of 14 years who has not been successfully vaccinated or who has not had small pox or has not been certified as insusceptible of successful vaccination shall be vaccinated within such time as it may deem fit and the person against whom the order is made who fails to comply therewith shall, unless he shall satisfy the Court that he had reasonable excuse for his omission, commit an offence and be liable to a fine not exceeding twenty shillings.

Application.

9. The Principal Ordinance shall be amended by the addition of the following section :

“19. This Ordinance shall apply to South Georgia in the Dependencies”.

Schedule.

10. The Schedule to the Principal Ordinance shall be amended by the word “Registered” being substituted for the words “Public Vaccinator or” and “Public Vaccinator of the District or” wherever they appear.

M.P. 1087.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 22



1949.

### Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

### To declare the law as to Aliens.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Aliens Ordinance, Short title.  
1949.

2. In this Ordinance or any regulations made thereunder Definitions.  
where the context so admits :

“An alien” means any person who according to the laws in force or that may come into force in the United Kingdom is not a British subject, British protected person or who is a citizen of the Republic of Ireland.

3. (1) No alien who is a lunatic, idiot or mentally deficient or who has been certified by a medical officer in the service of the Government of the Colony as undesirable for medical reasons, or who has been sentenced for a crime which would be a ground for extradition from the Colony or who has been prohibited from landing by order of the Governor, shall land in the Colony. Admission of aliens.

(2) Any alien who shall land in the Colony without the permission of the Governor unless :

(a) he is in possession of a valid passport issued to him by or on behalf of the Government of which he is a national or some other document with a photograph attached satisfactorily establishing his nationality or identity to the satisfaction of and, except where he is a national of one of those countries with which an

agreement has been entered into by His Majesty's Government for the abolition of visas and such agreement has been extended to the Colony, he has been granted a visa to enter the Colony by or on behalf of His Majesty's Government,

- (b) he is in a position to support himself and his dependents,

shall commit an offence.

Registration.

4. Every alien who shall within seven days of his landing in the Colony fail to register with the Chief Constable and furnish him with such particulars as he may require or shall fail to notify the Chief Constable within seven days of any change of residence, shall commit an offence.

Deportation Orders.

5. The Governor in Council may make a deportation order subject to such conditions as he may think fit in respect of any alien when

(1) it is certified by the Judge or a Magistrate that he has been convicted of an offence punishable by imprisonment without the option of a fine and it was recommended that a deportation order should be made either in addition to or in lieu of the sentence;

(2) if it is deemed to be conducive to the public good to do so.

Detention pending deportation.

6. An alien in respect of whom a deportation order has been made may be detained in legal custody until he be placed on a ship leaving the Colony.

Master of ship.

7. The Master of any ship calling at any port outside the Colony who shall, upon being required by the Governor or Chief Constable to give a passage and accommodation and maintenance during the passage to an alien against whom a deportation order has been made and his dependents to that port, without reasonable excuse, fail to give such passage as aforesaid shall commit an offence.

Expenses of deportation.

8. The Governor may apply any money or property of an alien against whom a deportation order has been made in payment of the cost of deportation and the maintenance until departure of such alien and his dependents.

Offences.

9. Any person who commits an offence under this Ordinance shall be liable on summary conviction to a fine not exceeding £100 or to imprisonment for a term not exceeding six months and on a second or subsequent conviction to imprisonment for a term not exceeding twelve months.

Regulations.

10. The Governor in Council may make regulations for the administration of this Ordinance.

Repeals.

11. The Peace Preservation South Georgia (Aliens) Ordinance, 1919, the Passports Ordinance, 1921, the Passports (Amendment) Ordinance, 1925, and the Aliens' Ordinance, 1929, are hereby repealed.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 23

1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To amend the Workmen's Compensation Ordinance, 1937.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Workmen's Compensation (Amendment) Ordinance, 1949, and shall be read and construed as one with the Workmen's Compensation Ordinance, 1937, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 2 (1) of the Principal Ordinance shall be amended by substituting the word "eighteen" for the word "seventeen" in line 3 thereof.

Amendments :  
Section 2.

3. (1) Section 4 (1) (a) (i) of the Principal Ordinance shall be amended by inserting the word "six" after the word "thirty" in line 3 thereof.

Section 4.

(2) Section 4 (1) (b) (ii) of the Principal Ordinance shall be amended by substituting the words "ninety six" for the words "eighty four" in lines 1 and 2 thereof.

4. Section 5 (1) (b) of the Principal Ordinance shall be amended by inserting the word "six" after the word "thirty" in the first line thereof.

Section 5.

Section 8. 5. Section 8 (5) of the Principal Ordinance shall be amended by substituting the word "fifteen" for the word "eight" in line 3 thereof.

Section 14. 6. Section 14 (3) of the Principal Ordinance shall be amended by substituting the words "section thirty-three of the Bankruptcy Act 1914" for the words "the Preferential Payments in Bankruptcy Act 1888" in lines 2 and 3 thereof.

Sections 31 and 32. 7. Sections 31 and 32 of the Principal Ordinance shall be amended by substituting the word "Judge" for "Chief Justice" wherever these words appear in these sections.

Section 32. 8. Section 32 (2) of the Principal Ordinance shall be amended by deleting the words "two successive issues of" in line 3 thereof.

Section 34. 9. Section 34 of the Principal Ordinance shall be amended by substituting the words "the British Empire" for the words "His Majesty's Dominions" wherever these words appear in this section and by deleting subsection (2) of this section.

M.P. 0038/II.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 24

1949.

### Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

### To amend the Post Office Ordinance, 1898.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Post Office (Amendment) Ordinance, 1949, and shall be read and construed as one with the Post Office Ordinance, 1898, (hereinafter referred to as the Principal Ordinance). Short title.

2. The words "and regulations for the time being in force" in lines 2 and 3 of section 2 of the Principal Ordinance shall be deleted and the words "as provided by the Interpretation and General Law Ordinance, 1949, and any regulations made under such laws" shall be inserted after the word "Kingdom" in line 4 of the said section. Amendments :  
Section 2.

3. The words "1d. for every letter and  $\frac{1}{2}$ d. for every other postal packet contained in any mail" in lines 3 and 4 of section 7 shall be deleted and the words "two shillings and sixpence for every mail bag containing letters and papers and five shillings for every mail bag containing parcels" shall be substituted therefor. Section 7.

M.P. 1083.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 25



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To provide for the imposition of penalties  
and fees in connection with the grant of  
Certificates and other matters under the  
British Nationality Act, 1948.

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the British Nationality Short title.  
Ordinance, 1949.

2. (1) Any person who for the purpose of procuring any- Penalties.  
thing to be done or not to be done under the British Nationality  
Act, 1948, makes any statement which he knows to be false in a  
material particular or recklessly makes any statement which is false  
in a material particular shall be liable on summary conviction to a  
term of imprisonment not exceeding three months.

(2) Any person who fails to comply with any require-  
ment imposed on him by regulations made under the British  
Nationality Act 1948 with respect to the delivering up of certifi-  
cates of naturalisation shall be liable on summary conviction to a  
fine not exceeding £100.

3. (1) Subject to subsection (2) hereof the fees specified Fees.  
in the Schedule hereto shall be paid to the Colonial Treasury.

(2) Of the fee payable in respect of the grant of a certificate of naturalisation, one pound shall be payable on the submission of the application for a certificate and shall in no circumstances be returned, and the balance shall be payable on the receipt of the decision to grant a certificate.

Provided that where a husband and wife apply at the same time for certificates and are residing together at the time of the applications and the balance is paid in respect of the grant of a certificate to one of them, no balance shall be payable in respect of the grant of a certificate to the other.

Repeal.

4. The British Nationality and Status of Aliens (Fees) Ordinance, 1921, is hereby repealed.

M.P. 1022.

# SCHEDULE.

## TABLE OF FEES.

Matter in which fee may be taken.	Amount of fee.		
	£	s.	d.
Registration of a minor as a citizen under Section 7 of the British Nationality Act, 1948:			
If the minor is a British subject or citizen of Eire or if application for his registration was made at the same time as an application by one of his parents for a certificate of naturalisation; or	10	0	0.
If the minor is the child of a British born woman who has been married to an alien or British protected person and who has custody of the child.			
In other cases -			
If the minor is a British protected person	5	0	0.
If the minor is an alien	10	0	0.
Grant of a certificate of naturalisation -			
To a British protected person	5	0	0.
To an alien	10	0	0.
Grant of a certificate of citizenship in case of doubt	10	0	0.
Witnessing the signing of an application or declaration mentioned in Regulation 17 of the British Nationality Regulations, 1948.	2		6.
Administering the oath of allegiance	2		6.
Registration of a declaration of intention to resume British nationality or of renunciation of citizenship.	10		0.
Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made by or under the British Nationality Act, 1948.	10		0.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 26



1949.

## Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## An Ordinance

To facilitate the preparation of a Revised Edition of the Laws by the Repeal of Certain Enactments.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :

1. This Ordinance may be cited as the Law Revision (Repeal) Ordinance, 1949. Short title.
2. The Ordinances set out in the Schedule to this Ordinance are hereby repealed. Ordinances repealed.
3. All Rules, Regulations, Orders in Council, Proclamations and Orders made under or by virtue of the Ordinances set out in the Schedule to this Ordinance are hereby revoked. Subsidiary legislation revoked.

M.P. 0681.

# SCHEDULE.

Number and year of Ordinance.	Short title.
1 of 1865.	The Clergymen's Ordinance, 1865.
4 of 1867.	The Naval Stores Ordinance, 1867.
2 of 1871.	The Escheat Ordinance, 1871.
1 of 1875.	The Mortgages Ordinance, 1875.
2 of 1875.	The Ships Ordinance, 1875.
3 of 1889.	The Criminal Law Amendment Ordinance, 1889.
4 of 1889.	The Married Women's Property Ordinance, 1889.
3 of 1890.	The Foreign Jurisdiction Act (Expenses) Ordinance, 1890.
4 of 1893.	The Christ Church Ordinance, 1893.
7 of 1895.	The Uniforms Ordinance, 1895.
2 of 1896.	The Conspiracy Ordinance, 1896.
3 of 1899.	The Wrecks Ordinance, 1899.
6 of 1902.	The Pilots Ordinance, 1902.
1 of 1904.	The Flogging Regulation Ordinance, 1904.
3 of 1909.	The Deceased Wife's Sister's Marriage Ordinance, 1909.
9 of 1909.	The Merchant Shipping Ordinance, 1909.
4 of 1911.	The Council's Validity Ordinance, 1911.
10 of 1912.	The Children Ordinance, 1912.
5 of 1914.	The Validity Ordinance, 1914.
5 of 1915.	The Whale Fishery Regulation Ordinance, 1915.
4 of 1917.	The Transport Discipline Ordinance, 1917.
3 of 1924.	The Criminal Law Amendment Ordinance, 1924.
4 of 1925.	The Criminal Law Amendment (Amendment) Ordinance, 1925.
6 of 1925.	The Administration of Justice (Amendment) Ordinance, 1925.
5 of 1926.	The Retiring Allowance to Nurses Ordinance, 1926.
4 of 1929.	The Local Naturalisation Ordinance, 1929.
6 of 1929.	The Prevention of Cruelty to Animals Ordinance, 1929.
11 of 1929.	The Prevention of Cruelty to Animals (Amendment) Ordinance, 1929.
10 of 1930.	The Merchant Shipping (Amendment) Ordinance, 1930.
8 of 1934.	Sentence of Death (Expectant Mothers) Ordinance, 1934.
11 of 1934.	Importation of Textiles (Quotas) Ordinance, 1934.
1 of 1935.	The Death Sentence Expectant Mothers (Amendment) Ordinance, 1935.
4 of 1935.	Senior Medical Officer (Designation) Ordinance, 1935.
5 of 1936.	Stanley Common Cattle Branding Ordinance, 1936.
10 of 1936.	The Counterfeit Currency (Convention) Ordinance, 1936.
1 of 1937.	Discovery Ordinance, 1937.
9 of 1937.	The Forgery Ordinance, 1937.
4 of 1938.	The Civil Procedure Ordinance, 1938.
2 of 1939.	The Infanticide Ordinance, 1939.
2 of 1940.	The Children and Young Persons Ordinance, 1940.
5 of 1940.	The Public Officers (Change of Designation) Ordinance, 1940.
10 of 1942.	The Conspiracy (Amendment) Ordinance, 1942.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 27



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## An Ordinance To amend the Penguins Preservation Ordinance, 1914.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Penguins Preservation (Amendment) Ordinance, 1949, and shall be read and construed as one with the Penguins Preservation Ordinance, 1914, (hereinafter referred to as the Principal Ordinance).

2. Sections 2 and 6 of the Principal Ordinance shall be deleted and the following substituted therefor:

"2. Any person who shall take or destroy any penguins eggs without a licence under this Ordinance or contrary to the terms and conditions thereof or shall aid and abet any person not so licensed to take or destroy any penguins eggs shall commit an offence and be liable to a fine not exceeding ten shillings for every egg so taken or destroyed.

M.P. 1113.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 28



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To consolidate the law as to Land.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Land Ordinance, 1949. Short title.
2. In this Ordinance unless the context otherwise admits : Interpretation.
  - “Deed” means any instrument affecting land in the Colony.
  - “Land” means land and any messuages, tenements and buildings thereon and any estate or interest therein but does not include Crown land or minerals.
  - “Court” means the Supreme Court of the Colony.
  - “Registrar General” means the Registrar General at Stanley.
  - “Crown land” means any land not already granted in fee simple and any land acquired by the Crown.
  - “Reserve” means the land specified in section 21 and any land declared a reserve under that section.
  - “Chief Constable” means the chief officer of Police at Stanley.
  - “Improvement” shall include buildings, drains, wells, tanks, dams, cultivation, fencing, filling up, laying down grass, and any beneficial work done upon any land, not being a reserve, to increase its value, productiveness, or ability to carry stock.

"Country land" means land more than six miles from the Cathedral in Stanley or from the centre of any town.

"Town land" means land in Stanley as defined in section 138 of the Stanley Town Council Ordinance and land not more than two miles from the centre of any town.

"Vendor" "Owner" "Mortgagor" "Mortgagee" "Lessor"

"Lessee" "Transferor" "Transferee" includes respectively their heirs, executors, administrators and assigns.

"Lease" includes the right of occupation or use of any land.

"Minerals" mean precious stones, precious metals, metals and all minerals of any kind whatsoever including coal, bituminous shale, lime, and mineral oil.

"Public purpose" means any purpose connected with exclusive Government use or general public use or connected with or ancillary to the public interest or utility or with or to town planning or any purpose connected with the defence of the Colony, or connected with or ancillary to naval, military or air force requirements and includes any other purpose specified as public by any enactment or which the Governor in Council may resolve to be in the public interest.

#### PART I.

##### DEEDS.

##### Conveyances.

3. (1) Every deed conveying the fee simple in land shall be in the form set out in Form 1 in the First Schedule hereto.

(2) The following covenants shall be implied in every conveyance

- (a) when the vendor is conveying as beneficial owner, for the right to convey free from incumbrances (except as therein described) for quiet enjoyment, and for further assurance;
- (b) when the vendor is conveying as trustee, mortgagee, personal representative of a deceased person, committee of a person of unsound mind, receiver of the income of a person of unsound mind or of a defective tenant for life or under an order of the Court that he has the right to convey free from incumbrances except as therein specified limited to things done or suffered by the person so conveying or to which he has been party.

##### Mortgages.

4. (1) Every deed being the mortgage of land shall be in the form set out in Form 2 in the First Schedule.

(2) The following covenants shall be implied in every mortgage

- (a) on the part of the mortgagor the covenants contained in section 3 (2) (a) or (b) as the case may be;
- (b) on the part of the mortgagee that the mortgagor repaying the principal sum secured by the mortgage on the date therein mentioned and interest thereon at the rate thereby reserved the mortgagee will reconvey the mortgaged land to the mortgagor free from incumbrances.

(3) The Mortgagee shall in default of payment of principal or interest have power to enter into possession of the mortgaged land and to receive the rents and profits thereof and to sell such land but until such default the mortgagor shall quietly enjoy such land.

5. Every deed being transfer of mortgage shall be in the form set out in Form 3 of the First Schedule and shall be endorsed on or annexed to the mortgage thereby transferred. Transfer of Mortgage.

6. (1) When the whole sum included in the mortgage or any less sum in full satisfaction thereof is received by the mortgagee he shall endorse on the mortgage deed a reconveyance in the form set out in Form 4 in the First Schedule and upon registration thereof in accordance with section 9 the mortgage debt shall be discharged. Reconveyance.

(2) When the mortgagee after having received or been tendered the full amount of the mortgage debt or an agreed sum in full satisfaction thereof fails to reconvey the land mortgaged the mortgagor may apply to the Court for an order to cancel the mortgage and any order made by the Court shall be registered in accordance with section 9.

7. (1) Every deed being a lease (other than a Crown lease) shall be in the form set out in Form 5 in the First Schedule. Lease.

(2) There shall be implied in every such lease covenants on the part of the lessee with the lessor to pay rent, rates and taxes (if any), not to assign without prior written consent, to repair and on determination of the lease to leave in good repair and condition.

(3) The lessor shall have power to enter upon the leased land and resume possession thereof upon non payment of rent or breach of any covenant but until such default the lessee shall have quiet enjoyment.

8. (1) Every deed shall be signed as follows :

Execution of Deeds.

- (a) a conveyance by the vendor;
- (b) a mortgage by the mortgagor;
- (c) a transfer of mortgage by the transferor;
- (d) a reconveyance by the mortgagee;
- (e) a lease by both parties

in the presence of a Justice of the Peace, or in a foreign country a Notary Public, except in the case of a limited company when the common seal of the company shall be affixed in accordance with the articles of association of the company.

(2) No deed shall be registered until it has been duly executed as aforesaid.

9. (1) Every deed, or order of the Court (other than a Crown Grant or lease of agreement for an assignment of a lease) shall be registered with the Registrar General within thirty days of the execution thereof when the party or parties executing it are resident in the Colony or within six months when such parties are not so resident. Registration.

(2) Any deed not registered as aforesaid shall be void against a subsequent purchaser or mortgagee for valuable consideration unless such deed shall be registered before registration of the deed under which such subsequent purchaser or mortgagee shall claim.

(3) Every applicant for registration shall pay the appropriate fee set out in the First Part of the Second Schedule.

(4) No deed shall be registered unless it is properly stamped in accordance with section 12 and the Third Schedule.

10. A copy of any registered deed certified by the Registrar General shall be admissible in evidence. Certified copy of deed.

11. (1) Any person who considers himself lawfully entitled to be registered as the owner in fee simple in any land may petition the Court to be so registered. Fresh title.

(2) Such petition shall be published in such manner as the Court may direct not less than three months before it is heard and copies thereof shall be served on such persons as the Court may direct.

(3) The Court may on being satisfied as to the claim of a petitioner, make a decree nisi for the issue of a title. Such decree shall not be made absolute until after the expiration of one year from the date thereof.

(4) Any person may show cause why it should not be made absolute at any time before it is made absolute.

(5) On a decree being made absolute the Registrar General shall prepare a deed in the Form 6 in the First Schedule and when the Judge has countersigned such deed and the copy in the Register such title shall be indefeasible.

## PART II.

### STAMP DUTIES.

Charge of duties on deeds.

12. Duties shall be charged on the several deeds specified in the Third Schedule at the rate or rates respectively shewn against each such deed.

Manner of and time for payment of duty.

13. (1) All duties chargeable under this Ordinance shall be paid and denoted by an adhesive stamp or stamps affixed to the top left hand corner of the deed in the presence of the Registrar General within thirty days of the execution of the deed when the party or parties executing it are resident in the Colony or within six months when such parties are not so resident.

Penalty.

(2) A penalty of £10, and where the unpaid duty exceeds £10 interest on the unpaid duty at the rate of £5 per centum per annum shall be paid where the deed is not stamped within the time prescribed in sub-section (1) of this section.

(3) When more than one deed is written on the same piece of material every deed shall be separately and distinctly stamped with the duty with which it is chargeable.

Cancellation.

14. Every stamp affixed to a deed shall be cancelled by the Registrar General by impressing his seal thereon.

Penalties.

15. Any person who

- (a) fraudulently removes or causes to be removed from any deed any stamp or affixes to any other deed or uses for any postal purpose any stamp which has been so removed with intent that the stamp may be used again; or
- (b) sells or offers for sale or alters any stamp which has been so removed or utters any deed having thereon any stamp which to his knowledge has been so removed as aforesaid; or
- (c) executes any instrument in which all the facts and circumstances affecting the liability of any deed to duty on the amount of duty with which any deed is chargeable are not fully set forth; or
- (d) being employed or concerned in or about the preparation of any deed neglects or omits fully and truly to set forth therein all the said facts and circumstances

shall be guilty of an offence against this Ordinance and shall be liable on summary conviction to a fine not exceeding £50.

16. The deeds to which section 12 shall apply and the persons liable for duty in respect thereof are as follows :

Persons liable for duty.

*Deed described in the Third Schedule.*

*Person liable for duty.*

Conveyance.

The purchaser (which term includes the person in whose favour an order of the Court is made under section 11 hereof.)

Mortgage.

The mortgagee.

Transfer of mortgage.

The transferee.

Reconveyance.

The mortgagor.

Lease.

The lessee.

17. (1) Subject to any regulations which the Governor may make under this Ordinance the Registrar General shall assess the duty to be paid on any deed and may call upon the parties thereto to furnish him with such evidence as to all the facts and circumstances affecting the liability of the deed to duty as he may deem necessary.

Assessment of duty.

(2) Any person who is dissatisfied with the assessment of the Registrar General may within twenty-eight days after the date of the assessment and on payment of the duty in conformity therewith appeal against the assessment to the Court.

## PART III.

### CROWN LANDS.

18. Crown lands shall not, except as hereinafter mentioned, be dealt with or disposed of without the sanction of the Secretary of State.

Disposal of Crown lands.

19. The Governor in Council may dispose of Crown lands required for public purposes.

Disposal of land for public use.

20. The Governor in Council may refuse a lessee of any Crown lands the right of purchasing the freehold thereof.

Power of refusal to sell freehold.

21. (1) The following land shall continue to be reserves —

Reserves.

In Lafonia, near Bull Point	1,280 acres.
In Section 22A, West Cove	1,540 acres.
In Pebble Island, Elephant Bay	160 acres.
In Keppel Island, Bold Point	160 acres.
In New Island, Tigre Harbour	160 acres.
In Stanley Harbour, Navy Point	145 acres.

(2) The Governor in Council may by Notice in the Gazette declare any Crown land a reserve and such declaration shall show in general terms the nature of the purpose for which such land is declared a reserve.

(3) Should any land declared a reserve or any part thereof be subject to a lease a notice of the declaration shall be served on the lessee and the lease so far as it relates to the land so reserved shall determine at the expiration of three years from the date of publication of the Notice in the Gazette, and the Governor in Council may where the lessee is so deprived of the use of the reserved part of his holding grant a proportionate rebate of rent.

(4) The Governor in Council may with the approval of the Secretary of State declare a reserve to be no longer reserved and upon publication of a Notice in the Gazette to that effect such land

shall cease to be a reserve and may be dealt with as other Crown land.

Lease of reserved land.

22. Any reserve or part of a reserve may be leased for a term not exceeding three years subject, in the case of a lease to a person whose land does not adjoin the reserve, to the sanction of the Secretary of State.

Renewal of lease.

23. (1) The Governor in Council may with the approval of the Secretary of State upon the application of a lessee whose lease has expired or will expire within two years grant to him either a renewal of such lease or a new lease upon such terms and subject to such conditions and restrictions as may seem expedient but such renewal or new lease shall not, unless otherwise expressly provided, have effect until the determination of the then current lease and shall not in the case of

Country land (not being a reserve) exceed the term of 21 years.

Suburban land or a reserve exceed the term of 3 years.

Town land exceed the term of 60 years.

(2) Where the Governor shall decline to renew a lease the Government shall pay the lessee the value of all improvements assessed as hereinafter provided but no compensation shall be paid for any improvement when a lease has been determined in accordance with section 27.

Disposal of land on termination of lease.

24. Where a lessee declines to accept a renewal of the lease or declines to accept a new lease upon terms approved by the Governor in Council or where a lease has been determined in accordance with section 27 the Governor may cause a new lease of the land thus reverting to the Crown to be put up to public auction or he may by private treaty grant a new lease on such terms and subject to such conditions as the Governor in Council may deem expedient.

Option to determine all leases when renewal is refused.

25. Where the Governor has declined to renew a lease the lessee may by notice in writing to the Colonial Secretary elect that all leases of Crown lands held by him shall expire on the same day as the lease which the Governor has declined to renew and thereupon all such leases shall be determined accordingly and all such leases shall be considered leases which the Governor has refused to renew.

Assessment of improvements.

26. The value of improvements as provided for in section 23 shall be assessed by two assessors one to be appointed by the Governor and one by the lessee who shall certify to the best of their knowledge and belief the value of every improvement suitable and appropriate to the leased land provided that such valuation shall not exceed the actual cost of the improvement.

In the event of the assessors failing to agree the matter shall be referred to an umpire agreed upon by such assessors or failing agreement to one appointed by the Judge of the Court who shall determine the amount of assessment.

Determination of lease.

27. When a lessee fails to observe and perform any of the covenants and conditions on his part contained in the lease or to pay the rent reserved by the lease within one month after it has become due the said lease shall forthwith determine and it shall be lawful for the Governor or his servants or agents to re-enter upon and re-occupy the land demised by the lease and thereupon such lease shall be determined.

Reservations, restrictions and conditions.

28. (1) The Governor in Council may insert in any grant or lease of Crown lands such reservations, restrictions and conditions as he may deem expedient.

(2) Every grant or lease of Crown lands shall be subject to the following reservations, restrictions and conditions unless they

are expressly excluded or are not appropriate to the particular grant or lease.

(a) No lease shall be transferred without the consent in writing of the Governor first obtained. Transfer of lease.

To effect a transfer the lessee shall endorse and sign on the lease in the presence of a Justice of the Peace or in a foreign country a Notary Public except in the case of a limited company when the Common Seal of the company shall be affixed in accordance with the articles of association of the company as follows :

"I hereby transfer to

all my right title and interest in this lease.

Dated the      day of      19      ."

The transferee shall within 30 days if the lessee is resident in the Colony or within six months if he is not resident forward the lease to the Registrar General for registration otherwise the transfer shall not be effective.

(b) Country and suburban lands shall be used for pastoral purposes only. Country and suburban lands for pastoral purposes.

(c) The Governor and any person acting under his authority may search for, excavate and take away any stone or other materials which may be required for any public road, public utility or convenience. Government may take stones etc.

(d) All minerals are reserved to the Government of the Falkland Islands with full liberty at all times to search for, mine, quarry and carry away the same and for that purpose to enter upon the land or any part thereof or authorise any person or company so to do. Minerals reserved to Government.

(e) Rent shall be paid yearly in advance. Rent.

(f) Any person authorised by the Governor shall be permitted to enter upon any land for the purpose of surveying, inspecting fences or for any particular purpose specified in writing. Right of entry.

(g) All rates, taxes and assessments shall be paid in respect of the land. Rates etc.

(h) Good and sufficient fences shall be erected and maintained on the boundaries of land where there is no natural boundary and the physical features of the land permit. Fences.

29. Any person who wilfully or maliciously damages any gate or fence erected on country or suburban land or leaves open any gate erected on such land shall be liable on summary conviction to a fine not exceeding £10 or to imprisonment for a term not exceeding two months or both such fine and imprisonment. Damage to fences etc.

#### PART IV.

#### ACQUISITION OF LAND.

30. Whenever the Governor in Council resolves that any land is required for a public purpose the Governor may authorise, in writing, any person, his agents, servants and workmen to enter as often as may be necessary upon such land to survey, measure, take levels, mark out and delineate the land so required. Power to enter to survey.

31. The Governor in Council may by resolution declare that any land shall be acquired for a public purpose and thereupon a warrant in Form A in the Fourth Schedule shall be made under his hand and the Public Seal of the Colony directing that such land be Warrant for acquisition.

acquired for a public purpose and such warrant shall be published in the Gazette.

Notices.

32. Whenever a warrant is made under section 31 the Colonial Secretary shall within eight days of the date of the warrant cause a notice in Form B in the Fourth Schedule to be served personally on the owners and lessees of the land specified in the warrant or their duly appointed attorneys, or if they cannot be found

- (a) by leaving the notice with a responsible person at their last known places of abode or business, or
- (b) by leaving it with the occupier of the land, or
- (c) by affixing it to a conspicuous part of the land.

Entry and possession.

33. Any person authorised by the Governor may twenty-one days after service of the notice provided for in section 32 enter upon the land specified in the notice and mark out and take possession of the same for a public purpose.

Registration.

34. Within eight days after such appropriation the Colonial Secretary shall cause a plan of the land so appropriated and a certified copy of the warrant provided for in section 31 to be registered with the Registrar General and such registration shall be conclusive evidence of appropriation of the land for a public purpose.

Proceedings where possession refused.

35. (1) When the owner or occupier of any land to be required for a public purpose hinders or obstructs any person duly authorised by the Governor from entering upon or taking possession of such land in pursuance of this Ordinance the Governor may issue his warrant in the Form C in the Fourth Schedule direct to the Chief Constable who shall forthwith eject any person so withholding possession.

Penalty for obstruction etc.

(2) Any person who wilfully hinders or obstructs any person duly authorised by the Governor from entering upon or taking possession of or using any land in pursuance of the provisions of this Ordinance or who shall molest, hinder or obstruct such person when in possession of such lands or shall hinder or obstruct any police officer when executing the warrant provided for in subsection (1) of this section shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Land rendered useless by reason of appropriation.

36. When any land after appropriation as hereinbefore provided is so divided as to leave part thereof useless to the owner for the purpose for which he has been accustomed to use the land he may serve on the Colonial Secretary before any agreement for the purchase of the land so appropriated is made or compensation in respect thereof is determined notice requiring the Governor to purchase the said land rendered useless by reason of the severance as aforesaid and thereupon the Governor may purchase such land at an agreed price or may refer the matter to the arbitrators and umpires hereinafter mentioned to find whether or otherwise such land has been rendered useless by severance as aforesaid and if so to determine the price which should be paid for the same as though it were appropriated land as aforesaid and the Governor will purchase such land rendered useless accordingly.

Part of building not to be taken.

37. Nothing in this Ordinance shall be deemed to authorise the Governor to take part only of a house or other building and where part of the land on which a house or other building stands is required for a public purpose the Governor will take the whole house or building.

Compensation.

38. (1) Any person having any right, title or interest in land acquired for a public purpose shall be entitled to and shall receive compensation therefor and for all damages sustained by reason of the

exercise of the powers granted by this Ordinance such compensation to be determined as hereinafter provided.

(2) The Governor and any person referred to in subsection (1) of this section may agree the amount of such compensation as aforesaid and in default of such agreement such amount shall be determined by arbitration as hereinafter provided.

39. (1) In case of dispute as to the amount of compensation to be paid the claim shall be referred to two arbitrators one to be appointed by the Governor and one by the persons claiming in respect of the land appropriated, who shall decide thereon:

Arbitration.

Provided that in the event of their not agreeing on the amount to be awarded they shall within the period during which they have power to make an award appoint an umpire.

(2) The arbitrators shall:

Duties of Arbitrators.

- (a) decide upon all claims in respect of land acquired as aforesaid and apportion the award in respect of the various interests in any claim;
- (b) appoint the times and places at which they will sit to hear and determine a claim and give notice thereof to the parties concerned;
- (c) require the parties to appear before them and, subject to any legal objection, produce all deeds, books, papers, accounts and documents as they may deem fit;
- (d) require if they deem fit, witnesses to be examined on oath;
- (e) decide the amount of costs and all questions relating thereto but shall not award the costs to the claimant where
  - (i) the award of compensation does not exceed the sum offered by the Governor,
  - (ii) his conduct has been unreasonable or vexatious or his claim grossly excessive,
  - (iii) he has been party to deceit or fraud in respect of his claim;
- (f) consider only the following matters and none other in determining the amount of compensation to be paid
  - (i) the market value of the land at the time of acquisition,
  - (ii) any damage sustained by reason of severance of the land acquired affecting the other property or earnings of the claimant at the time of appropriation,
  - (iii) the reasonable expenses of the claimant incurred by him in changing his residence consequent on the acquisition of the land.

40. Any person who shall wilfully give false evidence on oath of any fact material to any claim for compensation shall be guilty of perjury.

False evidence to be perjury.

41. (1) The arbitrators shall make their award in writing within three months of their appointment or within such further period not exceeding six months as they may by notice decide.

Time for award.

(2) The umpire shall make his award in writing within one month of his appointment or within such further period not exceeding three months as he may by notice decide.

42. Every such award shall specify the amount awarded

Publication of award.

under the several heads of claim, be signed by the arbitrators or umpire, and be published in the Gazette.

Award conclusive.

43. (1) The decision of the arbitrators or umpire shall be final and conclusive regarding all persons who have appeared and claimed or on whose behalf any person having authority has claimed any land or interest therein but any person who has not appeared or claimed or on whose behalf no claim has been made may do so within one year of the date of the award.

Postponement of payment.

(2) Except where a valid title has been shewn to the satisfaction of the arbitrators or umpire payment of compensation shall be postponed for one year from the date of the award and shall then be paid to the person or persons who shall in the opinion of the arbitrators or umpire appear to have the best right thereto and his or their receipt shall operate as a full and complete discharge of the Governor from all claims in respect of compensation for such land appropriated and any interest therein.

Resumption of land under Crown Grants not to give claim for compensation.

44. Nothing in this Ordinance contained shall be construed or deemed to confer upon any person any right to compensation in respect of any land resumed in the name of His Majesty, his heirs or successors as required for roads, railways or other public works in pursuance of any condition, reservation, or power of resumption contained in any other Ordinance, or in any grant or lease of Crown lands.

#### PART V.

##### GENERAL.

Protection of persons acting under Ordinance.

45. (1) All actions or proceedings brought against persons acting in the execution of this Ordinance shall be commenced within six months after the act, neglect or default complained of or in case of a continuance of injury or neglect within six months after the ceasing thereof.

(2) Notice in writing of such action and of the cause or causes thereof shall be given to the defendant at least one month before the commencement of the action.

(3) No plaintiff shall recover in any such action if tender of sufficient amends shall have been made before action brought or if a sufficient sum shall have been paid into Court by the defendant after action brought and notice thereof given to the plaintiff.

Cutting peat on Crown lands.

46. Any person who shall cut or cause to be cut any peat on Crown lands without the consent of the Governor shall be liable on summary conviction to a fine not exceeding forty shillings for each day peat is so cut.

Searches and certified copies of documents.

47. Any person may during the normal office hours search the registers maintained by the Registrar General and obtain a certified copy of any deed registered therein subject to his paying the appropriate fee set forth in the Second Part of the Second Schedule.

Governor in Council may make regulations.

48. The Governor in Council may make Regulations for the effective administration of this Ordinance.

Repeals:  
12 of 1853 (part).  
1 of 1902.  
9 of 1903.  
6 of 1904.  
3 of 1934.

49. That part of the Second Schedule entitled "Registrar's fees - Land" to the Registration Ordinance 1853, the Public Lands Ordinance 1902, the Land Ordinance 1903, the Titles to Land Ordinance 1904, the Land (Amendment) Ordinance 1934 are hereby repealed.

Commencement.

50. This Ordinance shall come into force on the 1st day of January, 1950.

## FIRST SCHEDULE.

### Form 1.

THIS CONVEYANCE is made the       day of       one thousand nine hundred and       in pursuance of the Land Ordinance 1949.

BETWEEN       of  
(hereinafter called "the Vendor") of the one part and  
of       (hereinafter called "the Purchaser") of the other part.

WITNESSETH that in consideration of the sum of  
now paid by the Purchaser to the Vendor (the receipt whereof is hereby acknowledged) the Vendor hereby conveys to the Purchaser ALL that parcel of land

To hold the same unto the Purchaser, his heirs, executors, administrators and assigns for ever

Delete if not applicable.

It is hereby certified that the transaction hereby effected does not form part of a larger transaction of a series of transactions the amount or value or the aggregate amount or value of which exceeds one thousand pounds.

IN WITNESS whereof the Vendor has hereunto set his hand the day and year first above written.

Signed by the Vendor  
in the presence of

The signature must be witnessed by a Justice of the Peace or in a foreign country by a Notary Public, except in the case of a limited company.

### Form 2.

THIS MORTGAGE is made the       day of       one thousand nine hundred and       in pursuance of the Land Ordinance 1949.

BETWEEN       of  
(hereinafter called "the Mortgagor") of the one part and  
of       (hereinafter called "the Mortgagee") of the other part.

Where one prior charge.

Where more than one prior charge.

Delete recitals when not applicable.

WHEREAS by a Mortgage dated the       day of  
and made between the Mortgagor of the one part and  
of the other part the land hereinafter described and intended to be hereby conveyed was conveyed to the said       subject to the right of redemption therein contained.

WHEREAS by the mortgages more particularly set out in the Schedule hereto the land hereinafter described and intended to be hereby conveyed was conveyed to the respective mortgagees subject to the rights of redemption respectively herein contained.

WITNESSETH that in consideration of the sum of  
now paid by the Mortgagee to the Mortgagor (the receipt whereof is hereby

acknowledged) the Mortgagor hereby conveys ALL that piece of land

TO HOLD the same unto the Mortgagee his heirs and assigns for ever subject to the right of redemption by the Mortgagor. And the Mortgagor for himself his heirs executors administrators and assigns hereby covenants with the mortgagee his heirs executors administrators and assigns that he will repay the principal sum of hereby secured on the day of one thousand nine hundred and and interest in the meantime at the rate of per centum per annum by half yearly payments on the day of and the day of in every year.

IN WITNESS whereof the Mortgagor has set his hand the day and year first before written.

#### THE SCHEDULE.

DATE.	MORTGAGOR.	MORTGAGEE.	SUM SECURED.
-------	------------	------------	--------------

*Signed by the Mortgagor* }  
*in the presence of* }

The signature must be witnessed by a Justice of the Peace or in a foreign country by a Notary Public except in the case of a limited company.

#### Form 3.

#### Transfer of Mortgage.

THIS TRANSFER is made the day of one thousand nine hundred and in pursuance of the Land Ordinance 1949.

BETWEEN of (hereinafter called the "Transferor") of the one part and of (hereinafter called the "Transferee") of the other part.

WITNESSETH that in consideration of the sum of now paid by the Transferee to the Transferor (the receipt whereof is hereby acknowledged) the Transferor hereby conveys and assigns ALL his right title powers and interest in the within written mortgage to HOLD the same unto the Transferee his heirs executors administrators and assigns for ever subject to the right of redemption contained in the mortgage.

IN WITNESS whereof the Transferor has hereunto set his hand the day and year first before written.

*Signed by the Transferor* }  
*in the presence of* }

The Signature must be witnessed by a Justice of the Peace or in a foreign country by a Notary Public except in the case of a limited company.

#### Form 4.

#### Reconveyance.

(To be endorsed on mortgage to which it relates).

THIS RECONVEYANCE is made the day of one thousand nine hundred and in pursuance of the Land Ordinance 1949.

BETWEEN of (hereinafter called the "Mortgagee") of the one part and of (hereinafter called the "Mortgagor") of the other part.

WITNESSETH that in consideration of all principal money and interest thereon secured by the within written mortgage having been paid as the Mortgagee hereby acknowledges the Mortgagee hereby reconveys ALL that piece of land comprised in the within written mortgage to HOLD the same unto the Mortgagor his heirs executors administrators and assigns for ever free from incumbrances.

IN WITNESS whereof the said (Mortgagee) has hereunto set his hand the day and year first before written.

*Signed by the Mortgagee* }  
*in the presence of* }

The Signature must be witnessed by a Justice of the Peace or in a foreign country by a Notary Public except in the case of a limited company.

#### Form 5.

#### Lease.

THIS LEASE is made the day of one thousand nine hundred and in pursuance of the Land Ordinance 1949.

BETWEEN of (hereinafter called "the Lessor") of the one part and of (hereinafter called "the Lessee") of the other part.

WITNESSETH that in consideration of the yearly rent of to be paid by the Lessee to the Lessor (in advance) on the day of the day of and the day of in every year the first payment to be made on the day of and of the implied covenants on the part of the Lessee the Lessor hereby lets and the Lessee hereby takes ALL that piece of land

TO HOLD the same unto the Lessee his executors administrators and assigns for the term of years from the day of one thousand nine hundred and

IN WITNESS whereof the parties hereto have hereunto set their hands the day and year first before written.

*Signed by the Lessor* }  
*in the presence of* }

*Signed by the Lessee* }  
*in the presence of* }

The Signature must be witnessed by a Justice of the Peace or in a foreign country by a Notary Public except in the case of a limited company.

# Form 6.

## Declaration of Title.

Pursuant to the Land Ordinance 1949.

WHEREAS of has presented a petition to this Court that he is lawfully entitled to be registered as the owner in fee simple of the land hereinafter more particularly described.

AND WHEREAS after hearing the evidence of the said Petitioner (and the respondents) this Court made a decree nisi for the issue of a title on the day of 19

AND WHEREAS one year has elapsed since the date of the said decree and no person has shewn cause why such decree should not be made absolute.

NOW THEREFORE IT IS ORDERED AND DECLARED that of shall be registered as and shall be the lawful owner in fee simple of ALL that piece of land etc.

subject etc.

Dated this day of 19

Judge.

Registered the day of 19

Registrar.

## SECOND SCHEDULE.

### PART I.

	£	s.	d.
For completing a form of deed ... ..	10	:	0.
For making a plan of town lot on deed ....	5	:	0.
For registering a deed (other than a reconveyance) or any instrument not more than five folios ... ..	10	:	0.
For every additional folio ... ..	1	:	0.
Issue of title, including registration ....	2	:	0 : 0.
Registration of reconveyance ....	2	:	6.
Registering plans, according to cost of work.			

### PART II.

For every search (other than Crown grant register) ... ..	5	:	0.
For a certified copy of or extract from any recorded deed or deposited memorial or notice (other than Crown grant) per folio or part ...	2	:	0.
For a certified copy of or extract from the general index, per line or part			6.
For comparing any deed with the record if required by the person registering, per folio or part ... ..			4.
For searching Crown grant register ... ..	10	:	0.
For every certified copy of a Crown grant ... ..	2	:	0 : 0.

## THIRD SCHEDULE.

### CONVEYANCE.

(1) Where the amount or value of the consideration for the sale does not exceed £1,000, five shillings for every £50 or fractional part of £50 of such amount or value.

(2) Where the transaction effected by the deed forms part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value exceeds £1,000, ten shillings for every £50 or fractional part of £50 of such amount or value.

(3) A conveyance or transfer made for effecting the appointment of a new trustee or in connection with winding up the estate of a deceased person shall not be charged with any higher duty than ten shillings.

### MORTGAGE.

1/- for every £50 or fractional part of £50 of the amount secured by the mortgage.

### TRANSFER OF MORTGAGE AND RECONVEYANCE.

6d. for every £100 or fractional part of £100 of the amount secured by the mortgage.

### LEASE.

2/6 for each £50 or fractional part of £50 of the yearly rent reserved by the lease.

### Exemption.

All deeds on which duty would be payable by the Government shall be exempt from the duties shewn in this Schedule.

## FOURTH SCHEDULE.

### Form A.

(Section 31)

By His Excellency the Governor in Council.

Governor.

Whereas on the day of the Governor in Council by resolution declared that the following land namely (description) should be acquired for a public purpose.

Therefore I do hereby direct that the said land shall be acquired for a public purpose under and in accordance with the Land Ordinance 1949.

Dated this day of 19

By Command,

Colonial Secretary.

Form B.

(Section 33)

Notice is hereby given that the following land namely (description) is to be acquired for a public purpose.

Any person having any right title or interest in the said land is required on or before the day of 19 (twenty one days after date of service of this notice) forward to the Colonial Secretary a statement of his right title or interest and evidence thereof and any claim made by him in respect of the value of the said land and his right title or interest therein.

The Governor is willing to treat for the purchase of the said land.

Date

Colonial Secretary.

Form C.

(Section 35)

To the Chief Constable.

By a warrant dated the day of 19 His Excellency the Governor directed that the following land namely (description) should be acquired for a public purpose.

You are therefore commanded to put any person duly authorised by the Governor in that behalf in possession of the said land.

Dated the day of 19

By Command,

Colonial Secretary.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
Clerk of the Legislative Council.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
Governor.

[L.S.]

No. 29



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
Governor.

An Ordinance

To amend the Wild Animals and Birds  
Protection (Amendment) Ordinance, 1913.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Wild Animals and Birds Protection (Amendment) Ordinance, 1949, and shall be read and construed as one with the Wild Animals and Birds Protection (Amendment) Ordinance, 1913, (hereinafter referred to as the Principal Ordinance). Short title.

2. Section 2 of the Principal Ordinance shall be amended by the deletion of the remainder of the section after the word "animal" in line 19 thereof and the substitution of the words "or bird or part of an animal or bird". Amendments : Section 2.

3. Section 9 of the Principal Ordinance shall be deleted. Section 9.

M.P. 1099.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
Clerk of the Legislative Council.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 30



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Public Health Ordinance  
1894.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Public Health (Amendment) Ordinance, 1949, and shall be read and construed as one with the Public Health Ordinance, 1894, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Sections 5 and 6 of the Principal Ordinance shall be deleted and the following substituted therefor :

"5. Any person who shall sell, offer for sale, store, expose or prepare for sale any article of food or drink intended for human consumption in any premises which are not kept properly cleaned, lighted, ventilated and drained, or in which the utensils and other implements used in the preparation sale or storage of such food and drink are not kept properly cleansed to the satisfaction of the Board, shall commit an offence and shall be liable to a fine not exceeding £20 and to a further fine not exceeding £5 for each day during which the offence continues after conviction therefor.

Cleanliness of premises and utensils used in connection with the sale etc. of food.

Provided that this section shall not apply in the case of premises used solely for the sale or storage of food contained in containers of such materials, and so closed, as to exclude all risk of contamination.

3. The Principal Ordinance shall be amended by the addition of the following sections after section 6 thereof :

Prevention of food being exposed to infection etc.

"6A. Any person concerned in the preparation, storage or handling of articles of food and drink intended to be sold for human consumption who shall fail to take all reasonable and proper precautions to prevent such articles being exposed to infection or contamination shall commit an offence and shall be liable to a fine of £20 and to a further fine not exceeding £5 for each day during which the offence continues after conviction therefor.

Power of Board to prohibit importation of food.

"6B. (1) The Board may prohibit the importation of such articles of food or drink intended for sale for human consumption as it may deem fit and may vary or rescind such prohibition.

(2) Any person who shall sell, store, offer or expose for sale for human consumption any article of food or drink the importation of which has been prohibited shall commit an offence and shall be liable in the case of a first offence to a fine not exceeding £20 and in the case of a subsequent offence to a fine not exceeding £100.

Power to seize food unfit for human consumption.

"6C. (1) If it shall appear to a medical officer or an inspector that any article of food or drink intended for human consumption is unsound, unwholesome or unfit for human consumption he may seize and carry away the same and apply to the Court forthwith for an order for its destruction.

Court may order destruction of food unfit for human consumption.

(2) If it appears to a Court that any article of food or drink is unsound, unwholesome or unfit for human consumption it shall condemn the same and make an order that it shall be destroyed or otherwise disposed of to prevent it being used for human consumption.

"6D. Any person who

(a) sells, offers or exposes for sale or has in his possession for the purpose of sale or of preparation for sale any unwholesome food for human consumption, or

(b) sells such food as pure and unadulterated when it is adulterated or not pure,

shall commit an offence and shall be liable in the case of a first offence to a fine not exceeding £20 and in the case of a subsequent offence to a fine not exceeding £50 or to a term of imprisonment not exceeding three months or both such fine and imprisonment.

Provided that it shall be a defence to a charge under (b) above that the defendant did not adulterate or render the said article impure or was not party thereto and had no knowledge of the condition of the said article.

Burden of proof.

"6E. Proof that an article of food or drink was not sold, offered for sale, stored, exposed or prepared for sale for human consumption shall rest on the person charged".

Section 7.

4. Section 7 of the Principal Ordinance shall be deleted and the following substituted therefor :

"7. The Governor may appoint inspectors to carry out the provisions of this Ordinance under the instructions of the Board. Any person wilfully obstructing an inspector in the execution of his duty shall commit an offence and shall be liable to a fine not exceeding £5.

5. Section 8 of the Principal Ordinance shall be amended by the addition of the following at the end thereof

"Any cistern, well, pool, channel, barrel, tub or other vessel used for the supply of water for domestic purposes so placed, constructed or kept as to render the water liable to contamination thereby causing or being likely to cause injury to health".

6. Section 10 of the Principal Ordinance shall be amended by the deletion of the words "On receipt of information from an Inspector of Nuisances or any two inhabitant freeholders of any nuisances" in lines 1, 2 and 3 thereof.

7. Sections 9, 11, 16 and 17 of the Principal Ordinance shall be deleted.

8. Sections 12, 13, 14 and 15 of the Principal Ordinance shall be deleted and the following substituted therefor

"12. (1) If a court is satisfied that a nuisance exists or may recur on the same premises it may make an order :

(a) that the owner or occupier comply with all or any of the requirements of a notice served by the Board or otherwise abate the nuisance within the time specified by the Board and to do any work necessary for the purpose ;

(b) directing the execution of any work necessary to prevent a recurrence of the nuisance ;

(c) both requiring abatement and prohibiting the recurrence of a nuisance.

(2) The Court may impose a penalty not exceeding £5 on the person on whom the order is made and may make an order for the payment of all costs up to the time of making the order under this section.

"13. Any person who fails to comply with an order of the Court to abate a nuisance or knowingly and wilfully acting contrary to an order of prohibition shall, unless he satisfies the Court that he has used all diligence to carry out such order, commit an offence and shall be liable to a fine not exceeding £5 for each day during his default.

"14. (1) If the Board is satisfied that any premises used or intended to be used for human habitation or any part thereof is unfit for human habitation as being injurious to the health of any person inhabiting the same the Board shall serve on the owner thereof a notice in writing requiring him to effect the repairs therein specified within the time therein mentioned.

(2) If a Court is satisfied that the premises in respect of which a notice under this section is served are unfit for human habitation it may make an order prohibiting such premises from being used for human habitation until the works required by the said notice or such works as the Court shall deem fit have been executed.

(3) The Court may on completion of the said works to its satisfaction declare the premises to be fit for human habitation.

(4) Any person failing to comply with an order under this section shall be subject to the penalties provided for in section 13 hereof.

9. The words "with the approval of the Governor in Council" shall be inserted after the word "may" in line 1 of section 18 of the Principal Ordinance.

Section 19.

10. Section 19 of the Principal Ordinance shall be deleted and the following shall be added to section 18 in substitution thereof:

(xvii.) Measures to prevent and mitigate disease and the protection of public health.

(2) Any person who commits any breach of, or neglects or fails to comply with, any by-law made under this section shall commit an offence and shall be liable to a fine not exceeding £5 for each offence and to a further fine not exceeding £2 for each day during which the offence continues after conviction therefor.

Section 21.

11. Section 21 of the Principal Ordinance shall be deleted and the following substituted therefor :

"21. All expenses incurred by the Board in respect of work performed in the enforcement of the Ordinance or of any by-law made thereunder shall be recoverable by the Board in a summary manner before a Court.

12. The Principal Ordinance shall be amended by the addition of the following section :

Section 22.

"22. In this Ordinance and any by-law made thereunder where the context so admits :

Interpretation.

"The Board" means the Board of Health appointed under section 1 hereof.

"Inspector" means an inspector appointed under section 7 hereof.

"Contagious or infectious disease" means cholera, plague, yellow fever, small pox, typhus fever, enteric fever, scarlet fever, diphtheria, measles, whooping cough, chicken pox, dengue, influenza, erysipelas, puerperal fever, puerperal pyrexia, cerebro-spinal fever, acute poliomyelitis, tuberculosis, ophthalmia neonatorum, acute encephalitis lethargica, acute primary pneumonia, glanders, german measles, acute rheumatism, infective diarrhoea, impetigo contagiosa, acute influenzal pneumonia, ringworm in human beings and any other disease which from time to time may be so defined by the Board by notice in the Gazette.

M.P. 1100.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 31

1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## **An Ordinance To amend the Live Stock Ordinance, 1901.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Live Stock (Amendment) Ordinance, 1949, and shall be read and construed as one with the Live Stock Ordinance, 1901, as amended by the Live Stock (Amendment) Ordinances (hereinafter referred to as the Principal Ordinance). Short title.

2. The definition "stray sheep" shall be deleted and the following substituted therefor : Section 1.

"stray sheep" means any sheep, not being a travelling sheep, upon land not in the occupation of the owner of the sheep.

The definition "Inspector" shall be deleted and the following substituted therefor :

"Inspector" means an inspector appointed under section 2 of this Ordinance.

3. The words "Agricultural Officer" shall be substituted for the words "Chief Inspector" in Sections 13 and 14 of the Principal Ordinance. Sections 13 & 14.

4. The words "or two Justices" shall be inserted after the word "Magistrate" in sections 17 and 41 of the Principal Ordinance. Sections 17 & 41.

- Sections 25, 26 & 27. 5. Sections 25, 26 and 27 of the Principal Ordinance shall be deleted.
- Section 28. 6. Section 28 of the Principal Ordinance shall be amended by inserting the following after the proviso thereto :-  
"Provided also that the Agricultural Officer may exempt the owner of any island from dipping in any one year if the sheep examined by him on that island are found to be absolutely free of tick, lice and scab in that year."
- Sections 35, 36 & 37. 7. The words "and cattle" shall be inserted after the word "sheep" wherever it shall appear in Sections 35, 36 and 37 of the Principal Ordinance with the exception of subsection (3) of section 37.
- Section 41. 8. Section 41 of the Principal Ordinance shall be amended by deleting the words "all penalties or moiety penalties, when the half is payable to an informer," in lines 4 and 5 thereof.
- Section 46. 9. (1) The words "or to carry out any lawful order given" in lines 4 and 5 of section 46 of the Principal Ordinance shall be deleted.
- Schedule. 10. Form 5 in the Schedule to the Principal Ordinance shall be deleted and the form shewn in the Schedule hereto shall be substituted therefor.

SCHEDULE.

M.P. 1093.

Ag. 4.

FALKLAND ISLANDS.

LIVE STOCK ORDINANCE, No. 6 OF 1901.

Annual Return for the year ending 31st May, 19.....

Station..... Owner.....  
Brand for Horses and Cattle ..... Ear mark for Sheep .....

Sheep.

Number of sheep on 31st May.

Rams.	Breeding Ewes.	Other Ewes.		Wethers.	Lambs.	Total.
		Cast.	Maiden.			

		Ram.	Ewe.	Wether.	Total.
Number of Lambs marked	...	...	...	...	...
Number of Lambs dipped	...	...	...	...	...

Sheep disposed of in year.				Stock acquired in year.			
Sold locally for Breeding	...	...		Type of Stock.	Country of origin or Station where bought.	Sex.	Total.
" " " Mutton	...	...					
" " " Boiling down	...	...					
" " " Other reasons	...	...					
Exported	...	...					
Killed on Station for skins only	...	...					
Boiled down on Station	...	...					
Killed for Mutton	...	...					
Total	...	...	...				

Number of Sheep shorn between 1st June, 19..... and 31st May, 19.....  
Total Wool shorn..... nett lbs. Average Wool clipped per sheep..... nett lbs.

Labour on 31st May.

Shepherds.	Navvies.	Other Hands.	Total.

Total population on 31st May.

Male.	Female.	Total.

Annual Rainfall in inches where records are kept on Station .....inches.

Number of Houses on Station including Cookhouse..... Number vacant.....

Horses.

Stallions.	Brood Mares.	All other horses.	All under 3 years old.	Total.

Cattle.

Bulls.	Cows.	All under 2 years old.	All other Oxen.	Total.

Swine.

Boars.	Breeding Sows & Gilts.	All over 6 months.	All under 6 months.	Total.

Poultry.

Hens.	Cocks.	Pullets.	Total.

Geese..... Turkeys.....

NOTE. All private horses and privately owned cows and pigs on the Station to be included in these returns.

Ploughed Land .....Acres.  
Area sown Oats .....Acres.  
Other ground Mown .....Acres.

I solemnly and sincerely declare that the foregoing is to the best of my knowledge and belief a correct and accurate statement.

Signature of Manager.

NOTE. This return must be made to the Agricultural Officer on or before 30th June in each year.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 32



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To amend the King Edward VII. Memorial Hospital Ordinance, 1916.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the King Edward VII. Memorial Hospital (Amendment) Ordinance, 1949, and shall be read and construed as one with the King Edward VII. Memorial Hospital Ordinance, 1916. Short title.

2. The definition "Company" in section 2, and sections 3 and 4 of and the Schedule to, the King Edward VII. Memorial Hospital Ordinance, 1916, shall be deleted. Amendments :  
Sections 2, 3, 4 and  
the Schedule.

M.P. 1112.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 33



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Publications (Importation  
Prohibition) Ordinance, 1938.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Publications (Import- Short title.  
ation Prohibition) (Amendment) Ordinance, 1949, and shall be read  
and construed as one with the Publications (Importation Prohibition)  
Ordinance, 1938, (hereinafter referred to as the Principal Ordinance).

2. Clauses (a) (b) and (c) of subsection (1) of section 6 of  
the Principal Ordinance shall be deleted and the following substituted  
in lieu thereof :

- “(a) the Postmaster
- (b) the Collector of Customs
- (c) the Chief Constable”.

M.P. C/8/38.

This printed impression has been carefully compared by me  
with the Bill which has passed the Legislative Council, and is found  
by me to be a true and correctly printed copy of the said Bill.

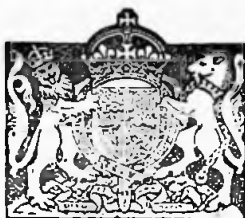
L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 34



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To impose restriction on Immigration  
and for purposes connected therewith.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows—

1. This Ordinance may be cited as the Immigration (Re- Short title.  
striction) Ordinance, 1949.

2. In this Ordinance or any Regulation made thereunder Definitions.  
where the context so admits :

“Prohibited immigrant” means any person who

- (a) is not in possession of a passport valid for entry into  
the Colony, or
- (b) has left the Colony at the public expense, or
- (c) is deemed by the Governor to be an undesirable im-  
migrant, or
- (d) is an idiot or insane, or
- (e) is without visible means of support or is likely to  
become a public charge, or
- (f) has signed or entered into an agreement to labour for  
hire in the Colony, or whose passage has been paid  
on his behalf with a view to his entering into such  
an agreement on arrival, unless the consent in writing  
of the Colonial Secretary to immigration of such  
person has been obtained.

Prohibition of and conditions on landing any prohibited immigrant.

3. The Governor may prohibit any person landing in the Colony and may impose all or any of the following conditions in respect of any person appearing to be a prohibited immigrant

- (a) he shall deposit with the Colonial Secretary the sum of £100 provided that the Colonial Secretary may in lieu of requiring the said deposit permit the intending immigrant to give security by bond in the prescribed form in the sum of £100 with one or more sureties to be approved by the Colonial Secretary conditional on the intending immigrant obtaining from the Colonial Secretary within six months after entering the Colony a certificate that he is a fit and proper person to be received as an immigrant.
- (b) If he shall, within six months after entering the Colony, obtain from the Colonial Secretary such certificate as aforesaid his deposit if any shall be refunded.
- (c) If he shall fail to obtain such certificate within six months as aforesaid, his deposit may be forfeited or the bond may be put in suit by the Colonial Secretary, and he may be deported.

In the case of any person allowed to enter the Colony, under this section, no liability shall attach to the vessel or the owner, agent or master of such vessel.

Offence of illegal landing and deportation.

4. Any prohibited immigrant who shall land in the Colony except under and in accordance with the provisions of section 3 shall commit an offence and shall on conviction be liable to a fine not exceeding £50 or to imprisonment for a term not exceeding six months and the Governor in Council may make a deportation order in respect of such prohibited immigrant upon such conviction.

Liability of master, owner and agent of a ship in respect of prohibited immigrant.

5. The master or person having command or charge of the vessel in which a prohibited immigrant (not having been shipwrecked) arrived in the Colony shall, if required give a passage and accommodation and maintenance during the passage to such prohibited immigrant upon deportation and the master and the owner and the agent of any vessel from which any prohibited immigrant shall land or be landed shall be jointly and severally liable to pay to the Government of the Colony all expenses incurred in connection with the maintenance of such immigrant and his deportation from the Colony.

Seamen not to be discharged without consent of Shipping Master.

6. (1) No seaman shall be discharged from any ship in the Colony except with the consent of the Shipping Master which consent shall not be given unless the master, owner or agent shall have made arrangements to the satisfaction of the Shipping Master to ensure that the seaman shall not become a charge on the Colony.

(2) Any seaman discharged without such consent or deserting from the ship or being left behind in the Colony shall be deemed to be a prohibited immigrant.

Liability of employers bringing persons into Colony.

7. Any person bringing into the Colony any person to serve under an agreement, who shall within twelve months of the date of his arrival become chargeable to the Colony, shall be liable to repay to the Government of the Colony all costs and charges incurred in respect of such person and the cost of his removal from the Colony.

Offences.

8. Any person who

- (1) aids and assists any prohibited immigrant to land in the Colony in contravention of this Ordinance, or
- (2) being the master of a ship knowingly permits any prohibited immigrant to land from his ship in contravention of this Ordinance, or refuses to receive on board, or neglects to take reasonable measures to keep on board any prohibited immigrant who shall

have landed from his ship and been replaced on board, or

- (3) wilfully disobeys or disregards any obligation imposed by this Ordinance

shall commit an offence and be liable to a fine not exceeding £50 or to imprisonment for a term not exceeding six months, and when the master of a ship is charged with any offence clearance outwards of the ship shall be refused until the charge has been heard and the fine if any imposed has been paid.

9. This Ordinance shall not apply to persons in the Service of the Government of the Colony or to natives of the Colony or persons permanently domiciled therein. Exemptions.

10. The Immigration (Restriction) Ordinance, 1936, and the Immigration (Restriction) Amendment Ordinance, 1939, are hereby repealed. Repeals: 3 of 1936 and 11 of 1939.

M.P. 0560.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 35



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**  
**To amend the Trespass Ordinance, 1904.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Trespass (Amend-  
ment) Ordinance, 1949, and shall be read and construed as one with  
the Trespass Ordinance, 1904, (hereinafter referred to as the Principal  
Ordinance). Short title.
2. The word "waste" in lines 2 and 3 of section 2 of the  
Principal Ordinance shall be deleted. Amendments :  
Section 2.
3. The words "three" in line 2 and "one shilling" in lines 3  
and 4 of section 4 of the Principal Ordinance shall be deleted and  
the words "five" and "two shillings and sixpence" substituted there-  
for respectively. Section 4.
4. Sections 7, 8, 9 and 11 of the Principal Ordinance are  
hereby repealed. Sections 7, 8, 9 and 11.

5. Section 13 of the Principal Ordinance shall be amended by the deletion of the remainder thereof after the word "thereof" in line 7. Section 13.

6. Section 14 of the Principal Ordinance shall be deleted and the following substituted in lieu thereof : Section 14.

"The Governor in Council may make regulations for the more effective administration of this Ordinance".

M.P. 1078.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 36

1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Falkland Islands Slaughtering and Inspection Ordinance, 1939.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Falkland Islands Slaughtering and Inspection (Amendment) Ordinance, 1949, and shall be read and construed as one with the Falkland Islands Slaughtering and Inspection Ordinance, 1939, (hereinafter referred to as the Principal Ordinance).

Short title.

2. The word "human" shall be substituted for the word "local" in line 4 of section 2 of the Principal Ordinance.

Amendments :  
Section 2.

3. Section 4 of the Principal Ordinance shall be deleted and the following shall be substituted in lieu thereof as a proviso to section 3 of the Principal Ordinance :

Section 4.

"Provided that :

- (a) no diseased stock shall be slaughtered for human consumption;
- (b) that a complete record of all stock slaughtered for human consumption is kept shewing the persons to whom it is bartered or sold and that such record is open to inspection by an inspector at all reasonable times."

Section 10.

4. The words "and other officers for the purpose of this Ordinance and may define their duties, functions and powers" in lines 3 and 4 of section 10 of the Principal Ordinance shall be deleted and the words "under this Ordinance" substituted therefor.

Sections 16 & 17.

5. The word "justice" in the last line of section 16 and the words "or justice" in the lines 1 and 4 of section 17 of the Principal Ordinance shall be deleted.

Section 19.

6. The words "or any justice" in line 9 of section 19 of the Principal Ordinance shall be deleted.

Section 23.

7. Section 23 of the Principal Ordinance shall be deleted.

M.P. 1077.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 37

1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To amend the Dogs Ordinance, 1944.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Dogs (Amendment) Ordinance, 1949, and shall be read and construed as one with the Dogs Ordinance, 1944, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 5 and the words "Such permission shall not be unreasonably withheld" in section 10 of the Principal Ordinance shall be deleted.

Amendments.

M.P. 160/43.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 38



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Defence Force Ordinance,  
1920.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Defence Force (Amendment) Ordinance, 1949, and shall be read and construed as one with the Defence Force Ordinance, 1920, (hereinafter referred to as the Principal Ordinance).

Short title.

2. The definition "Company" in section 2 of the Principal Ordinance shall be deleted and the following substituted therefor :

Amendments :  
Section 2.

" 'Unit' means unit forming part of the Force".

3. Section 3 of the Principal Ordinance shall be amended by the addition of the following subsection :

Section 3.

"(3) The Governor may appoint such honorary members as he may deem fit".

4. The words "Companies of Garrison Artillery, Mounted Infantry and Infantry" in section 4 of the Principal Ordinance shall be deleted and the word "Units" substituted therefor.

Section 4.

Section 9.

5. Section 9 of the Principal Ordinance shall be deleted and the following substituted therefor :

"(1) Members, other than officers, shall wear such uniform as the Governor shall direct which shall be supplied to them on their enrolment and renewed at the public expense as the Commandant shall decide.

(2) Officers shall provide and maintain at their own expense such uniform as the Governor shall direct : Provided that the Governor may grant an allowance to each officer in respect thereof."

Section 11.

6. Section 11 of the Principal Ordinance shall be amended by

- (a) the substitution of the word "one" for the word "three" in line 5;
- (b) the addition of the words "Provided that the Commandant may in his discretion dispense with such notice" after the word "force" in line 6; and
- (c) by the deletion of the last paragraph thereof.

Section 13.

7. Section 13 of the Principal Ordinance shall be amended by

- (a) inserting the words "for at least fifteen years or has been returned with efficiency" after the word "efficiency" in line 2 thereof, and
- (b) by adding the following subsection :

"(4) He may enjoy the privileges of the Defence Force Club as though he were an active member of the Force".

Sections 14, 22 (2),  
23 (6) and 25.

8. Section 14, subsection (2) of section 22, subsection (6) of section 23, and section 25 of the Principal Ordinance shall be deleted.

Section 17.

9. Section 17 of the Principal Ordinance shall be amended by deleting the words "or of any company detachment or party thereof" and inserting the words "motor vehicles" after the word "impress".

Section 21.

10. Section 21 of the Principal Ordinance shall be deleted and the following substituted therefor :

"The Governor in Council may exempt, defer the calling out of, or order the release or discharge of any person or class of persons registered under sections 18, 19 and 20 hereof when he may deem it in the interest of the Colony so to do."

Section 23.

11. Subsections (3) and (4) of section 23 of the Principal Ordinance shall be deleted and the following substituted therefor :

"(3) No plaintiff in an action brought against any person in respect of any act performed under this Ordinance shall succeed unless he prove that such act was done maliciously or without reasonable cause or that it was carried out with gross negligence.

The defendant may plead this Ordinance in his defence."

General.

12. The word "unit" shall be substituted for the word "company" wherever it shall appear in the Principal Ordinance.

Schedule C.

13. Schedule C to the Principal Ordinance shall be amended by :

- (a) deleting the first eleven and the 16th, 17th and 18th offences enumerated therein; and
- (b) substituting £1 0s. 0d. for 1s. 0d. as the limit of the fine for the offence "Loading a rifle contrary to orders".

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 39



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To amend the Harbour Ordinance, 1902.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

- |   |                            |
|---|----------------------------|
| 1. This Ordinance may be cited as the Harbour (Amendment) Ordinance, 1949, and shall be read and construed as one with the Harbour Ordinance, 1902, (hereinafter referred to as the Principal Ordinance). | Short title.               |
| 2. Section 6 of the Principal Ordinance shall be amended by the insertion of the word "unauthorised" before the word "person" in line 3 thereof.  | Amendments :<br>Section 6. |
| 3. Section 15 of the Principal Ordinance shall be amended by substituting "Harbour Master" for the words "Receiver of Wrecks".  | Section 15.                |
| 4. Section 22 of the Principal Ordinance shall be amended by inserting the words "or any public jetty" after the word "beach" in line 2 thereof.  | Section 22.                |

5. The Principal Ordinance shall be amended by the addition of the following sections :

"22A. Any person engaged in removing, or being in a boat containing, gunpowder who shall have in his possession any matches or means for making fire or shall smoke shall be liable to a fine of £5.

22B. Any person who shall take, use or cause to be taken or used, without the consent of the owner, any boat in any Harbour shall be liable to a fine not exceeding £10 and such sum as the Court shall award for the loss, use of, or damage to such boat."

M.P. 1084.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE.  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 40



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance  
To amend the Merchandise Marks Ordinance, 1889.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Merchandise Marks (Amendment) Ordinance, 1949, and shall be read and construed as one with the Merchandise Marks Ordinance, 1889, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Subsections (4), (5), (6) and (7) of section 2, subsection (1) of section 9, sections 10, 12, subsections (2), (6) and (8) of section 14 and section 18 of the Principal Ordinance shall be deleted.

Amendments :  
Section 2 (4) (5) (6) & (7),  
section 9 (1), sections 10,  
12, section 14 (2) (6) & (8),  
section 18.

3. Section 14 of the Principal Ordinance shall be amended by

Section 14.

- (a) the deletion of the words "Whereas it is expedient to make further provision for prohibiting the importation of goods which if sold would be liable to forfeiture under this Ordinance: Be it therefore enacted as follows:—" in the first six lines thereof and
- (b) by the deletion of the words "All such goods" in line 6 and the substitution of the words "All goods which, if sold would be liable to forfeiture under this Ordinance" therefor.

M.P. 1098.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 41



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To amend the Companies and Private  
Partnership Ordinance, 1922.**

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Companies and Private Partnership (Amendment) Ordinance, 1949, and shall be read and construed as one with the Companies and Private Partnership Ordinance, 1922, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 3 of the Principal Ordinance shall be deleted and the following substituted therefor :

Amendments :  
Section 3  
Registration.

"A company formed in the Colony shall cause a copy of its memorandum and articles of association signed by the directors and its secretary to be filed with the Registrar General who shall be the Registrar of Companies."

3. Section 51 of the Principal Ordinance shall be deleted and the following substituted therefor :

Section 51.

"Notice of the retirement of a partner shall be given publicly as in section 106 hereof and privately to all creditors of the partnership. A creditor shall not be bound to accept such notice as discharging the retiring partner from his responsibility for the partnership debt but may consent to the transfer thereof to the remaining parties".

4. Schedule A to the Principal Ordinance shall be amended by deletion of the words :

"For registration of a Company ... £5 : 0 : 0"  
and the substitution therefor of the following :

"For the registration of a company whose nominal share capital does not exceed £5,000 ... £5, and 5/- for every £1,000 or part thereof of the nominal share capital after the first £5,000.

For registration of any increase of share capital after the first registration the same fees as would have been payable if the increased capital had formed part of the original share capital".

Provided that no company shall be liable to pay a greater amount of fees than £30.

M.P. 129/22.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 42

1949.

# Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## An Ordinance To amend the Dairy Produce Ordinance, 1938.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Dairy Produce (Amendment) Ordinance, 1949, and shall be read and construed as one with the Dairy Produce Ordinance, 1938, (hereinafter referred to as the Principal Ordinance). Short title.

2. The definition "Dairy" in section 2 of the Principal Ordinance shall be deleted and the following substituted therefor : Amendments :  
Section 2.

" 'Dairy' means any farm, house, cowshed, milkstore, milk shop or other place from which milk is supplied or in which milk is kept for the purpose of sale."

3. Sections 5, 7, 11 and 14 and subsection (e) of section 16 of the Principal Ordinance shall be deleted. Sections 5, 7, 11, 14  
and 16 (e).

4. Section 8 of the Principal Ordinance shall be deleted and the following substituted therefor : Section 8.

"Where stock suspected of being diseased.

8. An owner shall forthwith separate diseased stock from stock not diseased and keep them so separated and shall not sell or allow to be used for food any dairy produce from diseased stock, and he shall give notice in writing to an Inspector within 24 hours of any disease or suspected disease in his stock.

Isolation of persons suffering from contagious or infectious disease.

8A. An owner shall isolate and keep isolated from his stock any person suffering from any contagious or infectious disease as defined by the Public Health Ordinance.

Medical examination of persons engaged in dairy.

8B. An owner shall cause every person engaged in handling dairy produce sold or supplied for human consumption to be examined by a registered medical practitioner once during each of the first and third quarters in each year and shall not employ such person unless he is certified free from communicable disease".

Section 10.

5. Section 10 of the Principal Ordinance shall be deleted and the following substituted therefor :

"Nuisances.

10. Any person who shall keep or permit to be kept any fowl or pig, manure heap, cesspool or closet within thirty feet of any dairy or cowshed or the open water supply thereof shall commit an offence."

Section 15.

6. Section 15 of the Principal Ordinance shall be deleted and the following substituted therefor :

"15. (1) Any person who shall neglect or fail to comply with any provision of this Ordinance or any regulation made thereunder or shall commit any breach thereof shall commit an offence and shall be liable to a fine not exceeding £25 and the Court may order that his certificate of registration be cancelled or suspended for such period as the Court may deem fit.

(2) Any person who shall supply, sell or offer for sale any dairy produce for human consumption without being registered so to do or during the period of suspension of his licence shall for the first offence be liable to a fine not exceeding £50 and for each subsequent offence to a fine not exceeding £100 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

(3) Any person who shall obstruct or hinder an Inspector or fail to give him such assistance as he may require in the course of his duty under this Ordinance shall be liable to a fine not exceeding £5 for each such offence".

M.P. 51/38.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 43

1949.

## Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

#### To amend the Medical Practitioners, Midwives and Dentists Ordinance, 1914.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Medical Practitioners, Midwives and Dentists (Amendment) Ordinance, 1949, and shall be read and construed as one with the Medical Practitioners, Midwives and Dentists Ordinance, 1914, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Subsection (2) of section 5 of the Principal Ordinance shall be amended by the deletion of the remainder of the subsection after the word "institution".

Amendments :  
Section 5.

3. Section 13 of the Principal Ordinance shall be deleted and the following substituted therefor :

Section 13.

"13. Any person who wilfully and falsely takes, or uses, any name, title or addition, implying a qualification to practise medicine, surgery, dentistry or midwifery or not being registered or entitled to the privileges of persons so registered under this Ordinance practises or professes to practise or publishes his name

as practising medicine, surgery, midwifery or dentistry shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Provided that a person who attends a woman in child birth under the direction and personal supervision of a registered medical practitioner or registered midwife, or gives attention in a case where no such registered person could attend shall not commit an offence."

Repeal of 9 of 1938.

4. The Medical Practitioners, Midwives and Dentists (Amendment) Ordinance, 1938, is hereby repealed.

M.P. 46/38.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[ L.S. ]



No. 44

1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance  
To amend the Legislative Council  
(Elections) Ordinance, 1948.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Legislative Council (Elections) (Amendment) Ordinance, 1949, and shall be read and construed as one with the Legislative Council (Elections) Ordinance, 1948, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 15 of the Principal Ordinance shall be amended by

Amendments  
Section 15 (2)

(a) inserting the words "having been declared a bankrupt" after the word "bankrupt" in subsection 2 (b) thereof;

(b) deleting subsection 2 (h) and substituting the following therefor :

"is disqualified for election by any law for the time being in force in the Colony by reason of his

holding, or acting in, any office the functions of which involve—

- (a) any responsibility for, or in connection with, the conduct of any election, or
- (b) any responsibility for the compilation or revision of any electoral register."
- (c) deleting subsection 2 (k) and substituting the following therefor :  
"is disqualified for membership of the Council by any law for the time being in force in the Colony relating to offences connected with the election of Elected Members."

Section 40 (2)

3. Subsection (2) (b) of section 40 of the Principal Ordinance shall be deleted and the following shall be substituted therefor :

"be presented within 14 days after the last day on which the election was held except that if it complains of the election on the ground of corrupt practices and specifically alleges that a payment of money or other reward has been made or promised since the election by a person elected at the election, or on his account or with his privity, in pursuance or furtherance of such corrupt practices, it may be presented at any time within 21 days after the date of the alleged payment or promise".

M.P. 0068/A.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 45

1949.

### Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

### To revise the law relating to Education.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Education Ordinance, 1949. Short title.
2. In this Ordinance and any Regulation thereunder where the context so admits : Definitions.
  - "child" means any person who has attained the age of 5 years and has not attained the age of 14 years.
  - "parent" in relation to a child includes guardian and every person who is liable to maintain or has the actual custody of the child.
  - "a recognised school" means a school approved by the Governor as suitable for giving efficient education.
  - "a recognised teacher" means a teacher approved by the Governor.
  - "Superintendent of Education" means the officer in charge of education in the Colony.
3. It shall be the duty of the parent of every child to cause that child to receive efficient education by attending regularly either Duty of parent to have child educated.
  - (a) a recognised school, or
  - (b) the classes held by a recognised teacher.

School Attendance  
orders.

4. (1) If it appears to the Superintendent of Education that the parent of any child is failing to perform the duty imposed on him by section 3 he shall serve on such parent a notice requiring him within 7 days if the parent resides in Stanley, or 30 days if the parent resides outside Stanley, from the service thereof to satisfy the Superintendent of Education that the child is receiving efficient education.

Provided that it shall be a sufficient excuse for non-compliance with the requirements of section 3 if:

(a) there is neither a recognised school nor a recognised teacher within one mile in the case of a child under the age of seven years, or within two miles in the case of any other child, from the residence of such child,

(b) the child has been prevented from receiving efficient education by reason of sickness or any unavoidable cause.

(2) If, after the said notice, and without reasonable excuse, the parent of any child fails to cause the child to receive education as provided in section 3 the Superintendent of Education shall serve on the parent an order in the prescribed form (hereinafter referred to as a school attendance order) requiring him to cause the child to receive efficient education as specified in the order.

(3) Any person upon whom a school attendance order is served who fails to comply with the requirements of the order shall be guilty of an offence.

Duty of parent to  
secure regular attend-  
ance of registered  
pupils.

5. If any child who is registered at a recognised school fails to attend regularly thereat or being registered with a recognised teacher fails to attend regularly with that teacher at the place and times notified to the parent the parent of the child shall be guilty of an offence.

Provided that a child shall not be deemed to have failed to attend regularly by reason of his absence with leave or when he was prevented from attending by reason of sickness or any unavoidable cause or on any day exclusively set apart for religious observance by the religious body to which his parent belongs.

Medical inspection.

6. Children registered at a recognised school or with a recognised teacher shall be inspected by a Government Medical Officer at appropriate intervals as the Governor may direct and the parent of any such child who shall fail without reasonable cause to submit that child for such inspection shall be guilty of an offence.

Inspection of Schools.

7. (1) The Governor may cause inspection to be made of all recognised schools at such intervals as may appear to him to be appropriate.

(2) If any person obstructs a person authorised under this section to make an inspection in the execution of his duty he shall be liable on summary conviction to a fine not exceeding £20 or on a second or subsequent conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding 3 months or both such fine and imprisonment.

(3) The religious instructions given at a school not maintained by the Government otherwise than in accordance with an agreed syllabus shall not be the subject of inspection as hereinbefore provided.

Power to raise school  
leaving age.

8. The Governor in Council may by Order raise the upper limit of the school leaving age to sixteen and thereupon any references in this Ordinance to a child shall mean one who has not attained the age given in the Order.

Provided that no Order made under this section shall take effect unless it is confirmed by the Legislative Council at the meeting following the publication of the Order.

9. Any person guilty of an offence under this Ordinance or any regulation made thereunder for which a penalty is not prescribed shall be liable on summary conviction in the case of a first offence to a fine not exceeding £1, in the case of a second offence to a fine not exceeding £5 and in the case of a third or subsequent offence to a fine not exceeding £10 or to imprisonment for a term not exceeding one month or both such fine and imprisonment. Penalties.

10. The Governor in Council may make regulations for the effective administration of this Ordinance and in particular and without prejudice to the generality of the foregoing power, regulations as to the education of children residing outside a town, and as to the standard and method of education in recognised schools. Regulations.

11. The Public Education Ordinance, 1909, is hereby repealed. Repeal.

12. This Ordinance shall come into force on the 1st day of January, 1950. Commencement.

M.P. 24/44.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 29th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 46



1949.

**Colony of the Falkland Islands and its Dependencies.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Income Tax Ordinance,  
1939, as amended by the Income Tax  
(Amendment) Ordinance, 1949.**

BE IT ENACTED by the Governor of the Colony of the  
Falkland Islands, with the advice and consent of the Legislative  
Council thereof, as follows —

1. This Ordinance may be cited as the Income Tax (Amend-  
ment No. 2) Ordinance, 1949, and shall be read and construed as one  
with the Income Tax Ordinance, 1939, as amended by the Income  
Tax (Amendment) Ordinance, 1949, (hereinafter referred to as the  
Principal Ordinance).

Short title.

2. The Principal Ordinance shall be amended by :

- (a) inserting the words "which accrues" before the word  
"to" in line 2 of section 24.

Amendments :  
Section 24.

- (b) inserting the words "and shall be deemed to have ceased to have had effect from the beginning of the first year of assessment for which the arrangements are expressed to apply" after the word "effect" in line 3 of section 47A (2) and after the word "territory" in line 5 of section 47A (3);
- (c) inserting the words "to which the adjustment gives rise, being an assessment of claim" after the word "claim" in line 6 of section 47B (10).

M.P. 0527.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 29th day of December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 47

1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the year One thousand Nine hundred and Forty-eight in excess of the Expenditure sanctioned by Ordinance No. 5 of 1947.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1948. Preamble.

BE IT THEREFORE ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows — Enacting Clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1948) Ordinance, 1949. Short Title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service of the year One thousand Nine hundred and Forty-eight, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that year, and are hereby approved, allowed and granted in addition to the sums mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the year 1948.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
I.	The Governor ... ..	353	13	3
III.	Audit ... ..	12	5	11
IV.	Colonial Development & Welfare ... ..	7810	7	2
V.	Customs ... ..	143	9	3
VIII.	Electrical & Telegraphs ... ..	272	13	6
IX.	Harbour ... ..	987	4	9
X.	Judicial ... ..	166	8	11
XIII.	Meteorological ... ..	37	15	4
XV.	Miscellaneous ... ..	11875	17	9
XVII.	Pensions ... ..	889	6	4
XVIII.	Police & Prisons ... ..	185	11	9
XIX.	Post Office ... ..	4048	19	11
XXII.	Public Works Recurrent ... ..	8102	6	5
XXIII.	Secretariat & Treasury ... ..	1802	7	10
XXIV.	War Expenditure ... ..	496	12	3
XXV.	Communications ... ..	83	12	1
		£ 37268	12	5

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 20th day of  
December, 1949.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 48



1949.

Colony of the Falkland Islands and its Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance  
To provide for the service of the year  
1950.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows — Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (1950) Ordinance, 1949. Short Title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the year ending the 31st December, 1950, a sum not exceeding One hundred and eighty-six thousand seven hundred and thirty-four pounds which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1950. Appropriation of £186,734 for service of year 1950.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	3470	0	0
II.	Agriculture ... ..	2433	0	0
III.	Audit ... ..	1284	0	0
IV.	Communications ... ..	7828	0	0
V.	Customs ... ..	1502	0	0
VI.	Education ... ..	10832	0	0
VII.	Medical ... ..	11890	0	0
VIII.	Meteorological ... ..	421	0	0
IX.	Military ... ..	769	0	0
X.	Miscellaneous ... ..	14436	0	0
XI.	Pensions ... ..	5500	0	0
XII.	Police and Prisons ... ..	2450	0	0
XIII.	Posts & Telegraphs ... ..	15621	0	0
XIV.	Public Works Department ... ..	9254	0	0
XV.	Public Works Recurrent ... ..	9470	0	0
XVI.	Secretariat & Treasury ... ..	8039	0	0
XVII.	Supreme Court ... ..	588	0	0
XVIII.	Extraordinary Expenditure ... ..	36764	0	0
	Total	£142551	0	0
XIX.	Colonial Development & Welfare ... ..	44183	0	0
	Total Expenditure	£186734	0	0

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

## PART II.

## RULES. REGULATIONS. ETC.

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## FALKLAND ISLANDS.

By-laws made by the Board of Health etc. under Sections 18 and 19 of the Public Health Ordinance, 1894, and approved by the Governor in Council.

1. These By-laws may be cited as the Board of Health etc. Consolidated (Amendment) By-laws, 1949, and shall be read and construed as one with the Board of Health for the Falkland Islands and Dependencies Consolidated By-laws, 1937, (hereinafter referred to as "the By-laws").

Short title.

2. The words "in Stanley" in the definition of "Public water main drain or sewer" in No. 2 of the By-laws shall be deleted.

Amendments :  
By-law 2.

3. The words "He shall enter and inspect between sunrise and sunset, once in every three months, the yards and outbuildings of all premises in the town of Stanley, and he shall report any nuisance found by him without delay to the Chairman of the Board, who shall take such action as he may deem necessary" in No. 3 of the By-laws shall be deleted.

By-law 3.

4. The words "and shall be liable to a penalty not exceeding forty shillings as provided in the Ordinance" in No. 8 of the By-laws shall be deleted.

By-law 8.

5. The words "and the lines of any public water main or sewer with which it is proposed to connect the water supply" in lines 13, 14, and 15 of No. 10 of the By-laws shall be deleted.

By-law 10.

6. The words "Dwelling house" shall be substituted for the words "domestic building" in No. 15 of the By-laws.

By-law 15.

7. No. 33 of the By-laws shall be amended by the addition of "(9) (a) Water closet built in a house shall not open directly out of any main room".

By-law 33.

8. No. 56 (ii) of the By-laws shall be deleted.

By-law 56.

9. The words "and a medical practitioner attending a case of an infectious disease" shall be deleted.

By-law 57.

10. The words "or any other town" shall be inserted after the word "Stanley" in line 2 and the words "published in the Gazette and" inserted after the word "be" in line 5.

By-law 62.

By-law 63. 11. The word "town" shall be inserted after the letter "a" in line 1 of No. 63 of the By-laws.

By-law 65. 12. No. 65 of the By-laws shall be amended as follows :  
(i) thereof by inserting the words "after death" after the word "hours" in line 6.  
(ii) thereof by substituting the words "unless" and "authorises" for the words "if" and "certifies" respectively.  
(vi) thereof by the deletion of the words "Penalties may be inflicted on" in line 1 and by the addition of the words "shall commit an offence" after the word "officer" in line 5.

By-laws 4, 66, 67, 68 and 81. 13. Nos. 4, 66, 67, 68 and 81 of the By-laws shall be deleted.

By-laws 73, 74, 76 and 79. 14. Nos. 73, 74, 76 and 79 of the By-laws shall be deleted and the following substituted therefor :

- "73. Any person who shall
- (a) discharge or deposit in or upon any public road or street or in any water course drain or ditch any stones, earth, weeds, sweepings, filth, paper, rags or rubbish of any kind; or
  - (b) drive or lead or take horses, cattle or vehicles over open drains or tether horses or cattle in the vicinity of such drains; or
  - (c) carry on any noxious or offensive trade which in the opinion of the Board may be injurious to public health without the permission in writing of the Board first obtained or neglects, fails or omits to observe or comply with the terms and conditions of such permission; or
  - (d) hold any market without the permission of the Board in writing first obtained or neglect, fail or omit to observe or comply with the terms and conditions of such permission
- shall commit an offence."

By-laws 75 and 77. 15. Nos. 75 and 77 of the By-laws shall be amended to read "74". The owner or occupier of any premises who shall not

- (a) keep in a thorough state of cleanliness and repair all water courses, open ditches, or gutters upon his premises and prevent the accumulation of noxious matter by removing it to a place of deposit as the Board may order, or
- (b) protect the water supply to such premises in such manner as the Board may consider necessary to secure the utmost possible purity

shall commit an offence.

Section 80. 16. No. 80 of the By-laws shall be amended to read :  
"An Inspector may board and inspect any vessel other than one of H.M.'s ships and report in writing to the S.M.O. and the Board may make such order for cleaning and disinfecting the vessel as the Board may deem fit. Any owner or master of such vessel who neglects, fails or omits to comply with any order of the Board shall commit an offence."

Section 82. Operation. 17. No. 82 of the By-laws shall be amended to read :  
"(a) By-laws 55 to 65 (inclusive) shall be in force in Stanley but otherwise these By-laws shall be in force in the areas outside Stanley only;

(b) By-laws 6, 9 to 17 inclusive and 39 shall not come into force until the Governor in Council shall so order.

Provided that the plans of any building to be used as a dwelling house and of the drainage in connection therewith shall be submitted to and approved by the Board before any person shall begin to erect such building.

(c) Any person who shall neglect, fail or omit to submit plans as required under (b) hereof shall commit an offence."

Made by the Board of Health at a meeting held on the 24th of October, 1949.

T. I. BIGGS,  
*Clerk of the Board of Health.*

Approved by the Governor in Executive Council at a meeting held on the 2nd of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0895.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

No. 1 of 1949.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by the Income Tax Ordinance, 1939, as amended by the Income Tax (Amendment) Ordinance, 1949, and with the advice of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered:

That under and by virtue of the Double Taxation Relief (Taxes on Income) (Falkland Islands) Order, 1948, arrangements have been made with His Majesty's Government with a view to affording relief from double taxation in relation to Income Tax and any tax of a similar character imposed by the laws of the United Kingdom and that those arrangements shall have effect from the 1st day of January, 1949.

Made by the Governor in Executive Council on the 2nd day of June, 1949.

*By Command,*

R. WINTER,

*Acting Colonial Secretary.*

M.P. 0527.

## FALKLAND ISLANDS.

Order by the Officer Administering the Government  
varying the Schedule to the Administration of Estates by  
Consular Officers Ordinance, 1940.

No. 2 of 1949.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

By virtue of the powers vested in him by Section 3 of the Administration of Estates  
by Consular Officers Ordinance, 1940, His Honour the Officer Administering the Government  
is pleased to order that the States of Estonia and Japan shall be deleted from the Schedule  
to that Ordinance.

Dated this 2nd day of August, 1949.

*By Command,*  
R. WINTER,  
*Acting Colonial Secretary.*

M.P. 38/40.

## FALKLAND ISLANDS.

### Order by His Excellency the Governor in Council.

No. 3 of 1949.

MICHAEL R. RAYMER,

*Officer Administering the Government.*

In exercise of the powers vested in him by the Post Office Ordinance and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that —

1. This Order may be cited as the Post Office Order, 1949. Short title.
2. From and after the date of publication of this Order the following rules, rates of postage and fees shall be in force :
  - (a) On inland postal packets the rate shall be 1d. per ounce or part of an ounce. On postal packets sent from any place within the Colony and its Dependencies to the United Kingdom or to any part of the British Empire the rate shall be two and a half pennies per ounce or part of an ounce. To other parts of the world the rate shall be 3d. for the first ounce and 2d. for each additional ounce or part of an ounce. Rates of postage letters.
  - (b) On post cards and letter cards to the United Kingdom or to any part of the British Commonwealth the rate shall be 1d. ; reply post card 2d. To other parts of the world the rate shall be 2d. ; reply post cards 4d. Post Cards and Letter Cards.
  - (c) To all parts of the world : Books and News-papers.

Newspapers, private papers, and books, per 2 ozs.	$\frac{1}{2}$ d.
Commercial papers (with minimum of 3d.) per 2 ozs.	$\frac{1}{2}$ d.
Patterns and samples (with minimum of 1d.) per 2 ozs.	$\frac{1}{2}$ d.
Blind Literature, per 2 lb.	$\frac{1}{2}$ d.
The inland rate shall be 1d. for the first 4 ounces and $\frac{1}{2}$ d. for each additional 2 ounces or part thereof up to 2 lb.	
  - (d) On packets not exceeding 2 lb. weight and dimensions not exceeding 18" by 8" by 4" or if in roll form 18" in length by 6" in diameter the rate shall be 1d. for each two ounces or part thereof with a minimum charge of 5d. The charge for clearance in case of dutiable goods shall be 6d. per packet. Small packets.
  - (e) On insured boxes which shall not exceed 2 lb. in weight or 12" by 8" by 4" in dimension the rate shall be 3d. for each 2 ounces or part thereof with a minimum charge of 1/-. Insured boxes.

## Parcel Post.

## (f) Parcel Post rates :

## To the United Kingdom –

Not over 3 lb.	...	...	...	2/3.
" " 7 "	...	...	...	3/9.
" " 11 "	...	...	...	5/6.
" " 22 "	...	...	...	9/–.

## Inland Parcel Post rates –

Not over 2 lb.	...	...	...	9d.
" " 5 "	...	...	...	1/–.
" " 8 "	...	...	...	1/3.
" " 11 "	...	...	...	1/6.
" " 22 "	...	...	...	3/–.

## Cash on delivery service.

- (g) There shall be a charge of 4d. for each parcel delivered in Stanley and the United Kingdom. There shall also be a special fee calculated on the trade charge at the rate of 4½d. for the first £ of the trade charge and 2½d. for each succeeding £ or part thereof of the trade charge up to a maximum amount of £40 trade charge. This fee will also be charged in the United Kingdom on parcels for delivery in Stanley.

## Insurance.

- (h) The fee shall be 9d. for each £12 of declared value or part thereof with a maximum declared value of £50.

## Registration.

- (i) The fees for registration shall be :

To all parts of the world (including Inland)	...	3d.
Advice of delivery of registered or insured articles, applied for at time of posting	...	5d.
Enquiry for a postal packet, and advice of delivery of registered articles applied for after posting	...	6d.

## Compensation.

- (j) The maximum limit of compensation for the loss of a registered article is £2. Registration in the international service does not give any title to compensation for loss or damage of the contents of any registered letter or packet as distinct from the loss of the entire packet. Under an exceptional arrangement, however, with the General Post Office, London, compensation may, as an act of grace, be paid up to a maximum of £2 in cases where the contents of a registered letter or packet, posted to an address in the United Kingdom, are lost.

## International and foreign money orders.

- (k) The rate of poundage on International and foreign money orders shall be 6d. for each £ or part thereof of the first £3 of the order and 3d. for each additional £ or part thereof up to a maximum amount of £40 on each order. The fee for an Advice of Payment is 3d.

## British Postal Orders.

- (l) The rate of poundage on British Postal Orders shall be :

2d. for an order not exceeding 1/–.
3d. for an order not exceeding 5/–.
4d. for an order not exceeding 21/– (maximum).

The value of a Postal Order may be increased by affixing Falkland Islands postage stamps, in number not more than the number of spaces provided on the face of the order, by an amount not exceeding 5d. (excluding fractions of a penny) on Postal Orders of denominations up to and including 5/–, and to an amount not exceeding 11d. on Postal Orders of higher value. Stamps perforated with initials or marks, or embossed or impressed stamps cut out of envelopes, postcards, etc., will not be accepted for this purpose.

- (m) Air Letters will only be accepted when written on the authorised form and addressed to the United Kingdom or any part of the British Commonwealth. The fee including postage rate shall be 6d. Air Letters.

If two or more postage stamps are affixed to, or an enclosure is placed in the letter, it will be forwarded by surface mail.

- (n) Postal matter for onward transmission by air from Montevideo to any destination for which air mail services may be available shall be accepted at Stanley, Fox Bay and South Georgia post offices. Air mail.

The fees for air mail matter shall be the sterling equivalent at the current rate of exchange of those from time to time in force from Montevideo to the nearest Id. in addition to the rates of postage provided for in paragraph 2 of this Order.

3. The Post Office (Rates of Postage and Fees) Order, 1940, the Post Office (Air Mail Fees) Order, 1944, the Post Office (Air Letter Fees) Order, 1945, the Post Office (Air Letter Fees) (Amendment) Order, 1945, and the Post Office Order, 1948, are hereby rescinded. Rescissions.

Made by the Governor in Executive Council at a meeting held on the 13th day of October, 1949.

L. W. ALDRIDGE.

*Clerk of the Executive Council.*

M.P. 0183.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

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Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

No. 4 of 1949.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs Ordinance, 1946 and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that —

1. This Order may be cited as the Customs Order, 1949.      Short title.
2. From and after the date of publication of this Order the      New Export duty.  
following export duty shall be payable :  
    On live sheep, two shillings per sheep.

Made by the Governor in Executive Council at a meeting held on the 22nd day of November, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0466.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

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Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

No. 5 of 1949.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs Ordinance, 1946 and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that —

1. This Order may be cited as the Customs Order, 1949.      Short title.
2. From and after the date of publication of this Order the following export duty shall be payable :      New Export duty.  
On live sheep, two shillings per sheep.
3. The Customs Order (No. 4 of 1949) is hereby rescinded.      Rescission.

Made by the Governor in Executive Council on the 9th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0466.

# FALKLAND ISLANDS.

No. 1.

## Proclamation

1949

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

M. R. RAYMER — *By the Honourable MICHAEL ROBERT RAYMER, Esquire, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, &c., &c.*  
[L.S.]

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS His Excellency GEOFFREY MILES CLIFFORD, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Efficiency Decoration, has this day left the Colony on leave of absence;

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor:

NOW, THEREFORE, I, MICHAEL ROBERT RAYMER, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

**GOD SAVE THE KING.**

Given at Government House, Stanley, this 8th day of June, in the Year of Our Lord, One thousand Nine hundred and Forty-nine.

*By Command of the  
Officer Administering the Government,*

R. WINTER,

*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under Section 16 of the Police and Prisons Ordinance, 1949.

No. 1 of 1949. MICHAEL R. RAYMER,  
*Officer Administering the Government.*

1. These Regulations may be cited as the Prison Regulations Short title.  
1949.
2. The Gaoler shall keep – Prison books.
  - (a) an Admissions Book in which he shall enter the name of every person on admission to prison;
  - (b) a Conduct Book giving particulars of the conduct of each prisoner;
  - (c) a Property Book in which shall be entered all property taken from a prisoner on his admission;
  - (d) an Official Visitors' Book which is to be signed by all official visitors to the prison who may make such remarks and suggestions therein as they may deem fit.
3. All prisoners shall be searched on admission, and subsequently when necessary, and deprived of all articles and civil apparel except in the cases of a prisoner committed in respect of a civil debt or charge or one awaiting execution who shall be permitted to wear his civil clothing. Search.
4. Each prisoner shall be supplied with a palliasse, panakin, fork and spoon and sufficient blankets on his admission. Bedding etc.
5. (1) Two prisoners only shall not at any time be kept in a cell. Cells.  
(2) Prisoners convicted of felony shall not, if practicable, be kept in the same cell as other prisoners.
6. (1) The diet of prisoners shall be in accordance with that prescribed by the Senior Medical Officer. A copy of the diet table shall be hung in the Prison day room. Diet.  
(2) Prisoners committed for trial or for debt may purchase food for their own use and not more than one pint of beer or wine a day for consumption by each prisoner so committed. Spirits shall not be purchased.  
(3) Spirits and tobacco shall not be conveyed into a prison except for the use of a prisoner on the written order of the Senior Medical Officer.
7. Prisoners shall rise at 6 a.m. and shall be locked in their cells at 8 p.m. Hours.
8. Prisoners shall carry out work as directed by the Colonial Secretary and shall comply with the following time table – Work.
  - (a) They will rise and dress, sweep out and tidy their cells and perform such other work as directed until breakfast.
  - (b) After breakfast until 12 noon work in or out of doors.
  - (c) From 12 to 12.30 p.m. dinner. From 12.30 to 1 p.m. clean day room and gaol.
  - (d) From 1 p.m. to 4.30 p.m. work in or out of doors.

## FALKLAND ISLANDS.

### Registration Ordinance 1949.

#### Regulations made by the Governor in Council under Section 12 of the Registration Ordinance, 1949.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

No. 2 of 1949.

1. These Regulations may be cited as the Registration Regulations 1949. Short title.

2. (1) The Registrar General shall maintain –

General Index Books,  
Records, Registers etc.

(a) General Index Books which shall contain a complete record of all instruments relating to grants of Crown land numbered consecutively in the order they are presented for registration. Each entry shall be signed by the party registering the instrument.

(b) Record Books which shall contain complete copies of all registered instruments entered and numbered consecutively in the order in which they are received in the Central Registry.

(2) The name of every party to each instrument shall be entered in the index to the General Index Book and the Record Book containing the registration thereof.

(3) The Registrar General shall certify on each instrument the date of registration thereof and such certificate shall be admissible in evidence.

3. The Registrar General shall also maintain separate registers of births, stillbirths, deaths and marriages numbered consecutively in the forms A, B, C and D as set out in the First Schedule and indexed alphabetically in the name of the person whose birth, marriage or death is registered.

4. The person procuring the name given in baptism to a child whose birth has been registered, may within six months of registration, register that the child was baptised with such name provided that he delivers to the Registrar General or Registrar with whom the birth was registered a certificate of baptism in the form E set out in the First Schedule signed by the minister performing the rite within seven days thereof and pays the appropriate fees set out in the Second Schedule hereto and provided also that there shall be no erasure in the original registration.

Baptised name may  
be added to Register  
within six months.

5. In the case of death of any person who has been attended by a medical practitioner that practitioner shall (except when an inquest is held on the body) sign a certificate stating to the best of his knowledge and belief the cause of death and hand the same to the person responsible for giving information concerning the death who shall upon giving such information deliver that certificate to the Registrar General or nearest Registrar and the cause of death stated in that certificate shall be entered in the register together with the name of the certifying medical practitioner.

Medical certificate in  
case of death.

6. On or before the 15th day of January in each year every Registrar appointed under the Registration Ordinance shall forward to the Registrar General a true copy of all entries made in the registers of births and deaths during the preceding year and the Registrar General shall on or before that date lay before the Governor an abstract of the number of births, deaths and marriages registered during such year.

Annual registration  
returns.

(e) From 4.30 p.m. to 8 p.m. carry peat, supper and recreation.

(f) On Saturday afternoon clean the gaol, wash their clothes and such other work as may be directed.

#### Exercise.

9. (1) Prisoners at work in the cells, and those not on hard labour or in solitary confinement shall exercise for one hour daily in the prison yard, weather permitting.

(2) All prisoners other than those in solitary confinement shall exercise in the prison yard for one hour on Sunday, weather permitting.

#### Offences.

10. (1) In every case of an offence against good order and prison discipline the Gaoler shall take such steps as may be necessary to enforce discipline and report the matter to the Magistrate forthwith.

(2) One Member of the Board of Visiting Justices may adjudicate upon minor offences but serious offences shall be dealt with by the full Board.

#### Solitary confinement.

11. Prisoners sentenced to solitary confinement shall be locked up in separate cells which they shall not leave except in the custody of a prison officer. Their meals shall be taken in their cells.

#### Female prisoners.

12. Female prisoners shall be kept separate from male prisoners at all times except during the performance of divine service when they shall be under the charge of the prison matron.

#### Letters.

13. A prisoner shall not be allowed to write more than one letter or to receive more than one letter a month. All such letters shall be censored by the Gaoler.

#### Visitors.

14. Good conduct prisoners only will be allowed not more than one visitor a month with the permission of the Gaoler. Visits will only be made on Saturday between 1 p.m. and 2 p.m., and shall be limited to 15 minutes, except in cases of extreme urgency when the Gaoler may, at his discretion, vary the day and hour of the visit.

#### Medical inspection.

15. The Senior Medical Officer shall carry out a medical inspection of the prison and all prisoners once a week.

#### Official visitors.

16. The Colonial Secretary, Senior Medical Officer and every Justice shall have free access to the prison and all prisoners therein at all times.

#### Remission.

17. A prisoner with a sentence of more than one month may earn by good conduct and industry a remission of 4 days in each month.

#### Discharge.

18. Prisoners shall be discharged at noon on the day of their release.

#### Rescission.

19. The Gaol Regulations passed by the Governor in Council on the 25th day of May 1892 are hereby rescinded.

Made by the Governor in Executive Council at a Meeting held on the 14th day of July 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0836.

7. (1) The Registrar General shall permit any person to search the indexes of all certified copies of the registers of births, stillbirths, marriages and deaths and have a certified copy of any entry in the said certified copy during the usual office hours upon payment of the appropriate fee set out in the Second Schedule hereto.

(3) All fees received by the Registrar General or any Registrar shall be paid to the Colonial Treasury.

L. W. ALDRIDGE.

M.P. 0833.

## Registry of Birth.

No.
When Born.
Name (if any)
Sex.
Name and Surname of Father.
Name and Maiden Name of Mother.
Rank or Profession of Father.
Signature, Description, and Residence of informant.
When Registered.
Signature of Registrar.
Baptismal name if added after Registration of Birth.

Stanley.....19.....

## Registry of Still-Birth.

FORM B.®

[illegible]

Registry of Death.

FORM C.

No.	When died.	Name and Surname.	Sex.	Age.	Rank or Profession and Country.	Cause of death.	Signature, description, and residence of informant.	When registered.	Signature of Registrar.

Stanley.....19.....

Registrar General.

Marriage Certificate.

FORM D.

No.	When married.	Christian and Surname in full.	"Under" or "above" the age of 21.	Condition. Bachelor, Spinster, Widower or Widow.	Rank or Profession and Country.	Father's Christian and Surname in full.	Father's Rank or Profession.	Where Married.

This Marriage was solemnized between us

In the presence of us {  
Witness.  
Witness.

Married by me

Signature

Title

FORM E.

I do hereby certify that I have baptised  
by the name of a child produced by  
as the of and and declared  
by the said to have been born at  
on the day of

Witness my hand this day of

SECOND SCHEDULE.

REGISTRAR GENERAL'S AND REGISTRAR'S FEES.

- |  |     |     |
|--|-----|-----|
| 1. Searching register of births, deaths, and marriages for each name in each register within 10 years    | 1s. | 0d. |
| Searching register of births, deaths, and marriages for each name in each register every additional year |     | 6d. |
| 2. For a certified copy of each entry in the said registers  | 2s. | 6d. |

CLERGYMAN'S FEES.

- |   |     |     |
|---|-----|-----|
| 1. Searching the registers of baptisms and burials for each name in each register within 10 years | 1s. | 0d. |
| For each name in each register every additional year  |     | 6d. |
| 2. For a certified copy of each entry in the said registers                                       | 2s. | 6d. |

FALKLAND ISLANDS.

Regulations made by the Governor in Council under the Dairy Produce Ordinance, 1938.

No. 3 of 1949. MICHAEL R. RAYMER,  
*Officer Administering the Government.*

By virtue of the powers vested in him by section 16 of the Dairy Produce Ordinance, 1938, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations—

- |  |   |
|--|---|
| 1. These Regulations may be cited as the Dairy Produce Inspection (Amendment) Regulations, 1949, and shall be read and construed as one with the Dairy Produce Inspection Regulations, 1938, (hereinafter referred to as the Regulations). | Short title.  |
| 2. Regulations 2, 8, 9 (g) (h) (i) (j) (k), 20, 21, 22, 23, 24 and 27 of the Regulations shall be rescinded.   | Amendments: Regs. 2, 8, 9 (g) to (k) 20, 21, 22, 23, 24 and 27. |
| 3. Regulation 9 (d) shall be amended by substituting "one year" for "three months".  | Reg. 9 (d).   |
| 4. Regulation 9 (e) shall be amended by substituting "before" for "after" in line 4 thereof.   | Reg. 9 (e).   |

Made by the Governor in Executive Council at a meeting held on the 13th day of October, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 51/38.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the King Edward VII. Memorial Hospital Ordinance, 1916.

No. 4 of 1949.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

By virtue of the powers vested in him by Section 8 of the King Edward VII. Memorial Hospital Ordinance, 1916, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations —

1. These Regulations may be cited as the Medical Fees Short title.  
(Amendment) Regulations, 1949.

2. The Medical Fees Regulations, 1947, shall be amended  
by :

- (a) the deletion of the words "and who is a contributor to the Provident Fund" in the definition "Government Employee" in Regulation 2 thereof;
- (b) substituting "emergency" for "urgency" in paragraph (5) of Schedule A;
- (c) inserting "injured while on duty with the Force, except as a result of their own misconduct" after the word "Force" in the last sentence of paragraph (7) of Schedule F.

Made by the Governor in Executive Council at a meeting held on the 13th day of October, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0135.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the King Edward VII. Memorial Hospital Ordinance, 1916.

No. 5 of 1949.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

By virtue of the powers vested in him by section 8 of the King Edward VII. Memorial Hospital Ordinance, 1916, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations —

1. These Regulations may be cited as the Nurse Probationer (Rescission) Regulations, 1949. Short title.

2. The Nurse Probationers Regulations, 1938, are hereby rescinded.

Made by the Governor in Executive Council at a meeting held on the 13th day of October, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0065/A.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Wireless Telegraphy Ordinance, 1925.

No. 6 of 1949.

MICHAEL R. RAYMER,

*Officer Administering the Government.*

By virtue of the powers vested in him by section 4 of the Wireless Telegraphy Ordinance, 1925, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations —

1. These Regulations may be cited as the Wireless Telegraphy (Amendment) Regulations, 1949, and shall be read and construed as one with the Wireless Telegraphy Regulations, 1926 (hereinafter referred to as the Regulations). Short title.
2. The Regulations shall be amended by inserting the following Regulation after Regulation 3 : International Telecommunications Convention.
  - “3A. In these Regulations the term “convention” shall mean The International Telecommunication Convention (Atlantic City 1947).
3. Regulation 10 (v) of the Regulations shall be amended by substituting the word “shall” for the word “should”. Regulation 10.
4. Sub-paragraph (d) of the proviso to paragraph (1) of Schedule 2 to the Regulations shall be amended to read : Amendment of Schedule 2 paragraph (1)(d) of Regulations.

“The licensed apparatus shall be so constructed as to be capable of using any of the wave lengths specified for mobile services in Article 28 of the Radio Regulations annexed to the Convention.
5. The General Conditions annexed to Schedule 2 of the Regulations shall be amended by : General Conditions paragraph IV, V & XII.
  - (a) substituting the words “Convention and of the Radio Regulations annexed thereto” for the words “Madrid International Telecommunication Convention 1932 and the Telegraph and Radiocommunication Regulations (General and Additional Regulations) annexed thereto” in paragraph IV ;
  - (b) substituting the words “Radio Regulations annexed to the Convention” for the words “Telecommunications Convention of Madrid 1932” in paragraph V ;
  - (c) substituting the words “Radio Regulations and additional Regulations annexed to the Convention” for the words “General and additional Radiocommunication Regulations 1932” in paragraph XII.
6. Regulations 2 and 3 of the Wireless Telegraphy (Amendment) (No. 2.) Regulations, 1935, are hereby rescinded. Rescission.

Made by the Governor in Executive Council at a meeting held on the 13th day of October, 1949.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

M.P. 1125.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Shipworkers Protection Ordinance, 1937.

MILES CLIFFORD,  
*Governor.*

No. 7 of 1949.

By virtue of the powers vested in him by the Shipworkers Protection Ordinance, 1937, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations —

These Regulations may be cited as the Shipworkers Protection Regulations, 1949.

#### DEFINITIONS.

In these Regulations —

“Processes” means the process of loading, unloading, moving and handling goods in, on, or at any dock, wharf or jetty or scows and the processes of loading, unloading and coaling any ship in any dock or harbour.

“Person employed” means a person employed in the processes.

“Prescribed” means prescribed by the Governor in Council.

“Hatch” means an opening in a deck used for the purpose of the processes or for trimming, or for ventilation.

“Hatchway” means the whole space within the square of the hatches, from the top deck to the bottom of the hold.

“Lifting machinery” means cranes, winches, hoists, derrick booms, derrick and mast bands, goose necks, eyebolts, and all other permanent attachments to the derricks, masts and decks used in hoisting or lowering in connection with the processes.

“Pulley block” means pulley, block, gin or similar gear, other than a crane block specially constructed for use with a crane to which it is permanently attached.

“Shallow water” includes any of the following parts of a non-tidal river, or inland navigation :—

- (a) Any part having no means of access to tidal waters except through a lock not exceeding ninety feet in length;
- (b) Any part not in frequent use for the processes; and
- (c) Any part at which the depth of water within fifteen feet of the edge does not ordinarily exceed five feet.

#### DUTIES.

(a) It shall be the duty of the person having the general management and control of a dock, wharf or jetty to comply with Part I of these Regulations; provided that if any other person has the exclusive right to occupation of any part of the dock, wharf or jetty, and has the general management and control of such part, the duty in respect of that part shall devolve upon that other person; and further provided that this part of these Regulations shall not apply to any shallow water.

(b) It shall be the duty of the owner, master, or officer in charge of a ship to comply with part II of these Regulations.

(c) It shall be the duty of the owner of machinery or plant used in the processes, and in the case of machinery or plant carried on board a ship not being a ship registered in the Colony or the United Kingdom it shall also be the duty of the master of such ship to comply with Part III of these Regulations.

(d) It shall be the duty of every person who by himself, his agents, or workmen carries on the processes, and of all agents, workmen and persons employed by him in the processes to comply with Part IV of these Regulations.

(e) It shall be the duty of all persons, whether owners, occupiers or persons employed to comply with Part V of these Regulations.

(f) Part VI of these Regulations shall be complied with by the persons on whom the duty is placed in that Part.

## PART I.

1. Every regular approach over a dock, wharf or jetty which persons employed have to use for going to or from a working place at which the processes are carried on and every such working place on shore shall be maintained with due regard to the safety of the persons employed.

In particular the following parts shall, as far as is practicable having regard to the traffic and working, be securely fenced so that the height of the fence shall be in no place less than two feet six inches, and the fencing shall be maintained in good condition ready for use:—

(a) All breaks dangerous corners, and other dangerous parts or edges of a dock, wharf or jetty.

(b) Both sides of such footways over bridges, caissons, and dock gates as are in general use by persons employed, and each side of the entrance at each end of such footway for a sufficient distance not exceeding five yards.

2. Provision for the rescue from drowning of persons employed shall be made and maintained, and shall include:—

(a) A supply of life-saving appliances, kept in readiness on the wharf or jetty which shall be reasonably adequate having regard to all the circumstances.

(b) Means at or near the surface of the water at reasonable intervals, for enabling a person immersed to support himself or escape from the water, which shall be reasonably adequate having regard to all the circumstances.

3. All places in which persons employed are employed and any dangerous parts of the regular road or way over a dock, wharf or jetty forming the approach to any such place from the nearest highway shall be sufficiently lighted.

4. (a) A sufficient number of first aid boxes or cupboards of a standard to be prescribed shall be provided at every working place and, if more than one is provided, at reasonable distances from each other.

(b) A first-aid box or cupboard shall be marked plainly with a white cross on a red ground.

5. Nothing except appliances or requisites for first aid shall be kept in a first-aid box or cupboard.

6. A first-aid box or cupboard shall be kept stocked and in good order and shall be placed under the charge of a responsible person who shall always be readily available during working hours. Such person shall be a person trained in first aid.

## PART II.

7. If a ship is lying at a wharf or jetty for the purpose of loading or unloading or coaling, there shall be safe means of access for the use of persons employed at such times as they have to pass from the ship to the shore or from the shore to the ship as follows:—

(a) Where reasonably practicable the ship's accommodation ladder or a gangway or a similar construction not less than twenty-two inches wide, properly secured, and fenced throughout on each side to a clear height of two feet nine inches by means of upper and lower rails, taut ropes or chains or by other equally safe means, except that in the case of the ship's accommodation ladder such fencing shall be necessary on one side only provided that the other side is properly protected by the ship's side.

(b) In other cases a ladder of sound material and adequate length which shall be properly secured to prevent slipping.

Provided that nothing in this Regulation shall be held to apply to cargo stages or cargo gangways if other proper means of access is provided in conformity with these Regulations.

Provided also that as regards any sailing vessel not exceeding 250 tons net registered tonnage and any steam vessel not exceeding 150 tons gross registered tonnage this Regulation shall not apply if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

8. If a ship is alongside any other ship, vessel, or boat, and persons employed have to pass from one to the other, safe means of access shall be provided for their use, unless the conditions are such that it is possible to pass from one to the other without undue risk without the aid of any special appliance.

If one of such ships, vessels, or boats is a sailing barge, flat, keel, lighter or other similar vessel of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

9. (1) If the depth from the level of the deck to the bottom of the hold exceeds five feet, there shall be maintained safe means of access from the deck to the hold in which work is being carried on.

(2) Save as hereinafter provided, such access shall be afforded by ladder, and by ladder cleats or cups on the coamings, and shall not be deemed to be safe:—

(a) Unless the ladders between the lower decks are in the same line as the ladder from the top deck, if the same is practicable having regard to the position of the lower hatch or hatches.

(b) Unless the ladders provide a foothold of a depth including any space behind the ladder of not less than  $4\frac{1}{2}$  inches for a width of 10 inches and a firm handhold.

(c) Unless the cleats or cups provided on coamings (i) provide a foothold of a depth including any space behind the cleats or cups of not less than  $4\frac{1}{2}$  inches for a width of 10 inches and a firm handhold; (ii) are so constructed as to prevent a man's foot slipping off the side; (iii) are placed vertically one above the other and in the same line as the ladders to which they give access.

(d) Unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder foothold of a depth including any space behind the ladder of not less than  $4\frac{1}{2}$  inches for a width of 10 inches and a firm handhold.

(e) Unless there is room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the deck.

(f) If the ladder is recessed under the deck more than is reasonably necessary to keep the ladder clear of the hatchway. Provided that such access may be afforded:—

(i) where the provision of a ladder on a bulkhead or in a trunk hatchway can be shown to be reasonably impracticable, by cleats or cups complying with the requirements of paragraph (c);

(ii) by ladders or steps, separate from any hatchway or sloping from deck to deck, if such ladders or steps comply with the requirements of paragraphs (b), (d) and (e).

10. When the processes are being carried on:—

(a) the places in the hold and on the decks where work is being carried on,

(b) the means of access provided in pursuance of Regulations 7 and 8 and

(c) all parts of the ship to which persons employed may be required to proceed in the course of their employment, shall be efficiently lighted, due regard being had to the safety of the ship and cargo, of all persons employed and of the navigation of other vessels, and to Regulations made by the Governor in Council.

11. All fore and aft beams and thwartship beams used for hatch covering shall have suitable gear for lifting them on and off without it being necessary for any person to go upon them to adjust such gear.

12. All hatch coverings shall be kept plainly marked to indicate the deck and hatch to which they belong and their position therein; provided that this Regulation shall not apply in cases where the hatch coverings of a ship are interchangeable or, in respect of marking the position, where all hatch coverings of a hatch are interchangeable.

This Regulation shall apply to fore and aft beams and to thwartship beams as it applies to hatch coverings.

13. All fore and aft beams, and thwartship beams used for hatch covering and all hatch coverings shall be maintained in good condition.

14. Adequate hand grips shall be provided on all hatch coverings having regard to their size and weight, unless the construction of the hatch or the hatch coverings is of a character rendering the provision of hand grips unnecessary.

15. Where the working space around a hatch is less than two feet wide, such provision shall be made as will enable persons employed to remove and replace in safety all fore and aft beams and thwartship beams used for hatch covering and all hatch coverings.

## PART III.

16. (a) All lifting machinery shall have been tested and examined by a competent person in the manner set out in the Schedule to these Regulations before being taken into use.

(b) (i) All derrick and permanent attachments, including bridle chains, to the derrick, mast and deck, used in hoisting or lowering shall be inspected once in every twelve months and be thoroughly examined once at least in every four years.

(ii) All other lifting machinery shall be thoroughly examined once at least every twelve months.

(iii) For the purposes of this Regulation thorough examination means a visual examination, supplemented if necessary by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined; and if necessary for the purpose, parts of the machine gear must be dismantled.

17. (a) No chain, ring, hook, shackle, swivel or pulley block shall be used in hoisting or lowering unless it has been tested and examined by a competent person in the manner set out in the Schedule to these Regulations.

(b) All chains, other than bridle chains attached to derricks, or masts, and all rings, hooks, shackles and swivels used in hoisting or lowering shall, unless they have been subjected to such other treatment as may be prescribed, be effectually annealed under the supervision of a competent person and at the following intervals :-

(i) half inch and smaller chains, rings, hooks, shackles and swivels in general use, once at least in every six months;

(ii) all other chains, rings, hooks, shackles and swivels in general use once at least in every twelve months.

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in paragraph (i) and two years for twelve months in paragraph (ii).

Provided also that where the Executive Engineer is of opinion that, owing to the size, design, material or infrequency of use of any such gear or class of such gear, the requirement of this Regulation as to annealing is not necessary for the protection of persons employed, he may by certificate in writing (which he may in his discretion revoke) exempt such gear or class of gear from such requirement subject to such conditions as may be specified in such certificate.

(c) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles, swivels and pulley blocks shall be inspected by a competent person immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding three months.

(d) All chains, rings, hooks, shackles, or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall before being taken into use be adequately tested and re-examined.

18. (a) No rope shall be used in hoisting or lowering unless -

(i) it is of suitable quality and free from patent defect, and

(ii) in the case of wire rope, it has been examined and tested by a competent person in the manner set out in the Schedule to these Regulations.

(b) Every wire rope in general use for hoisting or lowering shall be inspected by a competent person once at least in every three months, provided that after any wire has broken in such rope it shall be inspected once at least in every month.

(c) No wire rope shall be used in hoisting or lowering if in any length of eight diameters the total number of visible broken wires exceeds ten per cent of the total number of wires, or the rope shows signs of excessive wear, corrosion or other defect which, in the opinion of the person who inspects it, renders it unfit for use.

(d) A thimble or loop splice made in any wire rope shall have at least three tucks with a whole strand of the rope and two tucks with one half of the wires cut out of each strand. The strands in all cases shall be tucked against the lay of the rope. Provided that this Regulation shall not operate to prevent the use of another form of splice which can be shown to be as efficient as that laid down in this Regulation.

19. For the purposes of Regulations 16, 17 and 18 a person shall not be deemed to be a competent person if and in so far as the Executive Engineer has given notice in writing that such person is in his opinion not technically qualified to carry out the tests, examinations or annealing required by these Regulations.

Provided that any person whom the Executive Engineer may thus declare not to be competent shall have the right to appeal against such declaration to the Governor in Council whose decision shall be final.

20. (a) Certificates in the prescribed forms and containing the prescribed particulars with regard to the tests, examinations, inspections, annealing or other treatment required

under Regulations 16, 17 (a) and (b) and 18 (a) shall be obtained, and entered in or attached to the prescribed register before the machinery, chain, rope or other gear to which the certificate refers is subsequently taken into use in connection with the processes.

(b) The prescribed register with the certificates required to be attached to it shall be kept on the premises unless some other place has been approved in writing by the Executive Engineer.

21. No pulley block shall be used in hoisting or lowering unless the safe working load is clearly stamped upon it.

22. Means shall be provided to enable any person using a chain or wire rope sling to ascertain the safe working load for such chain or sling under such conditions as it may be used.

(a) As regards chain slings, such means shall consist of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto.

(b) As regards wire rope slings, such means shall consist of either the means specified in paragraph (a) above or a notice or notices, so exhibited as to be easily read by any person concerned, stating the safe working loads for the various sizes of wire rope slings used.

23. Chains shall not be shortened by tying knots in them; and suitable packing shall be provided to prevent the links coming into contact with sharp edges of loads of hard material.

24. All motors, cog-wheels, chain and friction gearing, shafting, live electrical conductors and steam pipes shall (unless it can be shown that by their position and construction they are equally safe to every person employed as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship.

25. Cranes and winches shall be provided with such means as will reduce to a minimum the risk of the accidental descent of a load while being raised or lowered; in particular, the lever controlling the link motion reversing gear of a crane or winch shall be provided with a suitable spring or other locking arrangement.

26. The driver's platform on every crane or tip driven by mechanical power shall be securely fenced and shall be provided with safe means of access. In particular, where access is by a ladder -

(a) the sides of the ladder shall extend to a reasonable distance beyond the platform or some other suitable handhold shall be provided;

(b) the landing place on the platform shall be maintained free from obstruction;

(c) in cases where the ladder is vertical and exceeds thirty feet in height, a resting place shall be provided approximately midway between the platform and the foot of the ladder.

27. Every crane and derrick shall have the safe working load plainly marked upon it, and every shore crane if so constructed that the safe working load may be varied by the raising or lowering of the jib or otherwise, shall have attached to it an automatic indicator of safe working loads, provided that, in cases where the jib may be raised or lowered, provision on the crane of a table showing the safe working loads at the corresponding inclinations or radii of the jib shall be considered sufficient compliance.

28. Adequate measures shall be taken to prevent exhaust steam from, and so far as is practicable live steam to, any crane or winch obscuring any part of the decks, gangways, stages, wharf, or jetty where any person is employed in the processes.

29. Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

#### PART IV.

30. Precautions shall be taken to facilitate the escape of the workers when employed in a hold or on 'tween decks in dealing with coal or other bulk cargo.

31. (a) No lifting machinery chains or other lifting appliance shall be loaded beyond the safe working load, except that a crane may be loaded beyond the safe working load in exceptional cases to such extent and subject to such conditions as may be approved by the engineer in charge or other competent person, if on each occasion

(i) the written permission of the owner or his responsible agent has been obtained,

(ii) a record of the overload is kept.

Provided also that, where the load upon a single sheave pulley block is attached to the pulley block instead of to the chain or rope passing round the sheave, the load on the pulley block shall be deemed for the purposes of this Regulation to be half the actual load.

(b) No load shall be left suspended from a crane, winch, or other machine unless there is a competent person actually in charge of the machine while the load is so left.

32. No person under 16 years of age and no person who is not sufficiently competent and reliable shall be employed as driver of a crane or winch, whether driven by mechanical power or otherwise, or to give signals to a driver or to attend to cargo falls on winch-ends or winch-bodies.

33. Where goods are placed on a wharf or jetty other than a wharf or jetty in shallow water

(a) A clear passage leading to the means of access to the ship required by Regulation 7 shall be maintained on the wharf or jetty; and

(b) If any space is left along the edge of the wharf or jetty it shall be at least three feet wide and clear of all obstructions other than fixed structures, plant and appliances in use.

34. (a) No deck-stage or cargo-stage shall be used in the processes unless it is substantially and firmly constructed and adequately supported, and, where necessary, securely fastened.

(b) No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe.

(c) Any stage which is slippery shall be made safe by the use of sand or otherwise.

35. (a) If any hatch of a hold accessible to any person employed and exceeding five feet in depth, measured from the level of the deck in which the hatch is situated to the bottom of the hold, is not in use for the passage of goods, coal or other material, or for trimming, and the coamings are less than two feet six inches in height, such hatch shall either be fenced to a height of three feet or be securely covered.

Provided that this requirement shall not apply (i) to vessels not exceeding 200 tons net registered tonnage which have only one hatchway, (ii) to any vessel during meal times or other short interruptions of work during the period of employment.

(b) Hatch coverings shall not be used in the construction of deck or cargo stages, or for any other purpose which may expose them to damage.

(c) Hatch coverings shall be replaced on the hatches in the positions indicated by the markings made thereon in pursuance of Regulation 12.

36. No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the hatch at that deck is securely covered or a secure landing platform of a width not less than that of one section of hatch coverings has been placed across it.

Provided that this Regulation shall not apply to any process of unloading the whole of which will be completely within a period of half an hour.

37. When the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods, nor shall can hooks be used for raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe.

Nothing in this Regulation shall apply to breaking out or making up slings.

38. When work is proceeding on any skeleton deck, adequate staging shall be provided unless the space beneath the deck is filled with cargo to within a distance of two feet of such deck.

39. Where stacking, unstacking, stowing or unstowing of cargo or handling in connection therewith cannot be safely carried out unaided, reasonable measures to guard against accident shall be taken by shoring or otherwise.

40. The beams of any hatch in use for the processes shall, if not removed, be adequately secured to prevent their displacement.

41. When cargo is being loaded or unloaded by a fall at a hatchway, a signaller shall be employed, and where more than one fall is being worked at a hatchway, a separate signaller shall be employed to attend to each fall.

Provided –

(i) That this Regulation shall not apply in cases where a barge, lighter or other

similar vessel is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being carried on.

(ii) That where the Executive Engineer is of opinion that, owing to the nature of the crane or winch or other appliance in use or by reason of any special arrangements, the requirements of this Regulation are not necessary for the safety of persons employed he may by certificate in writing (which he may in his discretion revoke) suspend such requirements subject to such conditions as may be specified in such certificate.

42. When any person employed has to proceed to or from a ship by water for the purpose of carrying on the processes proper measures shall be taken to provide for his safe transport. Vessels used for this purpose shall be in charge of a competent person, shall not be over-crowded, and shall be properly equipped for safe navigation and maintained in good condition.

#### PART V.

43. No person shall, unless duly authorised or in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, hatch covering, life-saving means of appliances, lights, marks, stages or other things whatsoever required by these Regulations to be provided. If removed, such things shall be restored at the end of the period during which their removal was necessary by the persons last engaged in the work that necessitated such removal.

44. The fencing required by Regulation 1 shall not be removed except to the extent and for the period reasonably necessary for carrying on the work of the dock or ship, or for repairing any fencing. If removed it shall be restored forthwith at the end of that period by the persons engaged in the work that necessitated its removal.

45. Every person employed shall use the means of access provided in accordance with Regulations 7, 8, and 9 and no person shall authorise or order another to use means of access other than those provided in accordance therewith.

46. No person shall go upon the fore and aft beams or thwart-ship beams for the purpose of adjusting the gear for lifting them on and off nor shall any person authorise or order another to do so.

#### PART VI.

47. No employer of persons in the processes shall allow machinery or gear to be used by such persons which does not comply with Part III of these Regulations.

48. If the persons whose duty it is to comply with Regulations 7, 8 and 11 fail so to do, then it shall also be the duty of the employers of the persons employed for whose use the means of access and the lights are required, to comply with the said Regulations within the shortest time reasonably practicable after such failure.

49. The prescribed register shall, on the application of the Executive Engineer be produced by the person in charge thereof: if it relates to the lifting machinery and other gear of a ship and is kept on the ship, it shall be produced, together with the certificate of the ship's register, by the person for the time being in charge of the ship.

#### SCHEDULE.

##### MANNER OF TEST AND EXAMINATION BEFORE TAKING LIFTING MACHINERY AND GEAR INTO USE.

Regulations 16 (a), 17 (a) and 18 (a).

(a) Every winch with the whole of the gear accessory thereto (including derricks, goose necks, eye-plates, eye-bolts or other attachments) shall be tested with a proof load which shall exceed the safe working load as follows:—

*Safe working load.*

Up to 20 tons

20 – 50 tons

Over 50 tons

*Proof load.*

25 per cent in excess

5 tons in excess

10 per cent in excess.

The proof load shall be applied either (i) by hoisting movable weights or (ii) by means

of a spring or hydraulic balance or similar appliance, with the derrick at an angle to the horizontal which shall be stated in the certificate of the test. In the former case, after the movable weights have been hoisted, the derrick shall be swung as far as possible in both directions. In the latter case, the proof load shall be applied with the derrick swung as far as practicable first in one direction and then in the other.

(b) Every crane and other hoisting machine with the accessory gear shall be tested with a proof load which shall exceed the safe working load as follows :-

<i>Safe working load.</i>	<i>Proof load.</i>
Up to 20 tons	25 per cent in excess
20 - 50 tons	5 tons in excess
Over 50 tons	10 per cent in excess.

The said proof load shall be hoisted and swung as far as possible in both directions. In the case of a jib-crane, if the jib has a variable radius, it shall be tested with a proof load as defined above at the maximum and minimum radii of the jib. In the case of hydraulic cranes or hoists, where, owing to the limitations of pressure, it is impossible to hoist a load of 25 per cent in excess of the safe working load, it shall be sufficient to hoist the greatest possible load.

(c) Every article of loose gear (whether it is accessory to a machine or not) shall be tested with a proof load at least equal to that shown against the article in the following table :-

<i>Article of gear.</i>	<i>Proof load.</i>
Chain	Twice the safe working load.
Ring	
Hook	
Shackle	
Swivel	
Pulley Blocks -	
Single Sheave Block	Four times the safe working load.
Multiple Sheave Block with safe working load up to and including 20 tons	Twice the safe working load.
Multiple Sheave Block with safe working load over 20 tons up to and including 40 tons	20 tons in excess of the safe working load.
Multiple Sheave Block with safe working load over 40 tons	One and a half times the safe working load.

Provided that where the Executive Engineer is of opinion, that, owing to the size, design, construction, material or use of any such loose gear or class of such gear, any of the above requirements are not necessary for the protection of persons employed, he may by certificate in writing (which he may in his discretion revoke) exempt such gear or class of gear from such requirement, subject to such conditions as may be stated in the certificate.

(d) After being tested as aforesaid, all machines with the whole of the gear accessory thereto and all loose gear shall be examined, the sheaves and the pins of the pulley blocks being removed for the purpose, to see that no part is injured or permanently deformed by the test.

(e) In the case of wire ropes, a sample shall be tested to destruction and the safe working load shall not exceed one-fifth of the breaking load of the sample tested.

Made by the Governor in Executive Council on the 2nd day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 1134.

## FALKLAND ISLANDS.

### Leave and Passage (Amendment) Regulations, 1949.

No. 8 of 1949.

MILES CLIFFORD,  
*Governor.*

1. Regulation 1 of the Leave and Passage Regulations shall be amended by :-

- adding the words "and whose tour commenced before the 1st day of January 1948" after the word "Colony" in line 5 thereof; and
- adding the words "and whose service commenced before the first day of January 1948 and who have elected to remain on the conditions of service in force before that date" after the word "service" in line 8 thereof.

2. Paragraph 3 (1) of the Leave and Passage (Amendment) Regulations, 1938, shall be amended by deleting the remainder of the sub-paragraph after "journey" and substituting "and a free passage to the United Kingdom provided that he avails himself of such passage within six months after the cessation of duty or within the period of ordinary leave earned by him, whichever is the longer, but not otherwise".

3. Paragraph 3 (2) of the Leave and Passage (Amendment) Regulations, 1938, shall be amended by deleting "The period within which" and the remainder of the sub-paragraph after "Kingdom" and substituting therefor "provided that he avails himself of such passage within six months after the cessation of duty or within the period of ordinary leave earned by him, whichever is the longer, but not otherwise".

Made by the Governor in Executive Council on the 2nd day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0003.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Harbour Ordinance, 1902.

No. 9 of 1949.

MILES CLIFFORD,  
*Governor.*

By virtue of the powers in him vested by Section 2 of the Harbour Ordinance No. 2 of 1902, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations—

1. These Regulations may be cited as the Harbour (Amendment) Regulations, 1949.
2. The Harbour (Consolidation) Regulations, 1944, shall be amended by :—
  - (a) the deletion of Regulation 11;
  - (b) substituting "Agricultural Officer" for "Government Naturalist" in Regulation 18;
  - (c) the deletion of the remainder of Regulation 20 after the word "Pounds";
  - (d) the substitution of 2/- for 1/9, 3/- for 2/7½, 4/- for 3/6, 1/8½ for 1/6, 2/7 for 2/3, and 3/5 for 3/- respectively in Schedule I thereto; and
  - (e) the addition of the words "current cost of living bonus shall be paid in addition to the above rates" to Schedule I thereto.

Made by the Governor in Executive Council on the 2nd day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Defence Force Ordinance, 1920.

No. 10 of 1949.

MILES CLIFFORD,

*Governor.*

By virtue of the powers in him vested by Section 37 (1) of the Defence Force Ordinance No. 7 of 1920, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations –

1. These Regulations may be cited as the Rifles (Rescission) Short title.  
Regulations, 1949.

2. The Rifles Regulations, 1930, are hereby rescinded. Rescission.

Made by the Governor in Executive Council on the 2nd day  
of December, 1949.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

M.P. 1132.

# FALKLAND ISLANDS.

## Regulations made by the Governor in Council under the Pensions Ordinance 1949.

No. 11 of 1949.

MILES CLIFFORD,  
*Governor.*

1. These Regulations may be cited as the Pensions Regulations, 1949. Short title.

2. In these Regulations, unless the context otherwise requires, Interpretation.

“qualifying service” means service which may be taken into account in determining whether an officer is eligible by length of service for pension, gratuity or other allowance;

“pensionable service” means service which may be taken into account in computing pension under these Regulations;

“the Ordinance” means the Pensions Ordinance.

### PART II.

#### OFFICERS WITHOUT OTHER PUBLIC SERVICE.

3. Save when the Governor in Council in any special case otherwise directs, this Part of these Regulations shall not apply in the case of any officer transferred to or from the Service of the Colony from or to other public service except for the purpose of determining whether such officer would have been eligible for pension or gratuity, and the amount of pension or gratuity, for which the officer would have been eligible, if the service of the officer had been wholly in the Colony. Application of Part II.

4. Subject to the provisions of the Ordinance and of these Regulations, every officer holding a pensionable office in the Colony, who has been in the service of the Colony in a civil capacity for ten years or more, may be granted on retirement a pension at the annual rate of one seven-hundred and twentieth of his pensionable emoluments for each complete month of his pensionable service. Pensions to whom and at what rates to be granted.

5. Every officer, otherwise qualified for a pension, who has not been in the service of the Colony in a civil capacity for ten years, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under Regulation 4 of these Regulations. Gratuities where length of service does not qualify for pension.

### PART III.

#### TRANSFERRED OFFICERS.

6. This Part of these Regulations shall apply only in the case of an officer transferred to or from the service of the Colony from or to other public service. Application of Part III.

7. In this Part and Part IV of these Regulations – Interpretation.

“Scheduled Government” means the Government of any territory, or any authority, mentioned in the Schedule to these Regulations and includes the Government of Ceylon, in respect of any officer appointed to the service of that Government prior to the 4th February, 1948, and the Government of Palestine, in respect of any officer appointed to the service of that Government prior to the 15th May, 1948.

"Service in the Group" means service under the Government of the Colony and under a Scheduled Government or Scheduled Governments.

Pension for service wholly within the Group.

8. (1) Where the other public service of an officer to whom this Part of these Regulations applies has been wholly under one or more Scheduled Governments and his aggregate service would have qualified him had it been wholly in the Colony for a pension under the Ordinance, he may, on his retirement from the public service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity, be granted in respect of his service in the Colony a pension of such an amount as shall bear the same proportion to the amount of pension for which he would have been eligible had his service been wholly in the Colony, as the aggregate amounts of his pensionable emoluments during his service in the Colony shall bear to the aggregate amounts of his pensionable emoluments throughout his service in the Group.

(2) In determining for the purposes of this Regulation the pension for which an officer would have been eligible if his service had been wholly in the Colony.

(a) in the application of Regulation 16, his emoluments shall be determined by reference to the pensionable emoluments enjoyed by him at the date of retirement from the public service or during the three years preceding that date, as the case may be, except that where the officer is not serving under a scheduled Government at that date, the date upon which he was last transferred from the service of a Scheduled Government shall be deemed to be the date of his retirement for the purposes of this sub-paragraph;

(b) no regard shall be had to an additional pension under Regulation 22 or Regulation 23;

(c) regard shall be had to the condition that pension may not exceed two-thirds of his highest pensionable emoluments;

(d) no period of other public service under a Scheduled Government in respect of which no pension or gratuity is granted to him shall be taken into account.

(3) For the purpose of this Regulation the aggregate amount of an officer's pensionable emoluments shall be taken as the total amount of pensionable emoluments which he would have received or enjoyed had he been on duty on full pay in his substantive office or offices throughout his period of service in the Group subsequent to the attainment of the age of 20 years :

Provided that -

(a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under Scheduled Government in respect of which no pension or gratuity is granted to him;

(b) where under Regulation 17 one half only of any service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, one half only of the officer's aggregate pensionable emoluments during that service shall be taken into account for the calculation aforesaid.

9. (1) Where the other public service of an officer to whom this Part of these Regulations applies has not included service under any of the Scheduled Governments, and his aggregate service would have qualified him, had it been wholly in the Colony, for a pension under these Regulations, he may, on his retirement from the public

Pension where other service not within the Group.

service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on a pension or gratuity, be granted in respect of his service in the Colony a pension at the annual rate of one seven-hundred and twentieth of his pensionable emoluments for each complete month of his pensionable service in the Colony.

(2) Where the officer is not in the service of the Colony at the time of such retirement, his pensionable emoluments for the purpose of the preceding paragraph shall be those which would have been taken for the purpose of computing his pension if he had retired from the public service and been granted a pension at the date of his last transfer from the service of the Colony.

10. Where a part only of the other public service of an officer to whom this Part of these Regulations applies has been under one or more of the Scheduled Governments, the provisions of Regulation 8 shall apply; but in calculating the amount of pension, regard shall be had only to service in the Group.

Pension when other service both within and not within the Group.

11. Where an officer to whom this Part of these Regulations applies retires from the public service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity, but has not been in the public service in a civil capacity for ten years, he may be granted in respect of his service in the Colony a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under Regulation 8, 9, or 10, as the case may be.

Gratuities where length of service does not qualify for pension.

#### PART IV.

##### GENERAL.

12. (1) Subject to the provisions of these Regulations, qualifying service shall be the inclusive period between the date on which an officer begins to draw salary in respect of public service and the date of his leaving the public service, without deduction of any period during which he has been absent on leave.

General rules as to qualifying service and pensionable service.

(2) No period which is not qualifying service by virtue of the foregoing paragraph shall be taken into account as pensionable service.

(3) No period during which the officer was not in public service shall be taken into account as qualifying service or as pensionable service.

13. (1) Except as otherwise provided in these Regulations, only continuous service shall be taken into account as qualifying service or as pensionable service:

Continuity of service.

Provided that any break in service caused by temporary suspension of employment not arising from misconduct or voluntary resignation shall be disregarded for the purpose of this paragraph.

(2) An officer -

(a) whose pension has been suspended under Section 11 of the Ordinance or under a corresponding provision in any law or regulation relating to the grant of pensions in respect of public service; or

(b) who has retired from the public service without pension on account of ill-health, abolition of office, or reorganisation designed to effect greater efficiency or economy, and has subsequently been re-employed in the public service; or

(c) who has left pensionable service under the Teachers (Superannuation) Act, 1925, with a view to entering public service not being service pensionable under the

said Act and has, not later than three months after leaving such first mentioned service, received any salary in respect of employment in public service not so pensionable,

may, if the Governor in Council thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred, such pension to be in lieu of—

- (i) any pension previously granted to him from the funds of the Colony, and
- (ii) any gratuity so granted which is required to be refunded as a condition of the application to the officer of this Regulation,

but additional to any gratuity so granted which is not required to be refunded as aforesaid.

Leave without salary.

14. No period during which an officer shall have been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave shall have been granted on grounds of public policy with the approval of the Secretary of State.

Service in His Majesty's Forces.

15. Where an officer, during some period of his service, has been on the active list of the Royal Navy, the Army or the Royal Air Force, and pension contributions have been paid in respect of that period from the funds of the Colony or of any Scheduled Government and have not been refunded, such period shall not be taken into account as pensionable service.

Emoluments to be taken for computation of pensions, etc.

16. For the purpose of computing the amount of an officer's pension or gratuity—

- (a) in the case of an officer who has held the same office for a period of three years immediately preceding the date of his retirement, the full annual pensionable emoluments enjoyed by him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken;
- (c) in other cases one third of the aggregate pensionable emoluments enjoyed by the officer in respect of his service during the three years of his service immediately preceding the date of his retirement shall be taken;

Provided that—

- (i) if such one third is less than the highest annual pensionable emoluments enjoyed by him at the date of any transfer within such period of three years those pensionable emoluments shall be taken; and
- (ii) if such one third is less than the annual pensionable emoluments which would have been enjoyed by him at the date of his retirement, if he had continued to hold any office from which he has been transferred at any time during such period of three years, and had received all increments which, in the opinion of the Governor in Council, would have been granted to him, the annual pensionable emoluments which would have been so enjoyed shall be taken.

- (iii) for the purpose of calculating pensionable emoluments under this paragraph, the officer shall be deemed to have been on duty on full pensionable emoluments throughout the said three years.

17 Only service in a pensionable office shall be taken into account as pensionable service:

Service in a non-pensionable office.

Provided that—

- (1) Where a period of service in a civil capacity otherwise than in a pensionable office is immediately followed by service in a pensionable office and the officer is confirmed therein, such period shall, with the approval of the Governor in Council, be so taken into account.
- (2) Any break in service which may be disregarded under the provision of Regulation 15 of these Regulations may likewise be disregarded in determining for the purposes of the preceding proviso whether one period of service immediately follows another period of service.
- (3) Where an officer has been transferred from a pensionable office in which he has been confirmed to a non-pensionable office and subsequently retires either from a pensionable office or a non-pensionable office, his service in the non-pensionable office may, with the approval of the Governor in Council, be taken into account as though it were service in the pensionable office which he held immediately prior to such transfer, and at the pensionable emoluments which were payable to him at the date of transfer.
- (4) Where a period of service in a non-pensionable office is taken into account under this Regulation, the officer shall, during that period, be deemed for the purpose of Regulations 6, 20 and 21 of these Regulations to be holding a pensionable office, and where that period is taken into account under the preceding proviso, to have been confirmed therein.

18. Any period during which an officer has performed only acting service in an office may be taken into account as pensionable service (subject, if the office is a non-pensionable office, to the provisions of the preceding regulation) if the period of such acting service—

Acting service.

- (1) is not taken into account as part of his pensionable service in other public service, and
- (2) is immediately preceded or followed by service in a substantive capacity in a pensionable office under the same government or authority;

and not otherwise.

19. Save as otherwise provided in these Regulations, there shall not be taken into account as pensionable service—

Service under age of 20 or on probation or agreement.

- (1) any period of service while the officer was under the age of twenty years, or
- (2) any period of service while he was on probation or agreement, unless without break of service he is confirmed in a pensionable office in the public service:

Provided that any break or service which may be disregarded under the provisions of Regulation 13 of these Regulations may likewise be disregarded in determining whether the officer is confirmed in a pensionable office without break of service.

PART V.  
SUPPLEMENTARY.

Abolition of office  
and re-organisation.

20. If an officer holding a pensionable office retires from the public service in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of the Department to which greater efficiency or economy may be affected,

- (1) he may, if he has been in the public service for less than ten years, be granted in lieu of any gratuity under Regulation 5 or Regulation 11 of these Regulations, a pension under Regulation 4, 8, 9, or 10, as the case may be, as if the words "for ten years or more" were omitted from Regulation 4;
- (2) he may, if he retire from the service of the Colony, be granted an additional pension at the annual rate of one seventy second of his pensionable emoluments for each complete period of three years' pensionable service :

Provided that—

- (a) the addition shall not exceed ten seventy seconds; and
- (b) the addition together with the remainder of the officer's pension shall not exceed the pension for which he would have been eligible if he had continued to hold the office held by him at the date of his retirement, and retired on reaching the age at which he may be required to retire without the approval of the Secretary of State, having received all increments for which he would have been eligible by that date.

Officers retiring on  
account of injuries.

21. (1) If an officer holding a pensionable office in which he has been confirmed is permanently injured—

- (a) in the actual discharge of his duty, and
- (b) without his own default, and
- (c) on account of circumstances specifically attributable to the nature of his duty,
- (i) he may, if his retirement is thereby necessitated or materially accelerated and he has been in the public service for less than ten years, be granted, in lieu of any gratuity under Regulation 5 or Regulation 11 of these Regulations, a pension under Regulation 4, 8, 9 or 10, as the case may be, as if the words "for ten years or more" were omitted from the said Regulation 4;
- (ii) he may, if so injured while in the service of the Colony, be granted on retirement an additional pension at the annual rate of the proportion of his actual pensionable emoluments at the date of his injury appropriate to his case as shown in the following table :—

When his capacity to contribute to his own support is :—

- slightly impaired, five seventy seconds;
- impaired, ten seventy seconds;
- materially impaired, fifteen seventy seconds;
- totally destroyed, twenty seventy seconds:

Provided that the amount of the additional pension may be reduced to such an extent as the Governor in Council shall think reasonable where the injury is not the cause or the sole cause of retirement.

(2) An officer so injured while in the service of the Colony, not holding a pensionable office, or holding a pensionable office in which he has not been confirmed, may be granted on retirement a pension of the same amount as the additional pension which might be granted to him under paragraph (1) of this Regulation if his office were a pensionable office and he had been confirmed therein. The provisions of Regulation 22 shall not apply to a pension granted under this paragraph.

(3) An officer who is permanently injured while travelling by air in pursuance of official instructions shall be deemed to have been injured in the circumstances detailed in (a) and (c) of paragraph (1); provided that in such a case and if (b) is also satisfied the rates of pension prescribed in that paragraph shall be seven and a half seventy seconds; fifteen seventy seconds; twenty-two and a half seventy seconds; and thirty seventy seconds respectively.

(4) Neither sub-paragraph (ii) of paragraph (1) nor paragraph (2) of this regulation shall apply in the case of an officer selected for appointment to the service of the Colony who, in consequence of his injury, is entitled to compensation under the Workmen's Compensation Ordinance, 1937, or any Ordinance amending or replacing that Ordinance.

22. (1) Any officer to whom a pension is granted under the Ordinance may, at his option exercisable as in this Regulation provided, be paid in lieu of such pension a pension at the rate of three fourths of such pension together with a gratuity equal to ten times the amount of the reduction so made in the pension :

Gratuity and reduced pension.

Provided that in the application of this Regulation to cases where the limitation prescribed by subsection (2) of section 9 of the Ordinance operates, the words "such pension" shall mean the amount of pension which the officer might have drawn from the funds of the Colony if he had not exercised his option under this Regulation.

(2) The option referred to in paragraph (1) of this Regulation shall be exercisable—

- (a) in the case of an officer to whom, if retired in the circumstances described in paragraph (5) of section 6 of the Ordinance, a pension might be awarded by reason only of the taking into account, under Regulation 17, of service otherwise than in a pensionable office, not later than six months from the date when he received notice of the approval of the Governor in Council for taking such service into account;
- (b) in the case of an officer who is transferred to the service of the Colony from other public service, not later than six months after the earliest date on which, if retired in the circumstances aforesaid, he might be awarded a pension under this Ordinance;
- (c) in the case of any other officer, not later than one month after the earliest date on which, if retired in the circumstances aforesaid, he might be awarded a pension under the Ordinance :

Provided that

- (i) an officer who has previously had the opportunity of exercising the option but has not done so, may, if he subsequently marries and is still in the service of the Colony or in any other public service, apply to the Governor not later than one month after the date of his marriage for permission to exercise the option, which permission may be granted at the Governor's discretion after examination of the officer by a Government Medical Board, and upon the grant of such permission the option shall be deemed to have been exercised;

- (ii) in special circumstances, if an officer has failed to exercise the option within the period specified in this Regulation, the Governor in Council may, if it appears to him equitable so to do, allow such officer to exercise the option within some time to be specified; and
- (iii) except as provided in proviso (i) to this paragraph, the date of the exercise of the option shall be deemed to be the date of the receipt of his written notification addressed either to the Colonial Secretary in the Colony or to the Crown Agents for the Colonies;
- (iv) where the officer was, before the date of the commencement of the Ordinance, entitled to exercise an option, then, if the time for exercising that option has expired before that date, he shall not be entitled to exercise an option under this regulation except in accordance with the provisions of paragraph (i) or paragraph (ii) of this proviso; and if he shall, before that date, have elected under the said regulation to receive a gratuity and reduced pension, this regulation shall apply in his case as if he had exercised his option thereunder.

(3) If an officer has exercised the option his discretion shall be irrevocable.

Gratuities for Officers who have served in non-pensionable offices.

23. (1) An officer holding a non-pensionable office who is not eligible for pension (other than a pension under Regulation 21) or otherwise eligible for gratuity from the funds of the Colony may—

- (a) if he has been in the public service for not less than seven years and is removed from the service of the Colony in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belongs, by which economy can be effected; or
- (b) if he has been in the public service for not less than fifteen years and he retires in any of the other cases mentioned in section 6 of the Ordinance other than that mentioned in paragraphs (6) and (7) thereof.

be granted, if the Governor in Council thinks fit, a compassionate gratuity equal to one week's pay for each year of his service in the Colony which would be pensionable service if he were eligible for pension under these Regulations.

(2) For the purpose of this Regulation—

- (a) "pay" includes any allowance which the Governor in Council may think fit to include;
- (b) Regulation 13 may be disregarded, but directions may be given by the Governor in Council, either generally or in any particular case, for disregarding periods of service prior to breaks of three years or more, to dismissal for misconduct or to voluntary resignation, or periods during which an officer has served less than a number of days prescribed in the directions, and such directions shall have effect as if they were contained in this Regulation.
- (c) an officer who having held a non-pensionable office, is serving on probation in a pensionable office, shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pensionable emoluments of the pensionable office or the pay last received by him in respect of his service in a non-pensionable office, whichever shall be the greater.

## SCHEDULE

Regulation 8.

Aden.	Kenya.
Bahamas.	Kenya and Uganda Railways and Harbour Administration.
Barbados.	Leeward Islands.
Basutoland.	Malayan Establishment.
Bechuanaland Protectorate.	Malta.
Bermuda.	Mauritius.
British Guiana.	Nigeria.
British Honduras.	Northern Rhodesia.
British Solomon Islands Protectorate.	Nyasaland.
Cayman Islands.	Palestine.
Ceylon.	St. Helena.
Colonial Audit Department	St. Lucia.
(Home Establishment)	St. Vincent.
Crown Agents for the Colonies.	Seychelles.
Cyprus.	Sierra Leone.
Dominica.	Somaliland.
Federated Malay States.	Straits Settlement.
Fiji.	Tanganyika Territory.
Gambia.	Trinidad.
Gibraltar.	Turks and Caicos Islands.
Gilbert and Ellice Islands Colony.	Uganda.
Gold Coast.	United Kingdom of Great Britain and Northern Ireland.
Grenada.	Zanzibar.
Hong Kong.	
Jamaica.	

Made by the Governor in Executive Council on the 30th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0829.

# FALKLAND ISLANDS.

## Regulations made by the Governor in Council under Section 8 of the Education Ordinance, 1949.

No. 12 of 1949.

MILES CLIFFORD,

*Governor.*

1. These Regulations may be cited as the Schools Regulations, 1949. Short title.
2. (1) The hours of attendance at recognised schools shall be in accordance with the time table prepared by the Superintendent of Education and approved by the Governor. Hours of attendance.  
(2) Teachers shall open schools punctually at the times fixed by the time tables.
3. (3) Teachers shall register the attendance of children at each morning and afternoon session and shall not register an attendance where a child arrives more than 15 minutes after the commencement of the session.  
(1) The regular School holidays shall be : School holidays.
  - (a) Saturdays and public holidays;
  - (b) the week following the last Friday in June and the week following the last Friday in September. Seven weeks commencing with the week in which Christmas Day falls.  
(2) No other holidays shall be given without the sanction of the Governor.
4. The Governor may close schools temporarily on account of an epidemic disease or for other sufficient cause. Closure due to disease.
5. Time tables and schemes of work shall be prepared in advance by the head teacher of each school and submitted to the Superintendent of Education for his approval. Schemes of work.
6. (1) The head teacher in each school shall maintain a Log Book containing daily entries as to the progress and all other facts connected with the school and teachers. Log Books.  
(2) An entry shall not be removed or altered otherwise than by a subsequent entry.
7. The accounts of Government schools shall be kept by the Superintendent of Education in the book and forms supplied for that purpose and in the manner approved by the Governor. Accounts.
8. The cost of all material used in handicraft classes, other than that which the headmaster shall decide is necessary for that purpose, shall be borne by the parent of the child or the person receiving such instruction. Materials.
9. (1) Such children as a headmaster may select shall, and any person over school leaving age may, attend Continuation Classes subject, in the case of a person over school leaving age, to his paying in advance 2/6 on Monday of each week he attends, and subject also to his being liable to be instantly dismissed from such classes, if in the opinion of the headmaster he is not availing himself of the instruction provided. Continuation classes.  
(2) Persons over school leaving age may elect to receive instruction in all or any of the following subjects : reading, writing, mathematics, a language, needlework, woodwork and gardening.

Rescissions.

10. The Regulations for Government Schools, 1909, the Education (Amendment) Regulations, 1924, and the Government Schools (Amendment) Regulations, 1933, are hereby rescinded.

Made by the Governor in Executive Council on the 30th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 24/44.

FALKLAND ISLANDS.

Regulations made by the Governor in Council under Section 84 of the Licensing Ordinance, 1949.

MILES CLIFFORD,  
*Governor*

No. 13 of 1949.

In exercise of the powers vested in him by the Licensing Ordinance, 1949, and with the advice and consent of the Executive Council His Excellency the Governor is pleased to make and hereby makes the following Regulations:

1. These Regulations may be cited as the Licensing Regulations, 1949.

2. Any licensed person who shall sell intoxicating liquor to any member of His Majesty's Armed Forces or to any member of the crew, other than a resident in the Colony, of any vessel entering Stanley Harbour for consumption off licensed premises, or to any person well knowing or having good reason to believe that such liquor is required for consumption off licensed premises by such members of His Majesty's Armed Forces, or by the crew of any vessel entering Stanley Harbour shall commit an offence and shall be liable on summary conviction to the penalties set out in Section 70 of the Licensing Ordinance, 1949, and shall be liable to forfeit his licence.

3. The licensed premises known as the "Mon-Star Hotel" shall be open on Sundays, Christmas Day and Good Friday from 12 noon until 2.30 p.m. and from 4.30 p.m. until 10 p.m. but in all other respects shall comply with the hours specified in section 35 of the Licensing Ordinance, 1949.

Made by the Governor in Executive Council on the 30th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 1092.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Live Stock Ordinance, 1901.

No. 14 of 1949.

MILES CLIFFORD,  
*Governor.*

By virtue of the powers vested in him by Section 45 of the Live Stock Ordinance, 1901, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations —

1. These Regulations may be cited as the Livestock Quarantine (Amendment) Regulations, 1949, and shall be read and construed as one with the Livestock Quarantine Regulations, 1947. Short title.

2. Regulation 11 of the Livestock Quarantine Regulations shall be amended by the addition of the following proviso : Regulation 11 amended.

Provided that when any hay, straw or fodder is imported for the purpose of feeding animals in quarantine and it has not been possible to obtain the declaration hereinbefore provided for, the Agricultural Officer may authorise such hay, straw or fodder to be landed and used in the quarantine area only.

Made by the Governor in Executive Council on the 30th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 1094.

# FALKLAND ISLANDS.

## RESOLUTION

### Customs Order, 1949.

Whereas in accordance with Section 5B of the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, Customs Order 1949 was submitted to the Legislative Council on the 16th day of December, 1949.

And Whereas the Legislative Council amended the said Order.

It Was Resolved by the Legislative Council that Customs Order 1949 as amended, be confirmed with effect from the 16th day of December, 1949, as follows :—

Order by His Excellency the Governor in Council.

Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

MILES CLIFFORD,  
*Governor.*

No. 5 of 1949.

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs Ordinance, 1946 and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that —

1. This Order may be cited as the Customs Order, 1949. Short title.
2. From and after the date of commencement of operation of a freezer in the Colony the following export duty shall be payable :  
On live sheep, two shillings per sheep. New Export duty.
3. The Customs Order (No. 4 of 1949) is hereby rescinded. Rescission.

Made by the Governor in Executive Council on the 9th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0466.

Confirmed at a meeting of the Legislative Council held on the 16th day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

**FALKLAND ISLANDS.**

**Administration of Justice Ordinance, 1949.**

**Rules made by His Excellency the Governor in Council.**

- No. 1 of 1949.

MILES CLIFFORD,  
*Governor.*
1. These Rules may be cited as the Court Fees (Civil Cases) Rules 1949.

Short title.
2. The fees prescribed in the First Schedule to these Rules are payable in all civil actions and matters (other than Probate actions) commenced in the Supreme Court.

Supreme Court.
3. The fees prescribed in the Second Schedule to these Rules are payable in all civil actions and matters commenced in a Court of Summary Jurisdiction.

Court of Summary Jurisdiction.
4. The fees prescribed in the Third Schedule are payable on the specified notarial acts performed by a notary public.

Notarial.
5. All fees shall be paid before the pleading is entered or the process prepared or issued.

When fees are payable.
6. For the purpose of calculation of poundage for fees a part of a £ shall be considered to be £1.

Calculation of fees.

Made by the Governor in Executive Council at a meeting held on the 23rd day of April, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0831.

**FIRST SCHEDULE.**

		£	s.	d.
Fee 1	On sealing writ	15	0	
2	On filing a divorce petition	10	0	
3	„ „ an amended writ	2	6	
4	„ „ an amended divorce petition	2	6	
5	For Citation, first (divorce)	12	0	
6	For Citation, second and subsequent	8	0	
7	On entering reply (divorce)	8	0	
8	For certifying copy of divorce petition	4	0	
9	On filing affidavit	2	0	
10	For each witness summons	4	0	
11	On entering defence in action	5	0	
12	On entering reply in action	5	0	
13	On setting down case for trial	1	0	0
14	On entering or sealing a judgment decree or order	1	0	0
If the trial or hearing occupies more than five hours for each additional complete hour a further fee of		5	0	
Note.—This fee is payable where a judgment decree or order is made by consent. Where this fee is paid on a decree nisi in a matrimonial cause no fee is payable on the decree absolute.				

	£	s.	d.
15 On filing a notice of appeal to the Supreme Court	1	0	0
16 On application for leave to issue a third party notice	5	0	
17 On application for leave to issue execution	1	0	for every £ of the first £100 of the Judgment Order and 6d. for every additional £.
18 On the issue of a warrant of execution	1	0	for every £ of the first £100 and 6d. for every additional £ for which the warrant issues.
19 On the issue of a warrant for possession			
(1) not for the recovery of a sum of money	10	0	
(2) for the recovery of a sum of money in addition to possession	10	0	in addition to 1/- for every £ of the first £100 and 6d. for each additional £ for which the warrant issues.
20 On the issue of a warrant of delivery	1	0	for every £ of the first £100 and 6d. for each additional £ of the value of the goods to be delivered and costs and damages.
21 For an office copy of the Judge's note	1	0	for each folio of 72 words.
22 For leave to appeal to the Privy Council including recognisance and sealing	20	0	0
23 Taxing costs	1	0	for every £4 or part thereof allowed.
24 Reviewing costs	1	0	0
25 Warrant for absconding debtors	1	0	0
26 Power of attorney under Seal of the Colony	1	0	0

## SECOND SCHEDULE.

	£	s.	d.
Fee 1 On entering a complaint :			
(1) for the recovery of a sum of money not exceeding £2	2	0	
exceeding £ 2 not exceeding £ 5	3	0	
" 5 " " 10	5	0	
" 10 " " 15	7	0	
" 15 " " 20	9	0	
" 20 " " 25	10	0	
" 25 " " 30	13	0	
" 30 " " 35	15	0	
" 35 " " 40	17	0	
" 40 " " 50	19	0	
" 50	1	1	0
(2) for recovery of land :			
(a) on expiration of term or notice to quit	5	0	
(b) on forfeiture for non payment of rent			fee 1 (1) calculated on rent in arrear.
(3) for delivery of goods			fee 1 (1) calculated on value of goods.
(4) for any other remedy or relief	1	0	0

Fee 2 On filing a counterclaim			The difference between the fee which would have been payable had the counterclaim been an original claim and the fee paid by the plaintiff.
Fee 3 On application for leave to issue a third party notice			2s. 6d. <i>Note.</i> —The above fees include preparation and service of summons etc.
Fee 4 (1) on the hearing of a trial or action			An amount equal to that paid under Fee 1.
(2) If the amount claimed and fees are paid into Court more than 2 days before the hearing			One quarter of Fee 4 (1)
(3) if the defendant does not appear or consents to judgment for the plaintiff, in Court			One half of Fee 4 (1).
Fee 5 On the trial or hearing of a counterclaim			The fee payable under Fee 2.
Fee 6 On application for an order for the attendance of a judgment debtor			2s. 6d.
Fee 7 On application for leave to issue execution			6d. for every £1 of the Judgment Order. Maximum 5/-.
Fee 8 On the issue of a warrant of execution			6d. for every £ for which the warrant issues. Maximum 10/6.
Fee 9 On the issue of a warrant of possession			
(1) not for the recovery of a sum of money			Fee 2 (a), (b) or (c) whichever is applicable. Maximum 10/6.
(2) for the recovery of a sum of money in addition to possession			Fee 9 (1) in addition to 6d. for every £ for which the warrant issues. Maximum 15/-
Fee 10 On the issue of a warrant of delivery			
(1) not for the recovery of damages or costs			6d. for every £ of the value of the goods to be delivered. Maximum 10/-.
(2) for recovery of damages or costs in addition to delivery			Fee 10 (1) in addition to 6d. in every £ for which the warrant issues. Maximum 15/-.
Fee 11 On issue of a judgment summons			6d. for every £2 or part thereof for which the summons issues.
Fee 12 On hearing of a judgment summons			Fee 11.
Fee 13 On issue of an order for commitment made on a judgment summons			6d. for every £ for which the order issues. Maximum 10/6.
Fee 14 On entering garnishee proceedings			Fee 1 (1).
Fee 15 On hearing garnishee proceedings			Fee 4.
Fee 16 On the issue of a witness summons			1s. 0d.
Fee 17 For an office copy of a Magistrate's note			6d. for each folio of 72 words.

## THIRD SCHEDULE.

	£	s.	d.
1 Power of Attorney			10 0
2 Noting a Protest	1	1	0
3 Extending a Protest	2	2	0
4 For each copy of Protest	1	1	0
5 Protesting Bill of Exchange, Promissory Note			15 0

# FALKLAND ISLANDS.

## Administration of Justice Ordinance, 1949.

Rules made by His Excellency the Governor in Council under Section 67 of the Administration of Justice Ordinance, 1949.

No. 2 of 1949.

MILES CLIFFORD,  
*Governor.*

### APPEALS TO HIS MAJESTY IN COUNCIL.

1. These Rules may be cited as the Privy Council Appeals Rules, 1949. Short title.
2. The preparation of records and cases in appeals to His Majesty in Council shall be in accordance with these Rules.
3. The Registrar, as well as the parties and their legal agents, shall endeavour to exclude from the record all documents (more particularly such as are merely formal) that are not relevant to the subject-matter of the appeal, and, generally, to reduce the bulk of the record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the record. Irrelevant documents to be excluded from the record.
4. Where in the course of the preparation of a record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant, and the other party insists upon its being included, the record, as finally printed shall, with a view to the subsequent adjustments of the costs of and incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to. Cases in which there is a conflict between parties as to the relevancy of a document.
5. The record shall be printed in accordance with the rules set forth in the Schedule hereto. It may be so printed either in the Falkland Islands or in England. The record to be printed.
6. Where the record is to be printed in England, the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council one certified copy of such record, together with an index of all the papers and exhibits in the case. No other certified copies of the record shall be transmitted to the agents in England by or on behalf of the parties to the appeal. Duty of the Registrar when the record is to be printed in England.
7. When the record is not printed in England the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council forty copies of such record, one of which copies he shall certify to be correct by signing his name on, or initialling, every eighth page thereof and by affixing thereto the seal of the Supreme Court. Duty of Registrar when the record is not printed in England.
8. When part of the record is printed outside England and part of the record is to be printed in England Rules 6 and 7 above shall, as far as practicable apply to such parts respectively. When part of the record is printed in England and part out of England.
9. The case of each party to the appeal shall be printed in accordance with the rules set forth in the Schedule hereto, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the counsel who attends at the hearing of the appeal, or by the party himself if he conducts his appeal in person. Case of each party to be printed.

Preparation of the case.

10. The case shall consist of paragraphs numbered consecutively and shall state, as concisely as possible, the circumstances out of which the appeal arises, the contentions to be urged by the party lodging the same, and the reasons of appeal. References by page and line to the relevant portions of the record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, reprinting long extracts from the record.

#### SCHEDULE

1. Records and cases shall be printed in the form known as demy quarto (i.e. 54 ems in length and 42 in width).
2. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.
3. The type to be used in the text shall be Pica type, but Long Primer shall be used in printing accounts, tabular matter and notes.
4. The number of lines in each page of Pica type shall be 47 or thereabouts, and every tenth shall be numbered in the margin.

Made by the Governor in Executive Council at a meeting held on the 23rd day of April, 1949.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

M.P. 0831.

## FALKLAND ISLANDS.

### Administration of Justice Ordinance, 1949.

#### Rules of the Supreme Court made by His Excellency the Governor in Council.

MILES CLIFFORD,  
*Governor.*

No. 3 of 1949.

1. These Rules may be cited as the Rules of the Supreme Court. Short title.

#### PART I. CIVIL CASES (OTHER THAN MATRIMONIAL)

2. (1) Every matter, other than an action, shall be brought before the Supreme Court by Petition delivered to the Registrar and if approved by the Judge shall be heard on the appointed day by him. Procedure on Petition.

(2) Except where an injunction is sought a Petition shall not be heard less than seven days after a copy thereof has been served on every person in the Colony affected thereby.

3. The Judge may order that a Petition or any pleading be amended or struck out on the ground that it discloses no reasonable cause of action, that it is frivolous, vexatious or scandalous. Judge may order amendment of Petition or any pleading or that it be struck out.

4. Any person directly affected by any matter before the Supreme Court may at any time before hearing apply on motion to the Supreme Court for the postponement of the hearing thereof and the Judge may make such order thereon and as to costs and security as he may deem fit. Postponement of Hearing.

5. A writ shall be in the form A set out in the Schedule hereto and shall be served on the defendant by or on behalf of the Plaintiff. Writ.

6. A defendant shall within eight days if resident in Stanley or sixty days if resident outside Stanley after service of the writ, inclusive of the day of the service, deliver to the Registrar and serve or cause to be served on the plaintiff his defence to the action. Defence.

7. The plaintiff may within eight days if resident within Stanley or sixty days if resident outside Stanley after service of the defence, including the day of service deliver to the Registrar and serve or cause to be served on the defendant his reply to the defence. Reply.

8. If no defence is delivered and served within the time specified in Rule 7 the Plaintiff shall be at liberty after filing an affidavit of Service, to apply to the Judge to sign final judgment and the Judge may make such order as to judgment as he may deem just. Judgment on default of defence.

9. Either party may after delivery of the reply or after the time provided therefor under Rule 8 has elapsed apply to the Registrar for the case to be set down for hearing and the Registrar shall notify both parties of the date fixed by the Judge provided that either party may apply for a postponement thereof subject to such terms as the Judge may impose. Setting down for trial.

10. (1) Where the plaintiff fails to attend the hearing the defendant shall be entitled to final judgment. Trial.

(2) Where the defendant fails to attend the plaintiff shall on proving his case be entitled to final judgment. Non-attendance of parties.

Retrial.	11. Where the plaintiff or defendant fails to appear at the hearing he shall be at liberty within six days of the date thereof to apply that the judgment be set aside and the Judge make an order for retrial or otherwise on such terms and conditions as he may deem fit.	
Signing Judgment.	12. The successful party in an action shall be entitled to sign judgment and issue execution six days after the trial unless application shall have been made for a re-trial, or stay of execution.	
Sale by Sheriff.	13. (1) The Sheriff shall, when he cannot effect a sale of any property seized by him without a sacrifice of the reasonable value thereof apply to the Judge for directions and for an order for delay and for enlarging the time for returning the writ. (2) The Sheriff shall cause a notice giving the time, place and particulars of sale of goods seized under execution to be fixed on the public notice board at Stanley and at such other places as he may decide.	
PART II. MATRIMONIAL CASES.		
Petition.	14. Proceedings shall be commenced by delivering to the Registrar a Petition in the Form B set out in the Schedule hereto together with an affidavit by the Petitioner verifying the facts of which he has personal knowledge and deposing as to his belief in the truth of the other facts alleged therein. The Registrar shall thereupon issue the notices to appear in the Form C set out in the Schedule hereto.	
Service of Petition, etc.,	15. The Petitioner shall serve or cause to be served personally on the respondent and every co-respondent named in the petition, notice to appear, together with a copy of the petition certified by the Registrar and shall within seven days of service in Stanley or thirty days of such service in any other part of the Colony file with the Registrar an affidavit of service.	
Answer.	16. A respondent, co-respondent or any person named in a petition may within fourteen days of the service of such petition if served in Stanley, or sixty days if served in any other part of the Colony file with the Registrar an answer to the petition and shall with every answer which contains matter other than a simple denial of the facts stated in the petition, file an affidavit verifying such other matter so far as he has personal knowledge and deposing to his belief in the truth of the rest of such other matters and shall serve on the petitioner forthwith a copy of such answer and affidavit and a notice to appear.	
Reply.	17. (1) No reply shall be filed without leave of the Judge except where relief is claimed in the answer in which case a reply may be filed with the Registrar and the Petitioner shall within fourteen days of the delivery of the answer forthwith serve a copy of such reply on the respondent. (2) No subsequent pleading shall be filed without leave of the Judge.	
Powers to allow intervention.	18. When a person is charged with adultery with any party to a case in which the Judge may consider, in the interest of any person not already a party to the suit, that that person should be made a party the Judge may allow that person to intervene upon such terms, if any, as he may deem just.	
Setting down for trial.	19. Any party may after delivery of the reply or the expiration of the time provided therefor under Rule 17 (1) apply to the Registrar for the case to be set down for hearing and the Registrar shall notify all parties of the date fixed by the Judge provided that any party may apply for a postponement thereof subject to such terms as the Judge may impose.	

20. An application for retrial shall be made by petition stating the grounds on which it is based, filed with the Registrar within three weeks after Judgment and served forthwith on the other parties to the suit.	Retrial.
21. (1) Any person desiring to shew cause against making absolute a <i>decree nisi</i> shall file with the Registrar an affidavit setting forth the facts upon which he relies and forthwith serve a copy thereof on the party in whose favour the decree has been pronounced. (2) The party in whose favour the decree has been pronounced may within fourteen days after delivery of the said affidavit file with the Registrar an affidavit in answer and forthwith serve a copy thereof on the person showing cause and the person showing cause may within fourteen days of such service file and serve as aforesaid an affidavit in reply.	Intervention against making absolute a <i>decree nisi</i> .
22. An application to make absolute a <i>decree nisi</i> for dissolution of marriage shall be made in writing to the Registrar. The decree shall be pronounced in open Court.	Decree absolute.
PART III. ENFORCEMENT OF MAINTENANCE ORDERS.	
23. The prescribed officer for the enforcement of maintenance orders shall be :— (a) if the order be made in the Supreme Court, the Registrar, or (b) if the order be made in a Court of Summary Jurisdiction, the Magistrate.	Prescribed Officer.
24. The copy of a provisional order made by a Court in any part of His Majesty's Dominions outside the United Kingdom to which the Maintenance Orders (Facilities for Enforcement) Ordinance (in this Part called "the Ordinance") applies shall be sent to the Magistrate with the accompanying documents and a requisition for a summons.	Provisional orders.
25. The Magistrate shall notify the Governor and the Court issuing the order his decision on a provisional order made outside the Colony.	Notice of decision.
26. When an order has been registered in the Court of Summary Jurisdiction at Stanley or a provisional order has been confirmed by that Court under the Ordinance all payments under the order shall be made to the prescribed officer.	Payments into Court under Order.
27. All monies collected under an order as provided by Rule 25 shall be paid to the Treasury for transmission through the Crown Agents for the Colonies to the officer specified by the Court issuing the order.	Transmission of monies collected.
28. When a provisional order made in the Colony under the Ordinance has been remitted to the Court of Summary Jurisdiction making the order for the purpose of taking further evidence the Magistrate or Justice shall notify the person on whose behalf the order was made the particulars of the further evidence required and the time and place fixed for taking it.	When further evidence required.

#### PART IV. RECIPROCAL ENFORCEMENT OF JUDGMENTS.

29. In this Part the expression "the Ordinance" means the Reciprocal Enforcement of Judgments Ordinance and the definitions contained in section 5 of the Ordinance shall apply to this Part of these Rules.	Definition.
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Application.	30. An application under the Ordinance for leave to have a Judgment obtained in a superior Court in any part of His Majesty's Dominions outside the United Kingdom to which the Ordinance applies registered in the Supreme Court shall be made <i>ex parte</i> or by summons to the Judge. If the application is made <i>ex parte</i> the Judge may direct a summons to be issued.
The affidavit.	31. The application shall be supported by an affidavit of the facts exhibiting the judgment or a verified or certified or otherwise duly authenticated copy thereof and stating that to the best of the information and belief of the deponent the judgment creditor is entitled to enforce the judgment and the judgment does not fall within any of the cases in which under the Ordinance a judgment cannot properly be ordered to be registered. The affidavit must also, so far as the deponent can, give full name, title, trade or business and usual or last known place of abode or business of the judgment creditor and judgment debtor respectively.
Title of affidavit and summons.	32. The affidavit and the summons (if any) shall be intituled "In the Matter of the Reciprocal Enforcement of Judgments Ordinance, 1922, and in the matter of a Judgment of the..... (describing the Court) obtained in ..... (describing the cause or matter) and dated the.....day of.....19....".
Service of summons.	33. The Summons (if any) for leave to register shall be an originating summons and (unless otherwise ordered by the Judge) shall be served in the same manner as a writ of summons is required to be served. The judgment debtor shall not be required to enter any appearance thereto.
The Order.	34. Any Order giving leave to register shall be drawn up by or on behalf of the judgment creditor and when the order is made on a summons the order shall be served on the judgment debtor but where the order is made on an <i>ex parte</i> application no service of the order on the judgment debtor shall be required.
Form of Order.	35. The order giving leave to register the judgment shall state the time within which the judgment debtor is to be entitled to apply to set aside the registration. Such time where the judgment debtor is, or is ordinarily resident in the Colony shall ordinarily be sixty days and when the judgment debtor is or is ordinarily resident out of the Colony shall depend on the distance from the Colony of the place where the judgment debtor resides and the postal facilities between the Colony and that place and shall ordinarily be the same time as is limited for entering appearance after service out of the jurisdiction of a writ of summons or notice thereof.
The Register.	36. The register of judgments ordered to be registered under the Ordinance shall be kept by the Registrar. The judgment shall be registered therein in accordance with the order giving leave to register it.
Form of Register.	37. There shall be entered in the register the date of the order for registration and of the registration, the name, title, trade or business and usual or last known place of abode or business of the judgment debtor and judgment creditor and the amount for which the judgment is signed and any special directions in the order for registration as to such registration and/or execution thereon and the particulars of any execution issued thereon.
Notice of Registration.	38. Notice in writing of the registration of the judgment must be served on the judgment debtor within a reasonable time after such registration. Such notice shall (in the absence of an order by the Judge as to the mode of service thereof) be served on the judgment debtor by personal service (with power to order substituted service or service out of the jurisdiction or both) as in the case of a writ of summons, but the Judge may at any stage of the proceedings

authorise or direct some other mode of service and if he does so the service shall be effected in accordance with such authority or direction.

39. The notice of registration shall contain full particulars of the judgment registered and of the order for such registration and shall state the name and address of the judgment creditor on whom and at which service of any summons issued by the judgment debtor may be served. The notice shall state that the defendant is entitled, if he has grounds for doing so, to apply to set aside the registration and shall also state the number of days for applying to set aside the registration limited by the order giving leave to register.

Form of Notice.

40. The party serving the notice shall, within three days at most after such service, endorse on the notice or a copy or duplicate thereof the day of the month and week of the service thereof, otherwise the judgment creditor shall not be at liberty to issue execution on the judgment; and every affidavit of service of such notice shall mention the day on which such indorsement was made. This rule shall apply to substituted as well as other service. The three days limited by this rule may under special circumstances be extended by order of the Judge.

Indorsement of service.

41. The judgment debtor may at any time within the time limited by the order giving leave to register after service on him of the notice of the registration of the judgment apply by summons to the Judge to set aside the registration or to suspend execution on the judgment and the Judge on such application if satisfied that the case comes within one of the cases in which under section 2 (2) of the Ordinance no judgment can be ordered to be registered or that it is not just or convenient that the judgment should be enforced in the Colony or other sufficient reason may order that the registration be set aside or execution on the judgment suspended either unconditionally or on such terms as he thinks fit and either altogether or until such time as he shall direct: Provided that the Judge may allow the application to be made at any time after the expiration of the time herein mentioned.

Application to set aside registration.

42. The summons referred to in Rule 41 shall be an ordinary summons intituled in the same manner as the affidavit referred to in Rule 32.

Summons to set aside.

43. No execution shall issue on a judgment registered under the Ordinance until, after the expiration of the time limited by the order giving leave to register after service on the judgment debtor of notice of the registration thereof: Provided that the Judge may at any time order that execution shall be suspended for a longer time.

Execution.

44. Any party desirous of issuing execution on a judgment registered under the Ordinance must produce to the proper officer an affidavit of the service of the notice of registration.

Affidavit of service.

45. A writ of execution on a judgment registered under the Ordinance may be thus varied: instead of "which said sum of money and interest were lately before us in the Supreme Court" &c, insert "which said sum of money and interest were lately in . . . (describing the Court in which the judgment was obtained)" &c, "and which judgment has been duly registered in our Supreme Court pursuant to the Reciprocal Enforcement of Judgments Ordinance, 1922".

Form of Writ of Execution.

46. Any application under section 3 of the Ordinance for a certified copy of a judgment obtained in the Supreme Court shall be made *ex parte* to the Registrar on an affidavit made by the judgment creditor giving the particulars of the judgment and shewing that the judgment debtor is resident in some (state what) part of His Majesty's Dominions outside the Colony to which the Ordinance extends and stating to the best of his information and belief the title, trade, business or occupation of the judgment creditor and judgment debtor respectively and their respective usual or last known places of abode or business.

Certified copy of Judgment.

47. The certified copy of the judgment shall be an office copy and shall be sealed with the seal of the Supreme Court and shall be certified by the Registrar as follows:

"I certify that the above copy of the judgment is a true copy of a judgment obtained in the Supreme Court in the Falkland Islands and this copy is issued in accordance with section 3 of the Reciprocal Enforcements of Judgments Ordinance 1922".

(Signed).....

Registrar of the Supreme Court  
in the Falkland Islands.

#### PART V. GENERAL.

##### Office Hours.

48. The offices of the Supreme Court shall be open daily (Sundays and public holidays excepted) from 9 a.m. to 12.30 p.m. and 2 p.m. to 4.30 p.m. except Saturdays when the hours shall be from 9 a.m. to 1 p.m.

##### Action Book.

49. The Registrar shall enter in the Action Book all writs, petitions and other proceedings in all actions and other matters commenced or referred to the Supreme Court.

##### Substituted service.

50. Any plaintiff or petitioner who is unable to serve or cause to be served a writ or petition upon any defendant or co-respondent personally may apply to the Judge for an order for substituted or other service and shall file in support of the application an affidavit setting forth the grounds on which it is made.

##### Extended time for service etc. when party resident outside the Colony.

51. The Judge shall, where the party to any proceedings is, or is ordinarily resident out of the Colony, state the time within which such party shall be served and file proceedings, as the case may be, regard being had to the distance from the Colony of the place where the party is or resides and the postal facilities between the Colony and that place.

##### Procedure on trial.

52. The plaintiff shall state his case to the Court and call his witnesses who shall be subject to cross-examination and re-examination, then the defendant shall state his case and call his witnesses, who shall be subject as aforesaid. The plaintiff shall have the final address except when the defendant does not call any witnesses, other than give evidence himself when he shall have the final address after the plaintiff.

##### Evidence of persons leaving Colony.

53. When it is probable that a person who would be a witness in a case pending in the Supreme Court may leave the Colony before the case can be brought to trial the party requiring him may apply to the Registrar to have the evidence of that person taken before the Judge and shall forthwith give notice of such application to the opposite party, and the Registrar shall notify both parties of the day fixed by the Judge to hear such evidence. No such evidence shall be used unless the opposite party has had an opportunity of cross-examining the witness.

##### Evidence by affidavit.

54. Evidence may be given by affidavit in the case of witnesses absent from the Colony but the Judge may on the application of any party or at his own discretion direct that any such witness shall be examined by commission.

##### New Trial.

55. (1) An application for a new trial may be made on the day of the trial if both parties are present or within twelve days from the day of the trial.

(2) Except where the application is made on the day of the trial the applicant shall, not less than six clear days before the

hearing of the application, file with the Registrar and give to the opposite party notice in writing of the application stating the grounds thereof.

(3) The notice shall not operate as a stay of proceedings unless the Court otherwise orders.

(4) On receipt of the notice the Registrar shall unless otherwise ordered, retain any money in court until the application has been heard.

(5) An order for a new trial shall be in Form D in the Schedule.

56. The Registrar shall fix a date for the taxation of costs and shall tax the same but no costs shall be taxed unless the bill of costs has been delivered to the opposite party more than forty-eight hours before the date fixed for taxation.

Taxation of costs.

57. Any person may with the consent of the Judge sue or defend as a poor person (without paying fees): Provided he satisfies the Judge:

Suing or defending as a poor person.

(a) he is not worth a sum exceeding £50 (excluding wearing apparel, tools of trade and the subject matter of such proceedings); and

(b) his usual income from all sources does not exceed £2 a week; and

(c) in matrimonial cases, where the wife is the poor person in addition to (a) and (b) that the poor person and her husband are not worth the amount specified in (a) and their joint income does not exceed the amount specified in (b); and

(d) he has reasonable grounds for taking or defending or being a party to proceedings in the Supreme Court.

58. In all matters of practice and procedure not repugnant to, or provided for in these Rules, the practice and procedure of the High Court of Justice in England, shall, as far as possible, be adopted.

Other practice etc. of High Court of Justice to apply.

59. The Consolidated Rules 1922, the Maintenance Orders (Facilities for Enforcement) Rules 1922 and the Rules of the Supreme Court (Reciprocal Enforcement of Judgments) Ordinance 1922 are hereby rescinded.

Rescissions.

Made by the Governor in Executive Council at a meeting held on the 23rd day of April, 1949.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

M.P. 0831.

GEORGE VI. BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN, AND IRELAND  
AND OF THE BRITISH DOMINIONS BEYOND THE SEAS KING, DEFENDER OF THE FAITH.

To..... of..... in the Colony of the Falkland Islands.

WE command you that within eight days (sixty days if residing outside Stanley) after the service of this writ on you, inclusive of the day of such service you do enter or cause to be entered a defence to the complaint of ..... and take notice, that in default of your so doing the Plaintiff may proceed to Judgment and Execution.

The complaint set forth is

On all writs for debt or damages the following shall be endorsed

Plaintiff claims £..... and  
£..... for costs.

If these amounts be paid into Court within seven days further proceedings will be stayed, but the defendant may apply to have the costs taxed and if more than one-sixth be disallowed the Plaintiff shall pay his own costs. If the Defendant pays into Court three days at least before trial a sum less than that claimed but equal to or greater than the amount for which judgment is thereafter given he shall be entitled to recover his costs from the Plaintiff as from the date of such payment.

Witness His Honour..... Judge of the Falkland Islands, this..... day of..... 19.....

This writ must be served within twelve months from the date hereof.

Registrar.

DIVORCE AND MATRIMONIAL CAUSES.

To His Honour the Judge.

The..... day of..... 19.....  
The Petition of A.B. of....., sheweth, -

1. That your petitioner was on the..... day of..... 19....., lawfully married to C.B., then C.D., [Spinster or Widow] at the Parish Church of, &c.  
[Here state where the marriage took place]
2. That after his said marriage your petitioner lived and cohabited with his said wife at..... and at....., and that your petitioner and his said wife have had issue of their said marriage..... children to wit :  
[Here state the names and ages of the children of the marriage]
3. That on the..... day of..... 19....., and on other days between that day and....., the said C.B., at..... in..... committed adultery with R.S.
4. [Here set out in detail in separate paragraphs the alleged matrimonial offences or other ground upon which relief is sought].

Your petitioner therefore humbly prays. -  
That your Honour will be pleased to decree :  
[Here set out the relief sought].

And that your Petitioner may have such further and other relief in the premises as may seem fit.

[Petitioner's signature.]

In the Supreme Court  
Falkland Islands

To..... of.....

TAKE NOTICE that you are required within eight days (thirty days if residing outside Stanley) after service hereof upon you, inclusive of the day of service to make answer to this petition (answer) and that in default of your so doing the Court will proceed to hear the petition (answer) and pronounce judgment, your absence notwithstanding.

Dated at Stanley, Falkland Islands the..... day of..... 19.....

Registrar.

[ Title ]

IT IS ORDERED that upon

[Here set out the terms and conditions on which the order is made.]

the Judgment in this Action, and all subsequent proceedings thereon be set aside and

a New Trial had between the parties on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at the  
hour of \_\_\_\_\_ in the \_\_\_\_\_ noon.

Dated this            day of            19

*Registrar.*

Administration of Estates Ordinance, 1949.

Rules made by the Governor in Council under Section 22 of the Administration of Estates Ordinance, 1949.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

No. 4 of 1949.

1. These rules may be cited as the Administration of Estate Rules, 1949.	Short title.
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2. The forms of Petition, Estate Duty Affidavit, Administration Bond, Affidavit verifying Administrators Account, and Grant set out in the First Schedule hereto with such variations as the circumstances may require shall be used in all cases of application for, and upon grant of, Probate or Letters of Administration.

3. The fees set out in the Second Schedule shall be paid in connection with the application for, grant of, or resealing Probate or Letters of Administration. These fees will include all work done in the office of the Supreme Court in connection with the application, grant or resealing. No grant shall be made until these fees have been paid.

Made by the Governor in Executive Council at a Meeting  
held on the 14th day of July, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0783.

FIRST SCHEDULE.

PETITION.

To His Honour the Judge.

The Supreme Court of the Falkland Islands.

THE HUMBLE PETITION of

Showeth

1. (hereinafter called the deceased)  
of Falkland Islands died at on the day of 19  
leaving a Will dated 19  
intestate leaving no Will

2. There <sup>is</sup><sub>are</sub> a widow, children, sons, and daughters, surviving the deceased.

3. Your Petitioner <sup>is</sup><sub>are</sub> the (sole) Executor(s) under the said Will

or

4. The deceased did not appoint an executor of his said Will  
or

5. The executor(s) of the said Will did not survive the deceased, or have renounced probate.

6. Your Petitioner is the \_\_\_\_\_ of the deceased.  
7. Your Petitioner therefore prays that  
Probate of the said Will of the deceased  
Letters of Administration  
Letters of Administration with the said Will annexed } may be  
granted to him to administer the estate of the deceased, and your Petitioner will ever pray.

8. I swear that if Probate of the said Will of the deceased  
Letters of Administration  
Letters of Administration with the said Will annexed  
are granted to me I will well and faithfully administer the said estate according to law.

\_\_\_\_\_ Petitioner.  
Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
at \_\_\_\_\_  
\_\_\_\_\_ A Justice of the Peace.

Administration Bond.

KNOW ALL MEN by these presents, that I,  
of \_\_\_\_\_ Falkland Islands, am held and firmly bound unto the Judge of the  
Supreme Court of this Colony in the sum of : \_\_\_\_\_ pounds  
of lawful money of this Colony to be paid by me, my heirs, executors and administrators,  
firmly by these presents, sealed with my seal, and signed with my hand this  
day of \_\_\_\_\_ 19\_\_\_\_

WHEREAS \_\_\_\_\_ hath been appointed Administrator of the  
estate of \_\_\_\_\_ who died at \_\_\_\_\_ Falkland Islands,  
on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

NOW THEREFORE the conditions of this obligation are such that if the said  
\_\_\_\_\_ shall duly administer the estate aforesaid according to law  
and render to the Judge of the Supreme Court a true and complete inventory of all and  
singular the Estate and effects of the said  
within six months from the date hereof and swear to and render to the Judge of the Supreme  
Court a true and just account of the Administration of the estate on or before the \_\_\_\_\_ day of  
\_\_\_\_\_ 19\_\_\_\_ that is within one year of the date hereof then this obligation  
shall become void and of no effect, or otherwise be and remain in full force, and virtue.

IN WITNESS WHEREOF THE SAID  
has hereunto set <sup>his</sup> hand and seal at \_\_\_\_\_ Falkland Islands,  
her \_\_\_\_\_  
the date first above written.

Signed sealed and delivered  
in the presence of \_\_\_\_\_  
\_\_\_\_\_ A Justice of the Peace.

In the Supreme Court of the Falkland Islands.  
Estate Duty Affidavit.

In the Estate of \_\_\_\_\_ (hereinafter called the deceased)  
of \_\_\_\_\_ Falkland Islands, who died at \_\_\_\_\_ on the  
day of \_\_\_\_\_ 19\_\_\_\_

I \_\_\_\_\_ of \_\_\_\_\_  
\*(Executor of the Will of the deceased). \*(Administrator of the Estate of the deceased).  
make oath and say as follows :

1. That the particulars and value thereof shewn in the Exhibits A and B annexed  
hereto and signed by me are those of the estate of the said  
deceased so far as I have been able to trace and are true to the best of my knowledge and  
belief.

2. That to the best of my knowledge and belief there is no other property forming  
part of the estate of the said \_\_\_\_\_ deceased.

SWORN at \_\_\_\_\_ Falkland Islands the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
Before me \_\_\_\_\_  
\_\_\_\_\_ A Justice of the Peace.

\*Delete as required.

A.  
In the Estate of \_\_\_\_\_ deceased.  
Exhibit A to the affidavit of

£	s.	d.	£	s.	d.
Cash in hand			†Debts owing by deceased		
Cash in bank			Funeral expenses		
Furniture, implements of trade, etc.			(with receipted bill)		
Clothing and personal effects					
†Debts owing to the deceased					
†Shares, etc.					
†Money advanced on mortgage, etc.					
†Provident Fund, etc.					
†Life Insurance					
†Leasehold lands and houses					
†Horses, sheep, cattle					
†Motor cars, etc.					
†Stock in trade					
†Good will of business					
†Any other personal property					

† Give full particulars.

B.  
In the estate of \_\_\_\_\_ deceased.  
Exhibit B to the affidavit of

REAL ESTATE.					
£	s.	d.	£	s.	d.
Houses (giving particulars)			Mortgages or other incumbrances		
			(giving particulars)		
Freehold lands (giving particulars)					

Affidavit verifying Administrator's Account.

In the Supreme Court of the Falkland Islands. (PROBATE)

In the estate of deceased. I, the administrator of the estate of the said deceased, make oath and say as follows:

- 1. The account marked A exhibited to this affidavit is my account of the estate of the intestate and contains a true account of all and every sum of money received by me or any other person to my order up to and including the date hereof.
- 2. The several sums of money mentioned in the said account as having been paid and allowed have been actually and truly paid and allowed for the several purposes mentioned in the said account.
- 3. The said account is just and true in all and every the items and particulars therein contained, according to the best of my knowledge and belief.

Sworn by the said at the day of 19

Before me A Justice of the Peace.

In the Supreme Court of the Falkland Islands.

Grant of \* Probate \* Letters of Administration

\* is hereby granted to are

† to administer the estate of who died on the day of 19

Oath having been made by the person to whom Probate is these Letters are granted that the value of the estate does not exceed £ and that the estate will be administered according to law and that a full and complete inventory of the estate will be filed in the Supreme Court within six months from the date hereof and that a complete account of the administration of the estate will be filed in the Supreme Court within one year from the date hereof.

19. Judge.

\* Delete as required. † "Sole Executor" or "with the Will annexed the Executor having died" or "one of the Executors power being reserved of making the like grant to the other Executor".

SECOND SCHEDULE.

I. GRANT OF PROBATE OR LETTERS OF ADMINISTRATION. (Non-contentious) and Resealing under Section 21 of the Administration of Estates Ordinance, 1949.

	£	s.	d.
When the net estate is under the value of £100	...	...	10 : 0
Exceeding £100 but not exceeding £300	...	...	1 : 0 : 0
" £300 " " " £500	...	...	1 : 10 : 0
" £500 " " " £1,000	...	...	2 : 10 : 0
" £1,000 " " " £3,000	...	...	5 : 0 : 0
" £3,000 " " " £5,000	...	...	6 : 0 : 0
" £5,000 " " " £7,500	...	...	6 : 15 : 0
" £7,500 " " " £10,000	...	...	7 : 10 : 0
" £10,000 " " " £12,500	...	...	8 : 0 : 0
" £12,500 " " " £15,000	...	...	8 : 5 : 0
" £15,000 " " " £20,000	...	...	9 : 10 : 0
" £20,000 " " " £25,000	...	...	10 : 0 : 0
" £25,000 " " " £30,000	...	...	10 : 10 : 0
" £30,000 " " " £35,000	...	...	11 : 10 : 0
" £35,000 " " " £40,000	...	...	12 : 10 : 0
" £40,000 " " " £45,000	...	...	13 : 10 : 0
" £45,000 " " " £50,000	...	...	14 : 10 : 0
" £50,000 " " " £60,000	...	...	16 : 0 : 0
" £60,000 " " " £75,000	...	...	18 : 0 : 0
" £75,000 " " " £100,000	...	...	24 : 0 : 0
for each £50,000 or part thereof of the net estate above £100,000	...	...	10 : 0 : 0

II. GRANT OF PROBATE OR LETTERS OF ADMINISTRATION. (Contentious).

	£	s.	d.
1. On entering caveat	...	...	1 : 0
2. On settling a citation	...	...	10 : 0
3. On application for summons	...	...	2 : 0
4. Service of citation, writ, summons or order, in Stanley	...	...	2 : 6
5. " " " " " " " outside Stanley	...	...	5 : 0
6. On filing petition under Sections 7, 8, or 20 of the Administration of Estates Ordinance (when disputed)	...	...	10 : 0
7. On filing affidavit of service of citation or summons	...	...	2 : 0
8. On entering an appearance, each person	...	...	2 : 6
9. On setting down a case for hearing	...	...	10 : 0
10. Hearing fee	...	...	1 : 0 : 0
If the hearing occupies more than five hours for each additional hour	...	...	5 : 0

In addition to the fees shewn in this Schedule there shall be paid 5/- the cost of each notice appearing in the Gazette.

## FALKLAND ISLANDS.

### Rules made by the Governor in Council under section 14 of the Dogs Ordinance, 1944.

No. 5 of 1949.

MICHAEL R. RAYMER,

*Officer Administering the Government.*

In exercise of the powers vested in him by section 14 of the Dogs Ordinance, 1944, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Rules —

1. These Rules may be cited as the Dogs Rules, 1949. Short title.
2. Each licence shall state the number of dogs for which licence fees have been paid. One licence shall cover any number of dogs. Licences.
3. The following fees shall be payable : Fees.

Annual licence for each dog or bitch	8s.	0d.
Inspection of register by a member of the public	1s.	0d.
4. These Rules shall come into force on the 1st day of January, 1950. Operation.
5. The Dogs Rules, 1944, are hereby rescinded. Rescission.

Made by the Governor in Executive Council at a meeting held on the 13th day of October, 1949.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

M.P. 160/43.

## FALKLAND ISLANDS.

### Travelling and Subsistence Allowances to Officers (Amendment) Rules, 1949.

No. 6 of 1949.

MILES CLIFFORD,  
*Governor.*

The Rules for the grant of Travelling and Subsistence Allowances to officers travelling on duty made on the 8th day of February, 1936. are hereby amended by the amount of Subsistence Allowance paid to (a) Members of the Executive and Legislative Councils and (b) Unofficial Members of the Executive and Legislative Councils visiting Stanley for the purpose of attending meetings being increased from 15/- to £1 for every night spent away from his usual headquarters.

Made by the Governor in Council on the 2nd day of December, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 101/30.

## FALKLAND ISLANDS.

### Rules made by the Governor in Council under the Trespass Ordinance 1904.

MILES CLIFFORD.

*Governor.*

No. 7 of 1949.

1. These Rules may be cited as the Stanley Common Rules 1949. Short title.
2. In these rules Definitions.
  - "cattle" means any cow heifer or calf.
  - "brand" means any distinguishing mark, letter or number or combination thereof distinctly and permanently impressed or made upon any cattle.
  - "owner" means any owner of cattle or his manager or agent.
3. (1) An owner licensed to graze cattle on Stanley Common shall cause all his cattle over the age of 6 months to be earmarked or branded with a mark or brand approved by the Agricultural Officer in such a manner as the Agricultural Officer shall direct before such cattle are grazed on the Common. Compulsory marking or branding.
  - (2) Any owner who :
    - (a) fails, neglects, or omits to mark or brand his cattle as aforesaid, or
    - (b) marks or brands any cattle with any brand other than one approved by the Agricultural Officer, or
    - (c) marks or brands any cattle other than in a manner directed by the Agricultural Officer,

shall commit an offence.
4. No cattle shall be grazed on the Common before they have been examined, tested and declared by a Stock Inspector to be free from ring-worm and any other infectious or contagious disease, including tuberculosis. Examination before going on to Common.
5. No bull calf over the age of 3 months shall be grazed on the Common unless it shall have been castrated. Bull Calves to be castrated.
6. Any cattle or horses found grazing on land which is not open for public grazing shall be impounded but may be released from the pound upon the owner paying a fee of 2/6d. for removing each animal to the part open for public grazing. Animals grazing on reserved land.

Provided that owners of Camp horses may graze such horses on the Western Section of the Common during sports week.
7. The Agricultural Officer may order the removal, isolation, treatment, disposal or destruction, at the expense of the owner of any animal suffering, or suspected to be suffering, from any contagious disease. Removal, destruction etc. of animals.

Provided that the owner of any animal so destroyed may be compensated in a sum equal to two-thirds the value of the animal at the time of its destruction but compensation shall not exceed the sum of £5 for each animal.
8. Any person who shall bury any animal on the Common shall report such burial to the Agricultural Officer within seven days of the date thereof. Burying animals on Common.

Penalty.

9. Any person not complying with or offending against these Rules shall be liable on summary conviction to a fine not exceeding £10.

Rescission.

10. The Stanley Common Rules 1941 are hereby rescinded.

Made by the Governor in Executive Council at a meeting held on the 19th day of August, 1949.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 1095.

## FALKLAND ISLANDS.

### The Post Office Ordinance, 1898.

#### Telephone and Telegraph Rules.

MICHAEL R. RAYMER,

*Officer Administering the Government.*

1. Every telephone and telegraph line or wire erected shall be subject to the control of the Supervisor of the Electrical and Telegraph Department (hereinafter called "the Supervisor").  
Wires under supervision of Supervisor E. & T. Dept.
2. Any person who shall erect any telephone or telegraph or electrical line or wire without the approval of the Governor first obtained shall commit an offence and shall be liable to a fine not exceeding £25 and the Court may order that such line or wire shall be forfeited.  
No private line without approval of Governor.
3. Every application for a telephone shall be made to the Supervisor and upon the application being approved the applicant shall enter into an agreement to pay rent for a period not less than one year.  
Applications for telephone.
4. (1) The rentals for subscribers on the Stanley Telephone Circuit shall be –  
Telephone rentals.
  - (a) if on a single line – £5 : 5 : 0 per annum for each instrument;
  - (b) if on a party line serving two instruments – £3 : 10 : 0 per annum for each instrument;
  - (c) if on a party line serving three instruments – £3 : 0 : 0 per annum for each instrument;
  - (d) if on a party line serving four or more instruments – £2 : 10 : 0 per annum for each instrument.
  - (2) Rentals shall be paid in advance.
5. The Governor may reduce or remit the rentals in Rule 4 in any individual case as he may deem fit.  
Power of Governor to reduce or remit in individual cases.
6. (1) The rentals for each extension to other premises occupied by the subscriber operated by switch, in Stanley, shall be –  
Rental for extensions.
  - (a) when not more than 110 yards from the original instrument – £1 : 10 : 0 per annum;
  - (b) when not more than 440 yards from the original instrument – £2 : 10 : 0 per annum.
  - (2) No extension shall be granted in respect of any premises more than 440 yards from the original instrument nor to premises not in the occupation of the subscriber.
  - (3) The rentals shall be paid in advance.
7. The rental shall include (except in the case of Camp and private lines) fixing and maintaining the necessary wire and instruments and all calls.  
Rental includes maintenance.
8. Calls may be originated and received at the Public Call Box at the Exchange Stanley on prepayment to the operator of 3d. for each service not exceeding five minutes and 3d. for each succeeding five minutes or part thereof.  
Call Box rate.

Damage to telephone equipment.

9. A subscriber shall be responsible to the Government for the proper care of the telephone receiver and all other telephone equipment installed on the premises occupied by him and shall be liable for any damage thereto unless caused by circumstances beyond his control.

Private telephone lines.

10. (1) Any private long distance line on East Falkland, may, with the permission of the Governor and at the expense of the owner, be connected with the Telephone Exchange, Stanley.

(2) The subscription for such connection shall be £5 : 5 : 0 per annum for each separate Camp Station, whether connected to the Exchange, Stanley, by direct private line, or by an extended line. The subscription shall be paid in advance, and will include any farm cottage belonging to the Camp Station, connected with the private line.

(3) Every telephone instrument on a private long distance line connected with the Telephone Exchange, Stanley, shall be fitted with an inter-through switch, and the nearest instrument in actual circuit along the line from the Exchange shall be the instrument for the call.

(4) The Government, and, subject to any objection on the part of the owner, any subscriber to the Telephone Exchange, Stanley, may use free of charge, any private long distance line connected with the Telephone Exchange.

Maintenance of private lines.

11. All instruments, wire and accessories on any private line or any private long distance line shall be supplied at the cost of the owner of the line, and the line instruments etc., shall be erected and maintained by the owner at his entire cost.

Non-interference with Government equipment.

12. Any person other than a Government employee who shall make any alteration to or connection with a Government wire or instrument shall commit an offence and shall be liable, in addition to the cost of reinstatement of such wire or instrument, to a fine not exceeding £5.

Urgent Calls.

13. No call except for medical or police services shall be made between the hours of 10 p.m. and 8 a.m.

Maintenance of service.

14. Government will maintain the telephone circuit in Stanley but shall not be held responsible for a breakdown in the service owing to any cause whatsoever nor shall any subscriber be entitled to claim rebate in the rental in respect thereof.

Complaints.

15. Subscribers shall report any complaints and irregularities to the Supervisor.

Non-payment of rent.

16. (1) In the event of any subscriber not paying the relative rentals provided for under these Rules within one month of the due date of payment his wire shall, without further notice to him, be disconnected and shall not be reconnected until he has paid the said rent and a reconnection fee of 5/-.

(2) Should any subscriber not pay the said rent within three months of the said date of payment the Government will remove his instrument and all telephone wires in connection therewith and the instrument shall not be reinstalled until the said rent and all costs of reinstatement have been paid.

(3) In addition to such disconnection or removal Government may claim a proportionate part of the rent of the instrument for the period during which it has been installed on a subscribers premises.

17. In these Rules where the context so admits :

Interpretation.

"subscriber" means the person who is responsible to Government for the telephone rental under these Rules.

"Private Long Distance Line" means a telephone line extending beyond Stanley erected and maintained by the owner at his entire cost.

18. The Telephone and Telegraph Rules made on the 2nd day of January 1918 are hereby rescinded. Rescission.

Made by the Governor in Council under the provisions of the Post Office Ordinance, 1898, this 19th day of August, 1949.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*



**ORDINANCES**  
**of the**  
**COLONY**  
**of the**  
**FALKLAND ISLANDS**  
**enacted during the year**  
**1950**  
**together with the**  
**Rules, Regulations, etc., etc.,**  
**made during that year.**

PART I.

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ORDINANCES.

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Printed at the Government Printing Office, Stanley, Falkland Islands.

PRICE 5/-.

To be purchased from the Colonial Secretary, Stanley, and from the Crown Agents for the Colonies, 4 Millbank, London, S.W. 1.

Assented to in His Majesty's name this 24th day of  
July, 1950.

MILES CLIFFORD,  
*Governor.*

[ L.S. ]

No. 1



1950.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To amend the Stanley Town Council  
Ordinance, 1947.

ENACTED by the Governor of the Colony of the Falkland  
Islands, with the advice and consent of the Legislative Council there-  
of, as follows —

1. This Ordinance may be cited as the Stanley Town Council Short title.  
(Amendment) Ordinance, 1950, and shall be read and construed as  
one with the Stanley Town Council Ordinance, 1947, hereinafter  
called the Principal Ordinance.

2. Section 10 of the Principal Ordinance is hereby amended Amendment :  
by the deletion of the words "Provided that no person in the estab- Section 10.  
lished service of the Government shall be nominated for election."  
appearing in the third and fourth lines thereof.

M.P. 0039/C.

This printed impression has been carefully compared by me  
with the Bill which has passed the Legislative Council, and is found  
by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

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" " 4 " "	Companies & Private Partnerships (Amendment) Ordinance.
" " 5 " "	Supplementary Appropriation (1949) Ordinance, 1950.
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" " 7 " "	Appropriation (1951-1952) Ordinance, 1950.
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Ordinance No. 1 of 1950.	Appropriation (Dependencies) (1950-1951).
" " 2 " "	Revised Edition of the Laws (Amendment) (Dependencies).
" " 3 " "	Dependencies (Amendment) Ordinance.

Assented to in His Majesty's name this 24th day of  
July, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 2



1950.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To confer upon the consular officers of foreign states with which consular conventions are concluded by His Majesty certain powers relating to the administration of estates and property of deceased persons and to restrict the powers of constables and other persons to enter the consular offices of such states.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Consular Conventions Ordinance, 1950. Short title.

2. A state to which this section applies

(1) may acquire land, buildings, parts of buildings and their appurtenances either free-hold or leasehold, for the purpose of a consular office or for a residence for a consular officer or employee or for any purpose approved by the Governor-in-Council, Ownership of land.

(2) may erect buildings and appurtenances on such land for any of the purposes specified in subsection (1) hereof subject to any regulations as to building or otherwise then in force.

Restriction of powers of entry in relation to consular offices.

3. (1) Subject as hereafter provided a consular office of a State to which this section applies shall not be entered by a constable or other person acting in the execution of any warrant or other legal process or in exercise of powers conferred by or under any law (whether passed before or after the commencement of this Ordinance) or otherwise, except with the consent of the consular officer in charge of that office or, if that consent is withheld or cannot be obtained, with the consent of a Secretary of State.

Provided that the foregoing provisions of this subsection shall not apply in relation to any entry effected

- (a) for the purpose of extinguishing a fire;
- (b) by a constable having reasonable cause to believe that a crime involving violence has been or is being or is about to be committed in the consular office;
- (c) by any person entitled to enter by virtue of any easement, contract or other private right.

(2) This section shall not apply to any consular office which for the time being is in charge of a consular officer who is a citizen of the United Kingdom and Colonies or is not a national of the State by which that office is maintained.

(3) For the purposes of this section the expression "consular office" means any building or part of a building which is exclusively occupied for the purposes of the official business of a consular officer.

Compensation for property expropriated or seized for national defence or for a public purpose.

4. Compensation for any land, building or parts of buildings and appurtenances expropriated or seized for purposes of national defence or for a public purpose payable to a state to which this section applies shall be paid at the official selling rate of exchange most favourable to the State at the time when the property was expropriated or seized in a form readily convertible into the currency of and transferable to the State not later than three months from the date on which the consulate or consular officer or employee is deprived of possession.

Powers of consular officers in relation to property of deceased person in the Colony:

5. (1) Where any person who is a national of the State to which this section applies is named as executor in the will of a deceased person disposing of property in the Colony, or is otherwise a person to whom a grant of representation to the estate in the Colony of a deceased person may be made, then if the Court is satisfied, on the application of a consular officer of the State, that the said national is not resident in the Colony, and if no application for a grant of such representation is made by a person duly authorised by power of attorney to act for him in that behalf, the court shall make to that officer any such grant of representation to the estate of the deceased as would be made to him if he were so authorised as aforesaid.

(2) Where any person who is a national of a State to which this section applies :-

- (a) is entitled to any money or other property in the Colony forming part of the estate of a deceased person, or to receive payment in the Colony of any money becoming due on the death of a deceased person; or
- (b) is among the persons to whom any money or other property of a deceased person may under any law whether passed before or after the commencement of this Ordinance be paid or delivered without grant of probate or other proof of title

then if the said national is not a resident in the Colony, a consular officer of that State shall have the like right and power to receive and give a valid discharge for any such money and property as if he were duly authorised by power of attorney to act for him in that behalf.

Provided that no person shall be authorised or required by this subsection to pay or deliver any money or property to a consular officer if it is within his knowledge that any other person in the Colony has been expressly authorised to receive that money or property on behalf of the said national.

(3) Notwithstanding the provisions of subsection (1) of section 5 of the Administration of Estates Ordinance sureties shall not be required to an administration bond given by a consular officer upon the grant of administration by virtue of this section.

(4) Notwithstanding any rule of law conferring immunity or privilege in respect of the official acts and documents of consular officers, a consular officer shall not be entitled to any immunity or privilege in respect of any act done by virtue of powers conferred on him by or under this section, or in respect of any document for the time being in his possession relating thereto.

6. (1) The Governor may by Order-in-Council direct that all or any of the sections of this Ordinance shall apply to any foreign state specified in the Order, being a state with which a consular convention providing for matters for which provision is made by any of those sections has been concluded by His Majesty.

(2) Any Order-in-Council made under this section may be revoked by a subsequent Order.

(3) Any Order made under this section shall be laid before the Legislative Council after being made.

M.P. 0918.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 24th day of July, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 3



1950.

**Colony of the Falkland Islands.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Stanley Rates Ordinance,  
1948.**

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Stanley Rates (Amendment) Ordinance, 1950, and shall be read and construed as one with the Stanley Rates Ordinance, 1948, (hereinafter referred to as the Principal Ordinance). Short title.

2. Section 3 of the Principal Ordinance shall be amended by Section 3.

(a) deleting the words "including those let to a tenant by the Government" in lines 4 and 5 of subsection (1) thereof; and

(b) by the deletion of subsection (2) thereof.

3. Subsection (a) of section 5 of the Principal Ordinance shall be amended by the deletion of the words "(except where let to a tenant)". Section 5.

4. Section 28 of the Principal Ordinance shall be amended by Section 28.

(a) deleting the words "including those let to a tenant by the Government" in subsection (1) thereof; and

(b) by the deletion of subsection (2) thereof.

M.P. 0653.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W ALDRIDGE,  
*Clerk of the Legislative Council.*

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FALKLAND ISLANDS :

Printed at the Government Printing Office by V. T. King.

Assented to in His Majesty's name this 24th day of July, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 4



1950.

**Colony of the Falkland Islands.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Companies and Private  
Partnership Ordinance, 1922.**

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Companies and Private Partnership (Amendment) Ordinance, 1950, and shall be read and construed as one with the Companies and Private Partnership Ordinance, 1922, (hereinafter referred to as the Principal Ordinance).

Short title.

2. Section 2 of the Principal Ordinance shall be deleted and the following substituted therefor :

Section 2.

“2. Subject to the provisions of this Ordinance the following Act of the Imperial Parliament is declared to be in force in the Colony in so far as it is applicable :—

Imperial Act  
in force in the  
Colony.

The Companies Act, 1948 (11 & 12 Geo. VI., Ch. 38).”

M.P. 129/22.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 24th day of  
July, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 5



1950.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To legalise certain payments made in  
the year One thousand Nine hundred and  
Forty-nine in excess of the Expenditure  
sanctioned by Ordinance No. 12 of 1948.

WHEREAS it is expedient to make further provision for  
the service of the Colony for the year 1949.

Preamble.

BE IT THEREFORE ENACTED by the Governor of the  
Colony of the Falkland Islands, with the advice and consent of the  
Legislative Council thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the  
Supplementary Appropriation (1949) Ordinance, 1950.

Short Title.

2. The sums of money set forth in the Schedule hereto  
having been expended for the services therein mentioned beyond the  
amounts granted for those services by the Ordinance providing for  
the service of the year One thousand Nine hundred and Forty-  
nine, the same are hereby declared to have been duly laid out and  
expended for the service of the Colony in that year, and are hereby  
approved, allowed and granted in addition to the sums mentioned  
for those services in the said Ordinance.

Appropriation of ex-  
cess expenditure for  
the year 1949.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
III.	Audit ... ..	122	3	10
V.	Customs ... ..	344	15	3
IX.	Land Sales ... ..	271	18	0
X.	Medical ... ..	1206	17	6
XI.	Meteorological ... ..	266	7	10
XII.	Military ... ..	257	17	4
XIII.	Miscellaneous ... ..	13565	18	7
XVI.	Police & Prisons ... ..	75	12	1
XIX.	Public Works Recurrent ... ..	3877	16	0
XXI.	Supreme Court ... ..	15	19	11
XXIII.	Extraordinary Expenditure ... ..	5632	19	8
XXIV.	War Expenditure ... ..	87	3	9
		£ 25725	9	9

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 24th day of July, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 6



1950.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To amend the Medical Practitioners,  
Midwives and Dentists Ordinance, 1914.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

1. This Ordinance may be cited as the Medical Practitioners, Midwives and Dentists (Amendment) Ordinance, 1950, and shall be read and construed as one with the Medical Practitioners, Midwives and Dentists Ordinance, 1914, (hereinafter referred to as the Principal Ordinance). Short title.

2. Subsection (3) (a) of section 5 of the Principal Ordinance shall be amended by the addition of the words

“holds any licence or degree in dental surgery or dentistry not registered within the British Commonwealth of Nations, which by order of the Governor-in-Council shall be declared a qualification for registration as a Dentist under this Ordinance : or”

after the word “or” at the end of subsection (a).

M.P. 46/38.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 28th day of  
October, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 7



1950.

**Colony of the Falkland Islands.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**  
**To provide for the service of the period**  
**1951-1952.**

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows — Enacting Clause.

1. This Ordinance may be cited for all purposes as the Short Title.  
Appropriation (1951-1952) Ordinance, 1950.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period of 15 months ending 31st March, 1952, a sum not exceeding One hundred and ninety thousand, eight hundred and sixty nine pounds which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period 1951-52. Appropriation of  
£190,869 for service  
of period 1951/52

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	4356	0	0
II.	Agriculture ... ..	3146	0	0
III.	Audit ... ..	734	0	0
IV.	Communications ... ..	11561	0	0
V.	Customs ... ..	1809	0	0
VI.	Education ... ..	11235	0	0
VII.	Medical ... ..	14302	0	0
VIII.	Meteorological ... ..	860	0	0
IX.	Military ... ..	870	0	0
X.	Miscellaneous ... ..	18911	0	0
XI.	Pensions ... ..	6900	0	0
XII.	Police and Prisons ... ..	3255	0	0
XIII.	Posts & Telegraphs ... ..	20715	0	0
XIV.	Public Works Department ... ..	14595	0	0
XV.	Public Works Recurrent ... ..	17070	0	0
XVI.	Secretariat & Treasury ... ..	10251	0	0
XVII.	Supreme Court ... ..	735	0	0
XVIII.	Extraordinary Expenditure ... ..	26250	0	0
	Total	£167555	0	0
XIX.	Colonial Development & Welfare ... ..	23314	0	0
	Total Expenditure	£190869	0	0

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by V. T. King.

Assented to in His Majesty's name this 28th day of October, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 8



1950.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

### To amend the Trade Disputes (Arbitration) Ordinance, 1949.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Trade Disputes (Arbitration) (Amendment) Ordinance, 1950, and shall be read and construed as one with the Trade Disputes (Arbitration) Ordinance, 1949, hereinafter referred to as the Principal Ordinance. Short title.

2. Section 12 of the Principal Ordinance shall be amended by the deletion of sub-section (2) and the substitution therefor of the following : Amendment of Section 12 of Ordinance No. 10 of 1949.

“(2) The expenses incurred in the operation of this Ordinance shall be defrayed as directed by the Governor-in-Council.”

Ref. 0953.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by V. T. King.

Assented to in His Majesty's name this 30th day of  
December, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 9



1950.

**Colony of the Falkland Islands.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Income Tax Ordinance, 1939.** Title.

[1st January, 1951.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands, with the advice and consent of the Legislative Council there-  
of, as follows —

Enacting Clause.

1. This Ordinance may be cited as the Income Tax (Amend-  
ment) Ordinance, 1950, and shall be read and construed as one with  
the Income Tax Ordinance, 1939, hereinafter referred to as the  
Principal Ordinance.

Short title.

2. Section 16 of the Principal Ordinance shall be amended :

Amendment :  
Section 16.

(a) by the deletion of the words "the year preceding",  
and

(b) by the deletion of the words "twenty five pounds in  
respect of every such child", and the substitution  
therefor of the words "forty pounds in respect of a  
first child and twenty five pounds in respect of each  
subsequent child".

This printed impression has been carefully compared by me  
with the Bill which has passed the Legislative Council, and is found  
by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 30th day of  
December, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 10



1950.

**Colony of the Falkland Islands.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To amend the Revised Edition of the  
Laws Ordinance, 1943, and to make amend-  
ments to certain other Ordinances for the  
purpose of facilitating the preparation of  
the Revised Edition of the Laws.

Title.

[1st January, 1950.]

Date of commence-  
ment.

WHEREAS it is provided by section 6 of the Revised Edition  
of the Laws Ordinance, 1943, that the Commissioner appointed by  
that Ordinance shall draft a Bill setting forth such alterations or  
amendments to any Ordinance as could not be made by him in  
pursuance of his powers under the Revised Edition of the Laws  
Ordinance :

Preamble.

AND WHEREAS such alterations and amendments have  
been collected and it is expedient to amend the Revised Edition of  
the Laws Ordinance, 1943, and the Ordinances specified in the  
Schedule hereto in manner hereinafter appearing :

BE IT THEREFORE ENACTED by the Governor of the  
Colony of the Falkland Islands with the advice and consent of  
the Legislative Council thereof :

Enacting Clause.

1. This Ordinance may be cited as the Revised Edition of  
the Laws (Amendment) Ordinance, 1950, and shall be read and  
construed as one with the Revised Edition of the Laws Ordinance,  
1943, (hereinafter referred to as the Principal Ordinance), and shall  
be deemed to have come into force on the 1st January, 1950.

Short title and  
commencement.

Amendment of  
section 2.

2. Section 2 of the Principal Ordinance is amended by deleting the definitions of "revised edition of Ordinances" and "revised edition of subsidiary legislation" and adding the following definitions after the definition of "Commissioner":

"laws" mean Ordinances and subsidiary legislation;

"Revised edition" means the revised edition of the laws of the Colony to be prepared under the authority of this Ordinance.

"Subsidiary legislation" means the proclamations, rules, regulations, orders, by-laws, notifications and other forms of subordinate legislation made or enacted under the authority of any Ordinance.

Amendment of  
section 3.

3. Section 3 of the Principal Ordinance is amended by the substitution of the word "laws" for the words "Ordinances and a revised edition of subsidiary legislation" in subsection (1).

Amendment of  
section 4.

4. Section 4 of the Principal Ordinance is amended -

- (a) by deleting the words "of Ordinances" where they occur before the words "the Commissioner";
- (b) by substituting the word "law" or "laws" for the word "Ordinance" or "Ordinances" wherever they occur in the section.
- (c) by substituting the words "Republic of Ireland or the Republic of India" for the words "Irish Free State" in paragraph 10.
- (d) by replacing the numbers of paragraphs (1) to (12) by the letters (a) to (l), and the letters of subparagraphs (a) to (f) of paragraph (1) by the numbers (i) to (vi).

Amendment of  
section 5.

5. Section 5 of the Principal Ordinance is amended -

- (a) by deleting the words "of Ordinances" from subsection (1) and (2) of the section.
- (b) by renumbering subsection (2) of the section as subsection (3).
- (c) by substituting the words "and second schedules" for the word "Schedule" in subsection (3).

Amendment of  
section 6.

6. Section 6 of the Principal Ordinance is amended -

- (a) by substituting the word "law" for the word "Ordinance" in subsection (1).
- (b) by substituting the word "enacted" for the words "submitted to the Legislative Council and be dealt with" in subsections (2) and (3).

Amendment of  
section 7.

7. Section 7 of the Principal Ordinance is amended by deleting the words "of Ordinances" where they occur in subsections (1) and (2).

Amendment of  
section 8.

8. (1) Section 8 (1) of the Principal Ordinance is repealed and replaced by the following -

(1) The Governor, being authorized thereto in the case of the Colony by a resolution of the Legislative Council may, by proclamation, order that the revised edition shall come into force on such date as he may think fit.

(2) Section 8 (2) of the Principal Ordinance is amended

- (a) by the deletion of the words "of Ordinances" after the words "revised edition";
- (b) by the substitution of the words "laws in force" for the words "Ordinances in force".

9. Section 9 of the Principal Ordinance is amended by the deletion of the words "of Ordinances" where they occur after the words "revised edition".

Amendment of  
section 9.

10. Section 10 of the Principal Ordinance is repealed.

Repeal of section 10.

11. (1) Section 11 (1) of the Principal Ordinance is re-numbered as section 5 (2) and amended by deleting the words "of subsidiary legislation" after the words "revised edition".

Amendment of  
section 11.

(2) Section 11 (2) of the Principal Ordinance is repealed.

12. Section 12 of the Principal Ordinance is repealed.

Repeal of section 12.

13. Section 14 of the Principal Ordinance is amended by deleting the words "of Ordinances or the revised edition of subsidiary legislation".

Amendment of  
section 14.

14. Section 15 of the Principal Ordinance is amended by deleting the words "of Ordinances and the revised edition of subsidiary legislation".

Amendment of  
section 15.

15. Section 18 of the Principal Ordinance is repealed and replaced by the following :-

Amendment of  
section 18.

"18. The text of this Ordinance, as amended by any subsequent Ordinance, shall be printed at the commencement of the Revised Edition, with such alterations as the Commissioner shall deem fit to make in exercise of the powers conferred upon him by section 4 of this Ordinance."

16. (1) The First Schedule of the Principal Ordinance is amended by the deletion of the words "Enactments to be omitted from the Revised Edition of Ordinances." and the marginal reference.

Amendment of the  
First and Second  
Schedules.

(2) The Second Schedule of the Principal Ordinance is amended by the deletion of the words "Enactments to be Omitted from the Revised Edition of Subsidiary Legislation" and the marginal reference.

17. The Ordinances specified in the first column of the Schedule hereto are hereby amended in the manner indicated in the second column thereof, or repealed as indicated therein, and the said amendments shall be incorporated by the Commissioner in the Revised Edition.

Amendment of Ordin-  
ances specified in  
Schedule.

18. The said amendments effected hereby and mentioned in the Schedule shall be deemed to have come into force on the respective dates specified in the third column of the Schedule, without prejudice, nevertheless to any act legally done or right acquired since the said respective dates under or by virtue of the sections therein specified or any of them.

Commencement of  
amendments.

## THE SCHEDULE.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
Administration of Estates Ordinance, 3 of 1949.	<p>Section 3 is repealed and replaced by the following:—</p> <p>"3. Applications for Probate and Letters of Administration shall be made by petition on oath to the Judge and shall state,</p> <p>(1) in the case of an application for Probate or Letters of Administration with the Will annexed, the date of death of the testator, that the document produced is to the best of the petitioner's knowledge and belief the last Will and Testament of the testator, and that (in the case of an application for Probate) the petitioner is the person named as executor, or (in the case of an application for Letters of Administration with the Will annexed) that either no executors were appointed, or that they are dead, or have renounced their right to Probate, and the capacity in which the petitioner is entitled;</p> <p>(2) in the case of an application for Letters of Administration, the date of death of the deceased, that to the best of the petitioner's knowledge and belief he died intestate, and the grounds on which the petitioner applies for Letters of Administration."</p> <p>Section 24 is repealed.</p>	1st June, 1949.
Administration of Justice Ordinance, 1 of 1949.	<p>Section 2. The definition of "Appeal" is deleted.</p> <p>Section 5 (1). After the figure "£5" the words "or imprisonment exceeding one month;" are added.</p> <p>Section 8 is repealed and replaced by the following:—</p> <p>"8. The Judge of the Supreme Court</p> <p>(a) shall be appointed by Letters Patent under the Public Seal issued by the Governor in pursuance of a warrant under His Majesty's Signet and Sign Manual, or of instructions received through the Secretary of State, and shall hold office during His Majesty's pleasure, and shall not be removed from office except in accordance with His Majesty's pleasure signified under His Sign Manual:</p> <p>Provided that the Governor may, with the advice of the Council, for good cause suspend the Judge from executing his office until His Majesty's pleasure is known:</p> <p>(b) shall be a member of the Bar of England, Ireland or Scotland, or of some other Commonwealth country, of at least five years standing: Provided that, whenever the office of Judge is vacant, or the holder thereof is suspended, or is incapable of performing his duties by reason of illness, absence from the Colony or otherwise, the Governor may act as Judge, or may appoint a fit person to act as Judge until His Majesty's pleasure be known, or until the Judge becomes capable of resuming his duties."</p> <p>Section 17. The words "by reason of some disqualification or exemption", are deleted and the words "on the grounds of illness or, if a woman, for medical reasons" are deleted and replaced by the words "on production of a certificate signed by a registered medical practitioner stating that he is unfit to attend."</p> <p>Section 22. Clause (1) is repealed and replaced by the following:—</p> <p>"(1) an accused charged with treason or felony shall be entitled to challenge six jurors peremptorily."</p>	1st April, 1949.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
	<p>and the following clause is added:—</p> <p>"(3) Each challenge for cause shall be tried forthwith by the Judge or Court by whom the case is to be tried."</p> <p>Section 24 is amended by the deletion of the words "to view" and by the addition after the word "party" of the words "to view the place in which any transaction material to the trial is alleged to have occurred."</p> <p>Section 26. Subsection (2) is repealed and replaced by the following:—</p> <p>"(2) The verdict shall be given in Court and, in a criminal case, in the presence of the accused."</p> <p>Section 27 is amended by the addition of the following subsection as subsection (3):—</p> <p>"(3) Where both parties have applied for a jury the above fees shall be payable by them in equal shares."</p> <p>Section 28 is repealed and replaced by the following:—</p> <p>"28. Any person who (a) attempts to corrupt or influence a juror by any means other than evidence and argument in open Court at the trial; or (b) gives money to a juror in consideration of his giving, or having given, a verdict favourable to one of the parties; or (c) by improper means procures himself or others to be sworn upon a jury for the purpose of giving a verdict favourable to one of the parties; or (d) induces a juror not to appear, and any juror who consents to or assists in the commission of any of the acts mentioned in paragraphs (a), (b), (c) or (d) hereof shall be guilty of a misdemeanour and shall be liable on conviction or indictment to a fine not exceeding £100, or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment."</p> <p>Section 30 is repealed and replaced by the following:—</p> <p>"30. Any person who shall know that a person has died from other than natural causes shall forthwith inform the coroner, or the nearest justice or police officer thereof, and any such person who, not having reasonable grounds for believing that information has already been given, wilfully fails to give such information, shall be liable on summary conviction to a fine not exceeding £10."</p> <p>Section 44 is amended by the addition between the words "in a Court" and the words "and the practice" of the words and comma "sitting to hear and determine a criminal case."</p> <p>Section 45 (1). The words "the opposite party is not deceived or misled" are deleted and replaced by the words "no party is deceived, misled or prejudiced thereby."</p> <p>Section 45 (2). The words "deceive or mislead" are deleted and replaced by the words "deceive, mislead or prejudice a party".</p> <p>Section 47 is amended by the addition after the words "of any offence" of the words "punishable summarily".</p> <p>Section 48 is amended by the substitution of the word "magistrate" for the word "Justice" wherever it occurs.</p> <p>Section 49 is amended:</p> <p>(1) by the addition of the figure "(1)" after the figure "49" and by substituting a colon for the full stop after the words "the leave of the Court";</p> <p>(2) by the deletion of the figure and word "(2) Where" and the substitution of the words "Provided that where";</p> <p>(3) by putting a full stop after the words "prosecution of his action" and the deletion of the remainder of the subsection;</p>	

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
	<p>(4) by renumbering subsection (3) as subsection (2).</p> <p>The Ordinance is amended by the addition of the following section as section 51A:</p> <p>"51A. An appeal to the Supreme Court shall lie -</p> <p>(a) in a civil case from every decision of a Court;</p> <p>(b) in a Criminal case from every decision of a Court by which an accused person has been convicted and sentenced to imprisonment for a term exceeding one month or to a fine exceeding £2: Provided that where the accused shall have pleaded guilty an appeal shall not lie save as to the amount or legality of the sentence.</p> <p>Section 69 is amended by deleting the words "shall apply to the Dependencies and"</p> <p>Section 2 is repealed and replaced by the following :-</p> <p>"2. In this Part of this Ordinance, unless the context otherwise requires -</p> <p>"Alien" means a person who is neither a British subject, a British protected person, a citizen of India, nor a citizen of the Republic of Ireland;</p> <p>"Deportation order" means an order made pursuant to section 5 of this Ordinance."</p> <p>Sections 3 and 4 are repealed.</p> <p>Section 5 is renumbered as section 5 (1): clause (1) of section 5 is renumbered (a), and the following is added as clause (b) :-</p> <p>"(b) if he is a prohibited immigrant, as defined by the Immigration Ordinance, or is convicted of an offence under that Ordinance or any regulation made thereunder: or".</p> <p>Clause (2) is renumbered (c); and the following is added as subsection (2) :-</p> <p>"(2) The Governor in Council may at any time revoke any deportation order."</p> <p>Section 6 is repealed and replaced by the following :-</p> <p>"6. (1) An alien in respect of whom a deportation order is in force, or in respect of whom the Judge or a magistrate has certified that it is recommended that a deportation order should be made, may be detained in such manner as may be directed by the Governor, and may be placed in a ship about to leave the Colony, and while so detained and until the ship finally leaves the Colony, shall be deemed to be in legal custody.</p> <p>(2) No person shall be detained under subsection (1) of this section for a period exceeding sixty days and, if at the expiration of such period he has not been deported as aforesaid, the deportation order shall cease to have effect."</p> <p>Section 10 is renumbered as Section 10 (1) and the following is added as subsection (2) :-</p> <p>"(2) Any such regulation may provide that the contravention thereof shall be an offence punishable on conviction with such fine, not exceeding £100, or with such imprisonment, not exceeding six months, as may be prescribed in such regulation."</p>	31st December, 1949.
Aliens Ordinance, 22 of 1949.		
Aliens (Landholding Regulation) Ordinance, 3 of 1925.	Section 2. The definition of "alien" is amended by adding after the words "British subject" the words "a British protected person, a citizen of India nor a citizen of the Republic of Ireland".	1st January, 1950.
Census Ordinance, 1 of 1901.	Section 8 is amended by the deletion of the words "from which a defective schedule has been received"	1st January, 1950.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
	<p>and the substitution therefor of the words "and shall collect all schedules left to be filled up".</p> <p>Section 14 is repealed and replaced by the following :-</p> <p>"14. A married woman may enter into a contract of partnership and shall be entitled to act as a <i>feme sole</i> with regard to the partnership."</p> <p>Section 18 is repealed and replaced by the following :-</p> <p>"18. Partners shall bear any loss mutually; but a partner may stipulate as between himself and the other partners that he shall not be liable to contribute to the loss."</p> <p>Section 48 is repealed.</p> <p>Section 50 is repealed.</p> <p>Section 51 is renumbered as section 51 (1) and the following subsections (2), (3) and (4) are added :-</p> <p>"(2) A person who is admitted as a partner into an existing partnership does not thereby become liable to the creditors of the partnership for debts or obligations incurred before he became a partner.</p> <p>(3) A partner who retires from a partnership does not thereby cease to be liable for partnership debts or obligations incurred before his retirement.</p> <p>(4) A retiring partner may be discharged from any debts or obligations of the partnership existing at the time of his retirement by an agreement to that effect between himself and the members of the partnership as newly constituted and the creditors, and such agreement may be either express or implied as fact from the course of dealing between the creditors and the partnership as newly constituted."</p> <p>Section 52. Subsection (1) is amended by the substitution of a comma for the full stop after the word "business" and the addition of the words "or if the act has been endorsed and accepted by the firm."</p> <p>Subsection (6) is repealed.</p> <p>Section 62 is repealed.</p> <p>Section 97 is repealed and replaced by the following :-</p> <p>"97. The conviction of a partner for treason or felony operates as a dissolution of the partnership."</p> <p>Section 129 is repealed.</p>	1st January, 1950.
Companies and Private Partnership Ordinance, 7 of 1922.		
Dairy Produce Ordinance, 2 of 1938.	<p>The Ordinance is amended by the addition of the following section after section 2 thereof :-</p> <p>"2A. Every dairy shall be registered as prescribed under this Ordinance, and no person shall supply, sell or offer for sale any dairy produce unless he is duly licensed in that behalf."</p> <p>Section 15. Subsection (1) is amended by the addition after the words "certificate of registration" of the words "or licence granted to such person pursuant to any regulation made under section 16 of this Ordinance."</p> <p>Subsection (2) is amended by the deletion of the words "so to do or during the period of suspension of his licence" and the substitution of the words "or licensed to do so pursuant to any regulation made under section 16 of this Ordinance, or during the period of suspension of any certificate of registration or licence suspended pursuant to subsection (1) of this section."</p> <p>Section 3 is amended by deleting the figure "5".</p>	1st January, 1950.
Dairy Produce (Amendment) Ordinance, 42 of 1949.		
Dangerous Drugs Ordinance, 2 of 1949.	Section 20 is repealed.	1st June, 1949.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
Defence Force Ordinance, 7 of 1920.	Section 13 (1) is amended by the substitution of the word "forty-one" for the word "forty" and by the deletion of clause (a) and the substitution therefor of the following :- "(a) may at any time thereafter, on application in writing to the Commanding Officer, be posted to the Retired List and his name shall thereupon be removed from the Active List."	1st January, 1950.
Diplomatic Privileges (Extension) Ordinance, 5 of 1949.	Section 6 is repealed.	1st June, 1949.
Estate Duty Ordinance, 4 of 1949.	Section 2. The definition of "Colony" is amended by the deletion of the words "including its Dependencies."	1st June, 1949.
Immigration (Restriction) Ordinance, 34 of 1949.	Section 2 is amended by adding the following definition :- " 'Alien' means a person who is neither a British subject, a British protected person, a citizen of India nor a citizen of the Republic of Ireland. " The Ordinance is amended by adding the following as section 5A :- "5A. Every alien immigrant over the age of 16 years shall within seven days of his landing in the Colony register with the Chief Constable and furnish him with such particulars as he may require and if he shall fail without reasonable excuse to comply with the provisions of this section he shall commit an offence."	31st December, 1949.
Interpretation and General Law Ordinance, 6 of 1949.	Section 1 is amended by deleting the full stop and adding the words :- "and shall be deemed to have come into force on the 1st January, 1949." Section 2 is amended :- (1) by deleting the definition "British Empire"; (2) by repealing the definition of "Colony" and replacing it by the following :- " 'The Colony' in any Ordinance which is expressed to apply to the Colony means the Colony of the Falkland Islands, and shall be deemed to include territorial waters: in any Ordinance which is expressed to apply to the Colony and the Dependencies, or is or has been applied to the Dependencies, it includes the Dependencies and the territorial waters thereof." (3) by repealing the definition of "Colonial waters" and replacing it by the following :- " 'Colonial waters' include territorial waters." (4) by the addition of the following definitions after the definition of "Common law" :- " 'Commonwealth' means collectively the United Kingdom, any other part of His Majesty's Dominions, India, and territory under His Majesty's protection and any territory administered by the Government of any part of His Majesty's Dominions in accordance with a Mandate from the League of Nations or under Trusteeship of the United Nations." After the definition of "Daily penalty" :- " 'the Dependencies' mean the Dependencies of the Colony of the Falkland Islands, that is to say, all islands and territories between the 20th degree of West longitude and the 50th degree of West longitude that are situated south of the 50th parallel of South latitude and all islands and territories between the 50th degree of West longitude and the 80th degree of West longitude that are situated south of the 58th parallel of South latitude."	1st January, 1949.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
	After the definition of "Harbour" :- " 'Immovable property' includes land, benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth." (5) by repealing the definition of "Law". (6) by repealing the definition of "Person" and replacing it by the following :- " 'Person' includes any corporation, club, society or other body corporate or unincorporate." (7) by repealing the definition of "Property" and replacing it by the following :- " 'Property' includes money, goods, choses in action, land and every description of property, whether real or personal."	
	Section 10 is amended by being re-numbered as section 10. (1) and by the addition of the following as subsection 10. (2): "10. (2) All orders, rules, regulations, by-laws and scales of fees, charges or fines, made or prescribed under any Act or Ordinance prior to its repeal, shall, if the repealing Ordinance provides for making orders, rules, regulations or by-laws, or prescribing scales of fees, charges or fines, remain in force after such repeal until they are revoked or superseded by orders, rules, regulations, by-laws, or scales of fees, charges or fines made or prescribed under and by virtue of the repealing Ordinance, and they may be read with such verbal alterations as may be required to make them applicable to the requirements of the repealing Ordinance."	
	Section 14 (as amended by Ordinance 15 of 1949) is amended by being renumbered as Section 14 (1) and by the substitution of the words and figures "22nd May, 1900" for the words and figures "1st January 1949". The Ordinance is amended by the addition of the following as Section 14 (2) - "(2) So much of the enactments specified in the Schedule hereto as is not already in force in the Colony and is capable of being applied therein by Ordinance shall apply therein with such modifications as the circumstances of the Colony require," and by the addition of the following Schedule - "Schedule. The Merchant Shipping Acts, 1894-1948. The Married Women's Property Act, 1907. The Protection of Animals Act, 1911. The Forgery Act, 1913. The Criminal Law Amendment Act, 1924. The Trustee Act, 1925. The Criminal Law Amendment Act, 1928. The Marriage (Prohibited Degrees of Relationship) Act, 1931. The Sentence of Death (Expectant Mothers) Act, 1931. The Children and Young Persons Act, 1933, Sections 1 and 53. The Counterfeit Currency (Convention) Act, 1935. The Law Reform (Married Women and Tortfeasors) Act, 1935. The Infanticide Act, 1938. The Criminal Justice Act, 1948, Section 2."	
	Section 17 is repealed and replaced by the following :- "17. Whenever by any Order of the King in Council or Ordinance any Act is extended or applied to the Colony, such Act shall be read with such formal alterations as to names, localities, courts, officers, persons, moneys, penalties and otherwise as may be necessary to make it applicable to the circumstances."	

Ordinance to be amended.	Detail of amendment or repeal.	Date of coming in force of amendment or repeal.
Land Ordinance, 28 of 1949.	<p>Section 2 is amended by repealing the definition of "Land" and replacing it by the following :-</p> <p>"'Land' includes any messuages, tenements and buildings thereon, and any estate or interest therein, but does not include minerals."</p> <p>Section 3 (1) is amended by the substitution of the word "may" for the word "shall".</p> <p>Section 3 (2) (b) is amended by the addition after the word "defective" of a comma and the words "or as".</p> <p>Section 4 (1) is amended by the substitution of the word "may" for the word "shall".</p> <p>Section 4 (2) is amended</p> <p>(1) by repealing clause (a) and substituting therefor the following :-</p> <p>"(a) on the part of a mortgagor conveying as beneficial owner, for the right to convey free from incumbrances (except as therein mentioned): that upon default in payment of the money thereby secured, or any part thereof, or any interest thereon, contrary to any provision therein contained, the mortgagee may enter into possession and quietly enjoy the mortgaged land; and for further assurance;"</p> <p>(2) by the addition of the following as clause (b):-</p> <p>"(b) on the part of a mortgagor conveying as trustee, personal representative of a deceased person, committee of a person of unsound mind, receiver of the income of a person of unsound mind or of a defective, or as tenant for life, or under an order of the Court, the covenants contained in section 3 (2) (b) ;"</p> <p>(3) by renumbering clause (b) as clause (c).</p> <p>Section 5 is amended by the substitution of the word "may" for the word "shall" after the word "mortgage".</p> <p>Section 7 (1) is amended by the substitution of the word "may" for the word "shall".</p> <p>Section 7 (3) is amended by the addition after the word "power" of a comma and the words "subject to the provisions contained in the proviso to section 27 (1) and in section 27 (2) of this Ordinance with the substitution of "the lessor" for "the Governor."."</p> <p>Section 8 (1) is amended by the addition after clause (e) of the following :-</p> <p>"(f) an assignment of a lease by the assigner and assignee;"</p> <p>Section 9 (1) is amended by the substitution for the words "of agreement for an assignment for a lease" of the words "or an agreement for a lease or for an assignment of a lease."</p> <p>Section 16 is amended by the addition after the words "Lease. The lessee" of the words "Assignment of lease. The assignee".</p> <p>Section 27 is amended by being renumbered as section 27 (1) and by the addition of the following Proviso and subsection (2) :-</p> <p>"Provided that the right of re-entry or forfeiture for a breach of any covenant or condition in a lease shall not be enforceable unless and until there shall be served on the lessee a notice -</p> <p>(a) specifying the breach complained of; and</p> <p>(b) if the breach is capable of remedy, requiring the lessee to remedy the breach; and</p> <p>(c) in any case requiring the lessee to make compensation in money for the breach;</p> <p>and the lessee fails within a reasonable time thereafter</p>	31st December, 1949.

Ordinance to be amended.	Detail of amendment or repeal.	Date of coming in force of amendment or repeal.
	<p>to remedy the breach and to make compensation in money, to the satisfaction of the Governor, for the breach.</p> <p>The foregoing proviso shall not extend :-</p> <p>(i) to a covenant or condition against assigning, underletting or disposing of the land leased; or</p> <p>(ii) to a condition for forfeiture on the bankruptcy of the lessee, or on taking in execution of his interest.</p> <p>(2) Where it is proposed to enforce such a right of re-entry or forfeiture the lessee may apply to the Court for relief; and the Court may grant or refuse relief as the Court, having regard to all the circumstances, thinks fit; and may grant relief on such terms as to costs, expenses, damages, compensation or otherwise as the Court in the circumstances of each case thinks fit."</p> <p>Section 28 is amended by adding the following clause as clause (i) :-</p> <p>"(i) The right to hunt, kill and take seals is reserved to the Government and such persons as are duly licensed by the Government."</p>	
Law Revision (Repeal) Ordinance, 26 of 1949.	<p>The Schedule is amended by deleting therefrom "Ordinance 4 of 1893, the Christ Church Ordinance," and "Ordinance 4 of 1938, the Civil Procedure Ordinance."</p> <p>and by adding thereto "Ordinance No. 5 of 1900, the Alien Ordinance" and "Ordinance No. 6 of 1928, the Alien (Amendment) Ordinance".</p>	31st December, 1949.
Licensing Ordinance, 12 of 1949.	<p>The word "intoxicating" is added before the word "liquor" throughout the Ordinance, except where it already precedes the word "liquor".</p> <p>Section 26 is amended by repealing the words following the words "exceeding one year".</p> <p>Section 32 is amended by substituting the words "and upon conviction shall forfeit his licence and be disqualified for all time" for the words "and he shall forfeit his licence and be disqualified for any period", and by the addition of the following proviso :-</p> <p>"Provided that the Governor-in-Council if he considers for special reasons Justice so requires, may direct that the person convicted shall not be so disqualified or that disqualification shall cease to have effect at the expiration of such period as the Governor-in-Council shall specify".</p> <p>Section 36 is repealed and replaced by the following :-</p> <p>"36. Any person who, during the time at which licensed premises are directed to be closed by or in pursuance of this Ordinance sells or exposes for sale on such premises any intoxicating liquor, or opens or keeps open such premises for the sale of intoxicating liquor, or allows any intoxicating liquor, although purchased before the hours of closing, to be consumed on such premises by any person other than are <i>bona fide</i> lodging therein, or during such time allows anyone other than as aforesaid, to play at billiards or bagatelle or any other game on such premises, and any persons, other than are <i>bona fide</i> lodging in such premises, who shall consume any intoxicating liquor or play any game as aforesaid during such time, shall commit an offence."</p> <p>Section 39 (1) is amended by the addition of the word "such" after the words "take or carry away".</p> <p>Section 48 is amended by the addition of the word "or" at the end of clause (a).</p> <p>Section 49 is repealed.</p>	31st December, 1949.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
	<p>Section 57 is repealed and replaced by the following :-</p> <p>"57. (1) If upon information given on oath it appears to any Justice that there is reasonable cause for suspecting that any intoxicating liquor is kept for the purpose of sale or is being or has been sold by any person not duly licensed in that behalf or by any person in any house building vessel or boat not specified in his licence or in any manner not authorized by his licence, such Justice may by warrant under his hand directed to any constable or constables or other officer of police authorize such officer to enter and search such premises, and by the said warrant may, if he thinks fit, specially authorize such officer to enter and search such premises at any time of the day or night, and moreover if he thinks fit, may specially authorize such officer, with or without assistance, to break open or otherwise use force in order to effect an entry to such premises.</p> <p>(2) If, upon search under this section, any intoxicating liquor or any vessels used for holding or measuring the same is found, it shall be lawful for the officer executing the warrant to take possession of and secure such liquor or vessel; and he may apprehend and bring before a Magistrate or any two Justices not only the person in whose premises the same are found, but also every other person found in such premises who appears to have been employed or to have assisted in the selling of such liquor, and unless it be made to appear to such Magistrate or Justices that such liquor was not on the premises for the purpose of being illegally sold and was not illegally sold the person in whose premises such liquor is found and every person so appearing to have been employed or to have assisted in the selling thereof in such premises shall be guilty of an offence.</p> <p>(3) Any intoxicating liquor found on any search under this section, together with any vessels used for holding or measuring the same, shall, upon any conviction in respect thereof, be forfeited to the use of His Majesty.</p> <p>(4) Every warrant issued under this section shall remain in force for one month from the day of the date thereof, and it shall be no defence to any charge under subsection (1) that the intoxicating liquor found on the premises was deposited or brought thereon after the issue of the warrant.</p>	
Marriage Ordinance, 16 of 1949.	<p>Section 12 is amended by substituting the word "or" for the word "and" where it occurs in paragraph (1).</p> <p>Section 22 is repealed.</p>	31st December, 1949.
Mental Treatment Ordinance, 20 of 1949.	<p>Section 4 is amended by deleting the words "the Senior Medical Officer or another registered medical practitioner to examine the person suspected of being of unsound mind" and substituting therefor "that the person suspected of being of unsound mind be examined by two registered medical practitioners", and by substituting the words "they shall, if they consider" for the words "such practitioner shall, if he considers" and the words "in their opinion" for the words "in his opinion" and the words "they found their opinion" for the words "he founds his opinion".</p> <p>Section 17 is amended by substituting a full stop for the comma after the word "therein" in subsection (3) and deleting the remaining words of the subsection, and by the addition of the following subsection as subsection (4) :-</p> <p>"(4) In addition to the annual report the visitors, or any of them shall at any time make such reports upon any matter connected with an approved place as they shall see fit, or as may be specially directed by the Governor."</p>	31st December, 1949.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
Pensions Ordinance, 13 of 1949.	<p>Section 2. The definition of "Personal Allowance" is amended by the deletion of the word "does" and the substitution of the words "pensionable emoluments do"; and the definition of "Public Service" is amended by the deletion of the words "territory under British Mandate" and the substitution therefor of the words "mandated or trust territory administered by the Government of any part of His Majesty's dominions or of the New Hebrides", and by the deletion of the words "under the High Commissioner for Transport in Kenya and Uganda", and by the addition after the words "Act amending or replacing the same," of the words "or under the Colonial Superannuation Scheme, or in a Colonial University College, or pensionable employment under a local authority in the United Kingdom or in".</p> <p>Section 6 is amended by being renumbered as section 6 (1) and by the addition of the following as subsection (2) :-</p> <p>"(2) Any pension or gratuity granted under this Ordinance shall be computed in accordance with the provisions in force at the actual date of an officer's retirement."</p> <p>Section 10 (1) is amended by the deletion of the words "in lieu of his pension."</p> <p>Section 13 (1) is amended by the addition of the word "competent" before "Court".</p> <p>Section 17 is amended by the substitution of the words "fifteen-sixtieths" for the words "fifteen seventy-seconds" in subsection (4), by renumbering subsection (5) as subsection (6), and by the addition of the following as subsection (5) :-</p> <p>"(5) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein, or of a period of leave therefrom, dies as a result of damage to the vessel or vehicle in which he is travelling, or of any act of violence directed against such vessel or vehicle, and the Governor is satisfied that such damage or act is attributable to circumstances arising out of war in which His Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died in the circumstances described in subsection (1) of this section."</p>	31st December, 1949.
Police and Prisons Ordinance, 11 of 1949.	Section 18 is repealed.	1st June, 1949.
Public Health Ordinance, 5 of 1894.	<p>Section 46C (1) is amended by the deletion of the words from "If it shall appear" up to "for human consumption is", both inclusive, and the substitution therefor of the following :-</p> <p>"(1) A medical officer or an inspector may at all times examine any article of food or drink intended for human consumption, which has been sold, or is offered or exposed for sale, and if it appears to him to be".</p> <p>Section 6C is further amended by the addition of the following subsection as subsection (2) :-</p> <p>"(2) An officer who seizes any article of food or drink under the preceding subsection shall inform the person in whose possession it was found of his intention to have it dealt with by a Court, and any person who might be liable to a prosecution in respect thereof shall, if he attends before the Court upon the application for its condemnation, be entitled to be heard and to call witnesses".</p> <p>Section 6C (2) is renumbered as section 6C (3).</p>	31st December, 1949.

Section 12 is amended by the addition of the following subsection (1) :-

"(1) If the person upon whom a notice to abate a nuisance has been served makes default in complying therewith, or if the nuisance, although abated since the service of the notice, is in the opinion of the Board likely to recur on the same premises, the Board shall cause a complaint to be made to a Justice, and the Justice shall thereupon issue a summons requiring such person to appear before a court of summary jurisdiction.

Section 12 (1) is renumbered as section 12 (2).

Section 13 is amended by being renumbered as section 13 (1) and by the addition after the word "fails" of the words "without reasonable excuse".

Section 13 is further amended by the addition of the following subsection as subsection (2) :-

"(2) Without prejudice to the provisions of subsection (1) of this section, where an order to abate a nuisance has not been complied with the Board may abate the nuisance and recover the cost of so doing from the person in default".

Section 14 (4) is amended by the deletion of the word "failing" and the substitution of the words "who fails without reasonable excuse".

Quarantine Ordinance,  
7 of 1908.

Section 9 as amended by the Quarantine (Amendment) Ordinance, 1949, is amended by the deletion of the words "may be apprehended without warrant and".

Regulation 2 is amended by substituting for the definitions of "Infected ship", "Suspected ship" and "Healthy ship" the following :-

"'Infected ship' means (a) one on board of which a case of human plague is present or broke out more than six days after embarkation, or on which plague infested rats are found; or

(b) one on board of which there is, or has been during the five days previous to the ship's arrival, a case of cholera; or

(c) one on board of which there is, or was at the time of its departure or during the voyage, a case of yellow fever; or

(d) one on board of which there is, or has been during the voyage, a case of small-pox.

"'Suspected ship' means (a) one on board of which a case of human plague broke out in the first six days after embarkation, or in which investigations have shown an unusual and unexplained mortality among rats; or

(b) on board of which there has been a case of cholera at the time of departure or during the voyage, but no fresh case in the five days previous to arrival; or

(c) one which arrives after a voyage of less than six days from an infected port or a port in close relation with an endemic centre of yellow fever or arrives after a voyage of more than six days and there is reason to believe that it may transport adult *stegomyia (aedes egypti)* emanating from the said port; or

(d) one on board of which there has been during the voyage a case of small-pox but no fresh case in the twelve days previous to arrival."

"'Healthy ship' means a ship which, although having come from an infected place, has had on board no case of any infectious or contagious disease nor any rat plague either at the time of departure or during the voyage or on arrival, and the investiga-

31st December, 1949.

tions regarding rats have not shown an unusual mortality, or if, on arriving after a voyage of more than six days from a place infected with yellow fever, it has no case of yellow fever on board, and either there is no reason to believe that it transports adult *stegomyia*, or it is proved to the satisfaction of the Health Officer that the ship, during its stay in the infected place, was moored at a distance of at least 200 metres from the inhabited shore and at such a distance from harbour vessels as to make the access of *stegomyia* improbable, or that the ship, at the time of departure, was effectively fumigated in order to destroy mosquitoes."

Regulation 16 (b) (i) is amended by substituting "six days" for "five days".

Regulation 16 (b) (iv) is amended by substituting "fourteen days" for "twelve days".

Regulation 16 (e) is amended by substituting "twenty-four hours" for "forty-eight hours".

Regulation 16 (f) is amended by adding at the end thereof, "or the ship shall be moored at least 200 metres from the inhabited shore and at such a distance from the harbour boats as will render the access of *stegomyia* improbable;"

Regulation 16 (g) is deleted and replaced by the following:-

"(g) In the case of cholera (i) when the drinking water is suspected it shall be emptied out after disinfection, and replaced, after disinfection of the tanks, by a fresh supply of wholesome water:

(ii) the bilge water after disinfection shall be pumped out;

(iii) the emptying or discharge into the waters of the port of human dejecta as well as of the waste waters of the ship may be forbidden unless they have been previously disinfected."

Regulation 16 is amended by the addition of the following clause :-

"(h) in the case of plague or cholera unloading shall be carried out under the supervision of the Health Officer and the persons engaged therein shall be subjected to observation or surveillance for a period of five days from the time when they cease unloading."

Regulation 18 (a) (iv) is amended by substituting "fourteen days" for "twelve days".

Section 14 is repealed.

1st June, 1949.

Registration Ordinance, 9 of 1949.

Stanley Town Council Ordinance, 1 of 1947.

Section 3 (4) is repealed.

1st January, 1949.

Section 8 (1) is repealed and replaced by the following:-

"8. (1) Elections shall be held biennially on the second Wednesday in the month of December. At each biennial election the more recently elected councillor in each ward shall remain in office and the other shall retire automatically and shall be eligible to be a candidate at any subsequent election, other than that at which he retires or an election to fill a casual vacancy held before the next biennial election: Provided that a councillor elected to fill a casual vacancy shall hold office until the date upon which the person in whose place he is elected would regularly have retired, and he shall then retire".

Section 66 is amended by the deletion of the words "of the Supreme Court" and the substitution of the words "upon the trial of".

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
	<p>Section 67 is amended by the deletion of the word "Supreme".</p> <p>Section 68 is amended by the deletion of the words "of the Supreme Court" and the substitution of the words "upon the trial of".</p> <p>Section 74 (4) is amended by the addition of the word "general" before the words "authority of the Council" and by the deletion of the words "as provided in sub-section (3)".</p> <p>Section 82 (1) is amended by the addition after the words "other matter" of the words "and is present" and by the addition after the word "committee" of the words "at which the contract or other matter is under consideration".</p> <p>The Ordinance is amended by the addition of the following section as section 119A:—</p> <p>"119A. The Council shall have power to make and levy rates in order to provide such moneys as may from time to time be required by the Council to enable them to perform the duties which by this or any other Ordinance they may be authorised or required to perform".</p>	
Stanley Town Council (Powers) Ordinance, 18 of 1948.	<p>Section 7 is repealed.</p> <p>Section 29 (1). The words "without the authority or consent of the Council" are added before the word "put".</p> <p>Section 29 (3). The words "without the authority or consent of the Council" are added before the word "open".</p>	31st December, 1948.
Stanley Waterworks Ordinance, 19 of 1949.	<p>Section 3 (4) (b) is amended by adding after the words "occupier thereof" the words "enter on any land and", and by replacing the full stop after the word "land" by a comma and adding "making compensation to the owner or occupier for all damages sustained by him or them by reason of the exercise of the said powers: such compensation, in the absence of agreement, to be determined by arbitration as provided by the Land Ordinance, save that in the application thereof to this Ordinance section 39 thereof shall be read as if the words "Water Authority" were substituted for the word "Governor".</p> <p>Section 3 (5) is repealed and replaced by the following:—</p> <p>"(5) The Water Authority or any person acting under his directions may diminish, withhold, suspend or divert the supply of water through the waterworks either wholly or in part whenever it may be expedient or necessary for the purpose of conserving the supply of water, or for extending, altering or repairing the waterworks, and the Water Authority shall not be liable to any claim for compensation on account of any interruption in or insufficiency of the supply of water resulting from the exercise of any of the powers aforesaid, or caused by drought or other unavoidable circumstances."</p> <p>Section 4 (3) is amended by adding before the words "opens or closes" the words "without the consent of the Water Authority."</p> <p>Section 5 is repealed and replaced by the following:—</p> <p>"5. The Governor in Council may make regulations prescribing the size, make and materials of the pipes and other appliances to be used, the manner of laying the same, the conditions of the supply of water to the Town Council of Stanley and the amount of such supply, and generally for carrying out the provisions of this Ordinance."</p>	31st December, 1949.

<i>Ordinance to be amended.</i>	<i>Detail of amendment or repeal.</i>	<i>Date of coming in force of amendment or repeal.</i>
Trade Disputes (Arbitration) Ordinance, 10 of 1949.	<p>Section 3. The following subsection is added as sub-section (3) :—</p> <p>"If there are existing in any trade or industry any arrangements for settlement by conciliation or arbitration of disputes in such trade or industry, or any branch thereof, made in pursuance of an agreement between organisations of employers and organisations of workmen representative respectively of substantial proportions of the employers and workmen engaged in that trade or industry, the Governor shall not, unless with the consent of both parties to the dispute, and unless and until there has been a failure to obtain a settlement by means of those arrangements, refer the matter for settlement, in accordance with the foregoing provisions of this section."</p> <p>Subsection (3) is renumbered as sub-section (4).</p> <p>Section 12. The following subsection is added as sub-section (1) :—</p> <p>"(1) The Governor may pay to any arbitrator or assessor appointed under this Ordinance such remuneration as the Governor shall think fit."</p> <p>Subsections (1) and (2) are renumbered as subsections (2) and (3) respectively.</p>	1st June, 1949.
Trespass Ordinance, 5 of 1904.	<p>Section 1. The definitions of "Lawful Occupier" and "Fenced land" are deleted.</p> <p>Section 14 is repealed and replaced by the following :—</p> <p>"The Governor in Council may make regulations modifying the amounts of pound fees and commonage fees and providing for the issue of licences hereunder and the form thereof, and otherwise for carrying out the provisions of this Ordinance."</p>	1st January, 1950.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 16th day of June, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 1



1950.

**The Dependencies of the Colony of the  
Falkland Islands.**

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To provide for the service between the first day of July, 1950, and the 30th day of June, 1951.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof, as follows :

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1950/1951) Ordinance, 1950.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1951, a sum not exceeding One Hundred and Two Thousand, Eight Hundred and Sixty Four Pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1950, to the 30th June, 1951.

Enacting Clause.

Short title.

Appropriation of  
£102,864 for service  
of the year ending  
30th June, 1951.

## SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	19,934
2.	F.I.D.S., Rear Base	939
3.	" Headquarters (Administration)	7,821
4.	" " (Met. Service)	6,008
5.	" Bases	31,733
6.	" "John Biscoe"	36,379
7.	" "Penelope"	50
Total £		102,864

Promulgated by the Governor on the 14th day of June, 1950.

(Sgd.) MICHAEL R. RAYMER,  
*Colonial Secretary.*

Assented to in His Majesty's name this 30th day of  
December, 1950.

MILES CLIFFORD.

*Governor.*

[L.S.]



No. 2

1950.

**Falkland Islands Dependencies.**

IN THE FIFTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To amend the Revised Edition of the  
Laws Ordinance, 1943, and to apply to the  
Dependencies certain Ordinances. Title.

WHEREAS by Article 10 (1) of the Falkland Islands  
Letters Patent 1948, it was provided that it should be lawful for  
the Governor of the Colony of the Falkland Islands and its Depend-  
encies to make laws for the peace, order and good government of  
the Dependencies : Preamble.

AND WHEREAS since the coming into operation of the  
said Letters Patent certain Ordinances purporting to apply to the  
Dependencies have been enacted with the advice and consent of  
the Legislative Council of the Colony of the Falkland Islands, and  
doubts have arisen whether such Ordinances are valid in so far as  
they purport to apply to the Dependencies :

AND WHEREAS it is expedient to apply the said Ordin-  
ances and certain other Ordinances to the Dependencies :

AND WHEREAS by section 3 of the Dependencies Ordin-  
ance, 1908, the Governor in Council was empowered by notification  
in the Gazette to declare any Ordinance or part of any Ordinance to  
be in force in the Dependencies :

AND WHEREAS by a notification in the Gazette dated  
27th July, 1945 the Governor in Council declared that certain Ord-  
inances applied to the Dependencies and had so applied since the date  
of their enactment and doubts have arisen concerning the validity of  
such notification :

AND WHEREAS by a notification in the Gazette dated June, 28th 1947 the Governor declared certain Ordinances applied to the Dependencies from the date thereof, and doubts have arisen concerning the effect of such notification.

AND WHEREAS by an Ordinance of the Colony of the Falkland Islands entitled the Revised Edition of the Laws (Amendment) Ordinance, 1950, the Revised Edition of the Laws Ordinance, 1943, and the other Ordinances specified in the Schedule thereto were amended as therein appears :

AND WHEREAS it is expedient to apply to the Dependencies the said Revised Edition of the Laws (Amendment) Ordinance, 1950, and certain of the other Ordinances, as amended by the said Revised Edition of the Laws (Amendment) Ordinance, 1950, specified in the said Schedule, and certain other Ordinances :

Enacting Clause.

BE IT ENACTED by the Governor of the Falkland Islands and the Dependencies thereof as follows :—

Short title.

1. This Ordinance may be cited as the Revised Edition of the Laws (Amendment) (Dependencies) Ordinance, 1950.

Application of No. 9 of 1950 and certain other Ordinances to the Dependencies.

2. Subject to the provisions of section 3 of this Ordinance the Revised Edition of the Laws (Amendment) Ordinance, 1950, is applied to the Dependencies and shall be deemed to have been in force in the Dependencies from the commencement of this Ordinance, and such of the Ordinances amended thereby and specified in the Schedule thereto as are specified in the first column of the Schedule to this Ordinance, and such other Ordinances as are also specified in the first column of said Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to have been in force in the Dependencies with effect from the respective dates set out opposite their titles in the second column of the said Schedule.

Application of section 15 of the Commissions of Inquiry Ordinance.

3. Notwithstanding anything contained herein section 15 of the Commissions of Inquiry Ordinance, 1942, shall be read in its application to the Dependencies as if the words "unless such remuneration shall be specially voted by the Legislative Council" were deleted and replaced by the words "unless such remuneration shall be specially directed by the Governor to be paid".

Application of certain Ordinances confirmed.

4. It is hereby declared for the avoidance of doubt that the Ordinances mentioned in the said notification dated 27th July, 1945, are in force in the Dependencies, and that such Ordinances have been in force in the Dependencies since the respective dates of their enactment, with the exception of :—

- (a) the Post Office Ordinance, 1898, which came into force in the Dependencies on 1st August, 1911;
- (b) the Workmen's Compensation Ordinance, 1937, which came into force in the Dependencies on 1st June, 1938;
- (c) the Government Employees Provident Fund Ordinance, 1938, which came into force in the Dependencies on 20th November, 1937; and
- (d) the Customs Ordinance, 1943 which came into force in the Dependencies on May 1st, 1948.

5. It is hereby declared for the avoidance of doubt that the following Ordinances being the Ordinances referred to by the said notification dated June 28th, 1947, are in force in the Dependencies and that such Ordinances have been in force in the Dependencies since July 1st, 1948 :

The Pensions Ordinance, 1937  
 " Matrimonial Causes Ordinance, 1940  
 " Pensions Amendment Ordinance, 1940  
 " " " " 1941  
 " " " " 1946.

Commencement.

6. This Ordinance shall be deemed to have come into force on the 1st day of January, 1950.

## SCHEDULE.

1 of 1868	Vaccination Ordinance	1st January, 1950
1 of 1901	Census Ordinance	" "
2 of 1902	Harbour Ordinance	1st January, 1948
1 of 1919	Mining Ordinance, 1918 (Amendment) Ordinance	31st May, 1919
2 of 1922	Maintenance Orders (Facilities for Enforcement) (Amendment) Ordinance	25th August, 1922
9 of 1929	Maintenance Orders (Facilities for Enforcement) (Amendment) Ordinance	14th October, 1929
7 of 1932	United Kingdom Designs (Protection) (Amendment) Ordinance	31st October, 1932
8 of 1932	Registration of United Kingdom Patents (Amendment) Ordinance	31st October, 1932
5 of 1934	Venereal Disease (Amendment) Ordinance	16th May, 1934
4 of 1938	Civil Procedure Ordinance	1st January, 1950
6 of 1938	Falkland Islands Defence Force (Amendment) Ordinance	4th June, 1938
3 of 1939	Seditious Offences (Penalties) (Amendment) Ordinance	13th March, 1939
7 of 1939	Workmen's Compensation (Amendment) Ordinance	17th June, 1939
3 of 1940	Falkland Islands Defence Force (Amendment) Ordinance	22nd May, 1940
4 of 1940	Administration of Estates by Consular Officers Ordinance	1st January, 1950
6 of 1940	Income Tax (Amendment) Ordinance	22nd May, 1940
8 of 1940	Income Tax (Amendment No. 2) Ordinance	28th November, 1940
12 of 1940	Matrimonial Causes (Amendment) Ordinance	" "
3 of 1941	Income Tax (Amendment) Ordinance	29th November, 1941
3 of 1942	Commissions of Inquiry Ordinance	13th March, 1942
2 of 1944	Fisheries Ordinance	23rd December, 1944
2 of 1947	Medical Registration (Amendment) Ordinance	29th November, 1947
1 of 1948	Stamp Duty Ordinance	14th May, 1948
5 of 1948	Income Tax (Amendment) Ordinance	1st January, 1949
7 of 1948	Income Tax (Amendment No. 2) Ordinance	1st November, 1948
1 of 1949	Administration of Justice Ordinance	1st July, 1949
2 of 1949	Dangerous Drugs Ordinance	1st June, 1949
3 of 1949	Administration of Estates Ordinance	" " "
4 of 1949	Estate Duty Ordinance	" " "
5 of 1949	Diplomatic Privileges Ordinance	" " "
6 of 1949	Interpretation and General Law Ordinance	1st January, 1949
7 of 1949	Administration of Justice (Amendment) Ordinance	1st June, 1949
8 of 1949	Income Tax (Amendment) Ordinance	1st January, 1949
9 of 1949	Registration Ordinance	1st June, 1949
10 of 1949	Trade Disputes (Arbitration) Ordinance	" " "
11 of 1949	Police and Prison Ordinance	" " "
12 of 1949	Licensing Ordinance	31st December, 1949
13 of 1949	Pensions Ordinance	" " "
14 of 1949	Seditious Offences (Amendment) Ordinance	" " "
15 of 1949	Interpretation and General Law (Amendment) Ordinance	" " "
16 of 1949	Marriage Ordinance	" " "
17 of 1949	Quarantine (Amendment) Ordinance	" " "
18 of 1949	Trade Unions and Trade Disputes (Amendment) Ordinance	" " "
20 of 1949	Mental Treatment Ordinance	" " "
21 of 1949	Vaccination (Amendment) Ordinance	" " "
22 of 1949	Aliens Ordinance	" " "
23 of 1949	Workmen's Compensation (Amendment) Ordinance	" " "
24 of 1949	Post Office (Amendment) Ordinance	" " "
25 of 1949	British Nationality Ordinance	" " "
26 of 1949	Law Revision (Repeal) Ordinance	" " "
27 of 1949	Penguins Preservation (Amendment) Ordinance	" " "
28 of 1949	Land Ordinance	" " "
29 of 1949	Wild Animals and Birds Protection (Amendment) Ordinance	" " "
33 of 1949	Publications (Importation Prohibition) (Amendment) Ordinance	" " "
34 of 1949	Immigration (Restriction) Ordinance	" " "
38 of 1949	Defence Force (Amendment) Ordinance	" " "
41 of 1949	Companies and Private Partnership (Amendment) Ordinance	" " "
43 of 1949	Medical Practitioners, Midwives and Dentists (Amendment) Ordinance	" " "
46 of 1949	Income Tax (Amendment No. 2) Ordinance	" " "
2 of 1950	Consular Conventions Ordinance	1st September, 1950
4 of 1950	Companies and Private Partnerships Ordinance	" " "
6 of 1950	Medical Practitioners, Midwives and Dentists (Amendment) Ordinance	" " "
8 of 1950	Trades Disputes (Arbitration) (Amendment) Ordinance	1st November, 1950
9 of 1950	Income Tax (Amendment) Ordinance	1st January, 1951

Promulgated by the Governor on the 30th day of December, 1950.

M. R. RAYMER,  
 Colonial Secretary.

Assented to in His Majesty's name this 30th day of  
December, 1950.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 3



1950.

**Falkland Islands Dependencies.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To amend the Dependencies Ordinance.**

[30th December, 1950.]

Date of commence-  
ment.

ENACTED by the Governor of the Falkland Islands and  
the Dependencies thereof—

Enacting Clause.

1. This Ordinance may be cited as the Dependencies  
(Amendment) Ordinance, 1950, and shall be read as one and  
construed with the Dependencies Ordinance, 1908, hereinafter  
called the Principal Ordinance, and shall be deemed to have come  
into force on the 1st January, 1949.

Short title.

2. Sections 3 and 4 of the Principal Ordinance are repealed.

Repeal of sections  
3 and 4.

3. Section 6 of the Principal Ordinance is repealed and  
replaced by the following section :—

Amendment of  
section 6.

“6. Whenever any Ordinance or part of any Ordinance  
of the Colony shall be in force in the Dependencies any rules,  
regulations or by-laws made thereunder for carrying out the  
provisions thereof shall also be in force in the Dependencies to  
the same extent as such Ordinance is in force therein, unless  
the Governor in Council shall make, as he is hereby authorised  
to do, rules, regulations or by-laws, as the case may be, which  
shall be specially applicable to any or all of the Dependencies  
and shall be in force therein.”

Promulgated by the Governor on the 30th day of December, 1950.

MICHAEL R. RAYMER,  
*Colonial Secretary.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

PART II.

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RULES. REGULATIONS. ETC.

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FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

## FALKLAND ISLANDS.

### NOTIFICATION.

#### Application of certain laws of the Colony to the Dependencies.

MILES CLIFFORD,  
*Governor.*

Under and by virtue of the powers conferred on him by section 3 of the Dependencies Ordinance, 1908, His Excellency the Governor in Council is pleased to declare and hereby declares that the Ordinances set out in the Schedule hereto together with any Ordinances them amending and any Rules, Regulations, Orders or By-laws made thereunder shall apply to the Dependencies with effect from the date of their enactment.

Made by the Governor in Executive Council at a meeting held on the 9th day of January, 1950.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

#### SCHEDULE.

The Licensing Ordinance	No. 12 of 1949.
The Pensions Ordinance	No. 13 of 1949.
The Marriage Ordinance	No. 16 of 1949.
The Mental Treatment Ordinance	No. 20 of 1949.
The Aliens Ordinance	No. 22 of 1949.
The British Nationality Ordinance	No. 25 of 1949.
The Law Revision (Repeal) Ordinance	No. 26 of 1949.
The Post Office Ordinance	No. 10 of 1898.

M.P. 0188.

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# FALKLAND ISLANDS.

## Order by His Excellency the Governor in Council.

### Under the Diplomatic Privileges (Extension) Ordinance, 1949.

MILES CLIFFORD,

No. 1 of 1950.

*Governor.*

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered that :—

1. This Order may be cited as the Diplomatic Privileges (United Nations Educational Scientific and Cultural Organisation) Order, 1950.

2. The United Nations Educational Scientific and Cultural Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as any privilege or immunity is waived in the case of representatives of member Governments by the Governments whom they represent; in the case of the President of the Conference, by the Organisation, and in the case of members of the Executive Board by the Executive Board of the Organisation, representatives of member Governments, the President of the Conference of the Organisation and members of the Executive Board of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation the Secretary General and Deputy Secretary General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation persons employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Made at a meeting of the Executive Council held on the 12th of April, 1950.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## Order by His Excellency the Governor in Council.

### Under the Diplomatic Privileges (Extension) Ordinance, 1949.

MILES CLIFFORD,

*Governor.*

No. 2 of 1950.

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered that:—

1. This Order may be cited as the Diplomatic Privileges (International Labour Organisation) Order, 1950.

2. The International Labour Organisation (hereinafter referred to as “the Organisation”) shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as any privilege or immunity is waived in the case of representatives of member Governments by the Governments whom they represent; and in the case of members and deputy members of the Governing Body of the organisation and their substitutes by the Governing Body, representatives of member Governments and the employers' and workers' members and deputy members of the Governing Body of the organisation and their substitutes shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation the Director-General, Deputy Director-General and Assistant Director-General of the Organisation and their spouses and children under the age of 21 years, shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Made at a meeting of the Executive Council held on the 12th of April, 1950.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## Order by His Excellency the Governor in Council.

### Under the Diplomatic Privileges (Extension) Ordinance, 1949.

MILES CLIFFORD,

*Governor.*

No. 3 of 1950.

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered that:—

1. This Order may be cited as the Diplomatic Privileges (International Civil Aviation Organisation) Order, 1950.

2. The International Civil Aviation Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in as far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments to the Council of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation the Secretary-General or the Deputy Secretary-General of the Organisation and the President of the Council of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Made at a meeting of the Executive Council held on the 12th of April, 1950.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## Order by His Excellency the Governor in Council.

### Under the Diplomatic Privileges (Extension) Ordinance. 1949.

MILES CLIFFORD,

*Governor.*

No. 4 of 1950.

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered that :-

1. This Order may be cited as the Diplomatic Privileges (Food and Agricultural Organisation) Order, 1950.

2. The Food and Agricultural Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as any privilege or immunity is waived in the case of representatives of member Governments by the Governments whom they represent and in the case of the Chairman of the Council of the Organisation by the Council of the Organisation representatives of member Governments and the Chairman of the Council shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation the Director-General, Deputy Director-General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Made at a meeting of the Executive Council held on the 12th of April, 1950.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## Order by His Excellency the Governor in Council.

### Under the Diplomatic Privileges (Extension) Ordinance, 1949.

MILES CLIFFORD,  
*Governor.*

No 5 of 1950.

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered that:—

1. This Order may be cited as the Diplomatic Privileges (World Health Organisation) Order, 1950.

2. The World Health Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as in any particular case any privilege or immunity is waived, in the case of representatives of member Governments by the member Governments whom they represent, and in the case of persons designated to serve on the Executive Board of the Organisation and their alternates and advisers, by the Executive Board, representatives of member Governments and persons designated to serve on the Executive Board of the Organisation and their alternates and advisers shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation the Director-General or Deputy Director-General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Made at a meeting of the Executive Council held on the 12th of April, 1950.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

**FALKLAND ISLANDS.**

**Order by His Excellency the Governor in Council.**

No. 6 of 1950.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by the Income Tax (Amendment) Ordinance, 1949, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered that :—

1. This Order may be cited as the Income Tax (Amendment) Order, 1950.
2. The Income Tax Order No. 1 of 1949, shall be amended by substituting "1949" for "1948" in line 2 of the second paragraph thereof.

Made by the Governor in Executive Council on the 10th day of May, 1950.

*By Command,*  
M. R. RAYMER,  
*Colonial Secretary.*

M.P. 0527.

# FALKLAND ISLANDS.

## Order by His Excellency the Governor in Council.

No. 7 of 1950.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by the Post Office Ordinance, 1898, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

1. This Order may be cited as the Post Office (Amendment) Order, 1950. Short Title.
2. Section 2 (j) of the Post Office Order, 1949 is hereby amended by the deletion of the figure "£2" wherever it occurs and the substitution therefor of the figure "£2 18s. 0d." Amendment of Section 2 (j).

Made by the Governor in Executive Council at a meeting held on the 23rd day of September, 1950.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 1803

## FALKLAND ISLANDS.

Order by His Excellency the Governor.

MILES CLIFFORD,  
*Governor.*

No. 8 of 1950.

In exercise of the powers vested in him by the Supplies and Services (Transitional Powers) Act, 1945, and the Supplies and Services (Transitional Powers) (Colonies etc.) Order in Council, 1946, His Excellency the Governor is pleased to order and it is hereby ordered :—

That the office of Competent Authority (Supplies) shall continue in force until the 10th day of December, 1951, unless previously determined and that all acts and orders made by the holder of the said office, for the purpose of regulating the import export supply or prices of goods shall continue in force until the 10th day of December, 1951, unless previously determined and that he shall until such date continue to exercise the powers vested in him by the Defence Regulations, 1939.

Dated this 11th day of December, 1950.

*By Command,*  
M. R. RAYNER,  
*Colonial Secretary.*

Ref. 0561.

# FALKLAND ISLANDS.

No. 1.

## Proclamation

1950

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

M. R. RAYMER. —

[L.S.]

*By the Honourable MICHAEL ROBERT RAYMER,  
Esquire, Officer Administering the Government  
of the Colony of the Falkland Islands and its  
Dependencies, &c., &c.*

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, has this day left the Colony for the purpose of visiting Punta Arenas.

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor;

NOW, THEREFORE, I, MICHAEL ROBERT RAYMER, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

**GOD SAVE THE KING.**

Given at Government House, Stanley, this 28th day of May, in the Year of Our Lord, One thousand Nine hundred and Fifty.

*By Command of the  
Officer Administering the Government,*

L. W. ALDRIDGE,

*for Colonial Secretary.*

# FALKLAND ISLANDS.

No. 2.

## Proclamation

1950.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

MILES CLIFFORD

[L.S.]

*By His Excellency* SIR MILES CLIFFORD,  
*Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

WHEREAS by subsection (1) of Section 2 of the Exports and Imports (Emergency Powers) Ordinance, 1939, it is enacted that the Governor may, on the occurrence of any public emergency or whenever it appears to him to be necessary in the interest of public safety or tranquility, by Proclamation published in the Gazette, prohibit absolutely, or restrict by means of such conditions and limitations as may be defined by him in the Proclamation, the exportation or importation from or to the Colony of all or any specified goods or class or description of goods to or from any specified country or place or to or from any specified person or class of persons:

NOW THEREFORE, I, Sir Miles Clifford, in pursuance of the powers vested in me by the Export and Imports (Emergency Powers) Ordinance, 1939, do hereby proclaim and order and it is hereby proclaimed and ordered that the following amended rules regarding the import and export of goods, shall come into force forthwith:

An Open General Import Licence will be granted for all articles produced in the United Kingdom, Sterling Area Dominions and British Colonial Territories, with the exception of foodstuffs remaining on the Reserved Commodity List.

Specific Import Licences shall be required for foodstuffs on the Reserved Commodity List and for goods from other sources.

An Open General Export Licence will be granted for the export of Hides, Skins and Wool to the United Kingdom.

Specific Export Licences shall be required to export Hides, Skins and Wool to other destinations.

Subject to the limitations of the Defence (Finance) Regulations, 1947, the re-exportation of imported articles in *bona fide* unsolicited gift parcels will be permitted with the following exceptions

- (i) Goods imported at the expense of foreign currency.
- (ii) Footwear.
- (iii) Jute goods, including bagging, bags and twine. Except where these products are utilised in the marketing of produce.

**GOD SAVE THE KING.**

Given at Government House, Stanley, this 7th day of October, in the Year of Our Lord One thousand Nine hundred and Fifty.

*By His Excellency's Command,*  
MICHAEL R. RAYMER,  
*Colonial Secretary.*

# FALKLAND ISLANDS.

## Defence Force Ordinance. No. 7 of 1920.

### Regulations made by the Governor in Council under Section 37 of the Defence Force Ordinance, 1920.

No. 1 of 1950.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by Section 37 of the Defence Force Ordinance, 1920, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make the following Regulations—

1. These Regulations may be cited as the Defence Force (Amendment) Regulations, 1950. Short title.

2. Section 2 of the Defence Force Regulations, 1946, is hereby amended by the deletion of sub-paragraphs (a) and (b) and the substitution therefor of the following sub-paragraphs :— Amendment of  
Defence Force Regu-  
lations, 1946.

“(a) for trained members. Twelve compulsory instructional parades, each of two hours' duration, the annual musketry classification, the annual Ceremonial Parade on the occasion of the Birthday of His Majesty the King, and a maximum of four ceremonial parades as may be ordered by the Commanding Officer.

(b) for first year recruits. Twenty compulsory parades, each of one hour's duration and twelve instructional parades, each of two hours' duration, the annual musketry classification, the annual Ceremonial Parade on the occasion of the Birthday of His Majesty the King, if specifically detailed so to do, and a maximum of four ceremonial parades as may be ordered by the Commanding Officer.”

Made by the Governor in Executive Council on the 17th day of June, 1950.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

M.P. 0838/D.

# FALKLAND ISLANDS.

The King Edward VII. Memorial Hospital Ordinance, 1916.

The Medical Fees (Amendment) Regulations, 1950.

MILES CLIFFORD,  
*Governor.*

No. 2 of 1950.

His Excellency the Governor by virtue of the powers in him vested by the King Edward VII Memorial Hospital Ordinance, 1916, and otherwise, and with the advice and consent of the Executive Council, is hereby pleased to make the following Regulations.

1. These Regulations may be cited as the Medical Fees (Amendment) Regulations, 1950. Short Title.

2. Section (5) of Schedule F of the Medical Fees Regulations, 1947, is hereby amended by the substitution of a comma for a full stop after the word "Servants" and the addition thereto of the words "as in Section (1) above". Amendment of Section (5) Schedule F.

Made by the Governor in Executive Council at a meeting held on the 23rd day of September, 1950.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 0135.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Pensions Ordinance, 1949.

MILES CLIFFORD,

*Governor.*

No. 3 of 1950.

In exercise of the powers conferred by section 3 of the Pensions Ordinance, 1949, the Pensions Regulations, 1949, are hereby amended as follows :-

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1950. Short title.

2. Regulation 21 is amended by the addition of the following paragraph as paragraph (3) :-

Amendment of  
section 21 of the  
Pensions Regulations.  
1949.

“(3) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein, or of a period of leave therefrom, is permanently injured as the result of damage to the vessel or vehicle in which he is travelling, or of any act of violence directed against such vessel or vehicle, and the Governor is satisfied that such damage or act is attributable to circumstances arising out of war in which His Majesty may be engaged, such officer shall be deemed, for the purposes of this Regulation, to have been injured in the circumstances described in paragraph (1) of this Regulation.”

3. Paragraphs (3) and (4) of the said Regulation are re-numbered as paragraphs (4) and (5).

Made by the Governor in Executive Council on the 9th day of December, 1950.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

Ref. 0829

ORDINANCES  
of the  
COLONY  
of the  
FALKLAND ISLANDS  
enacted during the year  
1951  
together with the  
Rules, Regulations, etc., etc.,  
made during that year.

PART I.

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ORDINANCES.

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Printed at the Government Printing Office, Stanley, Falkland Islands.

PRICE 8/-.

To be purchased from the Colonial Secretary, Stanley, and from the Crown Agents for the Colonies, 4 Millbank, London, S.W. 1.

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Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
Governor.

[L.S.]

No. 1



1951.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
Governor.

An Ordinance

To amend the Interpretation and General Law Ordinance, 1949. Title.

[1st January, 1949.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited as the Interpretation and General Law (Amendment) Ordinance, 1951, and shall be read and construed as one with the Interpretation and General Law Ordinance, 1949, (hereinafter referred to as the Principal Ordinance) and shall be deemed to have come into force on the 1st January, 1949.

Short title.

2. The following definitions shall be substituted for the definitions of "the Colony" and "the Dependencies" in subsection (1) of section 2 of the Principal Ordinance :

Amendment of section 2 (1) of the Principal Ordinance.

"the Colony" means the Colony of the Falkland Islands and shall be deemed to include the territorial waters thereof."

"the Dependencies" means the Dependencies of the Colony of the Falkland Islands and shall be deemed to include the territorial waters thereof."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
Clerk of the Legislative Council.

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 2



1951.

**Colony of the Falkland Islands.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Revised Edition of the  
Laws Ordinance, 1943.**

Title.

[1st January, 1950.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited as the Revised Edition of the Laws (Amendment) Ordinance, 1951, and shall be read and construed as one with the Revised Edition of the Laws Ordinance, 1943, (hereinafter referred to as the Principal Ordinance), and shall be deemed to have come into force on the 1st January, 1950.

Short title.

2. The words "and Dependencies" are inserted after the words "of Colony" in the Principal Ordinance,

Amendment of the  
definition "revised  
edition", section 3 and  
section 4 of the Prin-  
cipal Ordinance.

(a) in the definition "revised edition",

(b) in subsection (1) of section 3.

(c) in paragraph (k) of section 4.

3. The following is added as subsection (4) of section 5 of the Principal Ordinance :

Insertion of new sub-  
section (4) in section 5  
of the Principal Ord-  
inance.

"(4) Subject to the provision of section 13, the Commissioner shall omit from the Revised Edition, the laws in force in the Colony by virtue of subsection (1) of section 14 of the Interpretation and General Laws Ordinance, 1949 :

Provided always that, anything in this Ordinance to the contrary notwithstanding, the said laws shall remain in force until the same shall have been expressly repealed or shall have expired or become spent or had their effect."

Insertion of new section 10 in the Principal Ordinance.

4. The following is added as section 10 of the Principal Ordinance :

"10. The Revised Edition shall contain a clear indication whether each law included is in force in the Dependencies."

Insertion of new section 19 in the Principal Ordinance.

5. The following is added as section 19 of the Principal Ordinance :

Repeal of New Edition of the Ordinances Ordinance, 1911.

"19. (1) Unless a contrary intention appears sections 2, 3, 4, 5 and 6 of the New Edition of the Ordinances Ordinance, 1911, are repealed.

(2) So much of the New Edition of the Ordinances Ordinance as is not repealed by subsection (1) of this section shall be repealed from the date on which the Governor orders that the Revised Edition shall be brought into force in pursuance of section 8.

Amendment of the Schedule of the Principal Ordinance.

6. The Schedule of the Principal Ordinance is amended by the addition of the words and figures "No. 7 of 1911" in the first column and the words and figures "the New Edition of the Ordinances Ordinance, 1911" in the second column.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 3



1951.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To amend the Education Ordinance, 1949.

Title.

[24th April, 1951.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

Enacting Clause.

1. This Ordinance may be cited as the Education (Amendment) Ordinance, 1951, and shall be read and construed as one with the Education Ordinance, 1949, (hereinafter referred to as the Principal Ordinance).

Short title.

2. The Principal Ordinance is hereby amended by the insertion immediately after section 5 of the following section :—

Insertion of new section.

Provision for avoiding broken term.

5A. For the purposes of this Ordinance, a child in attendance at a school who attains school-leaving age during the term of the school shall be deemed not to have attained that age until the end of the term.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 4



1951.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To amend the Seal Fishery (Consolidation) Ordinance, 1921. Title.

[24th April, 1951.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited as the Seal Fishery (Amendment) Ordinance, 1951, and shall be read and construed as one with the Seal Fishery (Consolidation) Ordinance, 1921 (hereinafter referred to as the Principal Ordinance).

Short title.

2. The definition of "Seal" contained in section 2 of the Principal Ordinance is hereby amended as follows:—

Amendment to section 2 of the Principal Ordinance.

- (a) by the deletion from the second line thereof of the words and comma "the sea leopard,";
- (b) by the substitution of a comma for the full stop at the end of the definition; and
- (c) by the insertion of the words and full stop "except sea leopard." after the word "kind" in the third line thereof.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

# FALKLAND ISLANDS.

## Exchange Control Ordinance, 1951.

### ARRANGEMENT OF SECTIONS

Section.

1. Short title.

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##### GOLD AND FOREIGN CURRENCY

2. Dealings in gold and foreign currency.
3. Surrender of gold and foreign currency.
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SUPPLEMENTAL

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33. Blocked accounts.
34. Contracts, legal proceedings, etc.
35. Enforcement and administration.
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37. Treasury orders.
38. Other powers of Treasury.
39. Financial provisions.
40. Branches.
41. Persons leaving the scheduled territories.
42. Determination of residence.
43. General provisions as to interpretation.
44. Commencement and repeal.

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- First Schedule.—The Scheduled Territories.  
Second Schedule.—Foreign Companies.  
Third Schedule.—Blocked Accounts.  
Fourth Schedule.—Legal Proceedings, etc.  
Fifth Schedule.—Enforcement.

- Part I.—General provisions as to evidence and information.  
Part II.—General provisions as to offences.  
Part III.—Import and export.

Assented to in His Majesty's name this 24th day of  
April, 1951.

MILES CLIFFORD,  
*Governor.*

[ L.S. ]

No. 5



1951.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To confer powers, and impose duties and  
restrictions, in relation to gold, currency,  
payments, securities, debts, and the import,  
export, transfer and settlement of property,  
and for purposes connected with the matters  
aforesaid.

Title.

[ 24th April, 1951. ]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands, with the advice and consent of the Legislative Council  
thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited as the Exchange Control  
Ordinance, 1951.

Short title.

PART I

GOLD AND FOREIGN CURRENCY

2. (1) Except with the permission of the Governor, no  
person, other than an authorised dealer, shall, in the Colony, buy or  
borrow any gold or foreign currency from, or sell or lend any gold  
or foreign currency to, any person other than an authorised dealer.

Dealings in gold and  
foreign currency.

(2) Except with the permission of the Governor, no person  
resident in the scheduled territories, other than an authorised dealer,  
shall, in the Colony, do any act which involves, is in association with  
or is preparatory to buying or borrowing any gold or foreign currency  
from, or selling or lending any gold or foreign currency to, any per-  
son outside the Colony.

(3) Where a person buys or borrows any gold or foreign currency in the Colony or, being a person resident in the Scheduled Territories does any act which involves, is in association with or is preparatory to the buying or borrowing of gold or foreign currency outside the Colony, he shall comply with such conditions as to the use to which it may be put or the period for which it may be retained as may from time to time be notified to him by the Colonial Secretary.

(4) In this Ordinance—

- (a) the expression "foreign currency" does not include any currency or notes issued by the Government or under the law of any part of the scheduled territories but, save as aforesaid, includes any currency other than sterling and any notes of a class which are to have at any time been legal tender in any territory outside the Colony, and any reference to foreign currency, except so far as the context otherwise requires, includes a reference to any right to receive foreign currency in respect of any credit or balance at a bank; and
- (b) the expression "the scheduled territories" means the territories specified in the First Schedule to this Ordinance, so, however, that the Governor may at any time by order amend the said Schedule, either by the addition or exclusion of territories or otherwise, and the said expression shall be construed accordingly.

Surrender of gold and foreign currency.

3. (1) Every person in the Colony who is entitled to sell, or to procure the sale of, any gold, or any foreign currency to which this section applies, and is not an authorised dealer, shall offer it, or cause it to be offered, for sale to an authorised dealer, unless the Colonial Secretary consents to his retention and use thereof or he disposes thereof to any other person with the permission of the Colonial Secretary.

The foreign currency to which this section applies is such foreign currency (hereafter in this Ordinance referred to as "specified currency") as may from time to time be specified by order of the Governor.

(2) If a person who has obtained the consent of the Colonial Secretary to his retention and use of any gold or specified currency, and has stated in an application for the consent that he requires it for a particular purpose, no longer requires the gold or currency for that purpose, the preceding subsection shall thereupon apply to him in relation to that gold or currency as if the Colonial Secretary had revoked his consent to his retention and use thereof.

(3) A person who acquires any gold or specified currency from an authorised dealer shall be treated for the purposes of this section as if the Colonial Secretary had consented to the retention and use by him of that gold or currency (subject, however, to any conditions notified to him in accordance with subsection (3) of the preceding section), and as if any statement made by him in an application for that gold or currency as to the purpose for which he requires it had been made by him in an application for the Colonial Secretary's consent to his retention and use thereof.

(4) Where a person has become bound under this section to offer or cause to be offered any gold or specified currency for sale to an authorised dealer, he shall not be deemed to comply with that obligation by any offer made or caused to be made by him, if the offer is an offer to sell at a price exceeding that authorised by the Colonial Secretary, or without payment of any usual and proper charges of the authorised dealer, or otherwise on any unusual terms.

(5) Where a person has become bound under this section to offer or cause to be offered any gold or specified currency for sale to an authorised dealer and has not complied with that obligation, the Governor may direct that that gold or currency shall vest in the Colonial Secretary, and it shall vest in the Colonial Secretary accord-

ingly free from any mortgage, pledge or charge, and the Colonial Secretary may deal with it as he thinks fit, but the Colonial Secretary shall pay to the person who would but for the direction be entitled to the gold or currency such sum as he would have received therefor if he had sold it to an authorised dealer in pursuance of an offer made under this section at the time when the vesting occurred.

(6) In any proceedings in respect of a failure to comply with the provisions of this section, it shall be presumed, until the contrary is shown, that the gold or currency in question has not been offered for sale to an authorised dealer.

4. (1) Every person in the Colony by whom or to whose order (whether directly or indirectly) any gold or any specified currency in the form of notes is held in the Colony but who is not entitled to sell it or procure its sale shall notify the Colonial Secretary in writing that he so holds that gold or currency.

Bailees of gold and foreign currency.

(2) The Colonial Secretary may direct any person in the Colony by whom or to whose order (whether directly or indirectly) any gold or any specified currency in the form of notes is held in the Colony, whether or not he is entitled to sell it or procure its sale, to cause that gold or currency to be kept at all times in the custody of such banker as may be specified in the direction.

5. (1) This section applies to any document of a kind intended to enable the person to whom the document is issued to obtain foreign currency from some other person on the credit of the person issuing it, and in particular to any traveller's cheque or other draft or letter of credit so intended.

Travellers' cheques, etc.

(2) For the purposes of this Ordinance, the person issuing a document to which this section applies, and the person to whom it is issued, shall be deemed respectively to sell and buy foreign currency and where foreign currency is obtained by means of the document to sell and buy that foreign currency.

(3) Any such document not expressed in terms of sterling shall, if it is of a kind intended to enable the person to whom it is issued to obtain any specified currency, be treated also for the purposes of this Ordinance as itself being specified currency.

(4) Every person in the Colony who holds or to whose order there is held any document to which this section applies, being a document expressed in terms of sterling, shall encash it or cause it to be encashed in the scheduled territories with the person issuing it or with a banker, unless the Colonial Secretary consents to his retention and use thereof and, where in his application for that consent he has stated that he requires it for a particular purpose, unless also he still requires it for that purpose.

(5) A person who acquires any document to which the last preceding subsection applies from an authorised dealer shall be treated for the purposes of that subsection as if the Colonial Secretary had consented to the retention and use by him of that document (subject, however, to any conditions notified to him in accordance with subsection (3) of section 2 of this Ordinance), and as if any statement made by him in an application for that document as to the purpose for which he requires it had been made by him in an application for the Colonial Secretary's consent to his retention and use thereof.

## PART II.

### PAYMENTS

6. Except with the permission of the Colonial Secretary, no person shall do any of the following things in the Colony, that is to say—

Payments in the Colony.

- (a) make any payment to or for the credit of a person resident outside the scheduled territories; or

- (b) make any payment to or for the credit of a person resident in the scheduled territories by order or on behalf of a person resident outside the scheduled territories; or
- (c) place any sum to the credit of any person resident outside the scheduled territories :

Provided that where a person resident outside the scheduled territories has paid a sum in or towards the satisfaction of a debt due from him, paragraph (c) of this section shall not prohibit the acknowledgement or recording of the payment.

Payments outside the Colony.

7. (1) Except with the permission of the Colonial Secretary, no person in the Colony shall, subject to the provisions of this section, make any payment outside the Colony to or for the credit of a person resident outside the scheduled territories, and no person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to the making of any such payment.

(2) Nothing in this section shall prohibit the doing of anything otherwise lawful by any person with any foreign currency obtained by him in accordance with the provisions of Part I of this Ordinance or retained by him in pursuance of a consent of the Colonial Secretary.

Compensation deals.

8. (1) Except with the permission of the Colonial Secretary, no person shall in the Colony make any payment to or for the credit of a person resident in the scheduled territories, and no person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to the making of any such payment outside the Colony, as consideration for or in association with -

- (a) the receipt by any person of a payment made outside the scheduled territories, or the acquisition by any person of property which is outside the scheduled territories; or
- (b) the transfer to any person, or the creation in favour of any person, of a right (whether present or future, and whether vested or contingent) to receive a payment outside the scheduled territories or to acquire property which is outside the scheduled territories.

(2) Nothing in this section shall prohibit the making of any payment in accordance with the terms of a permission or consent granted under this Ordinance.

### PART III SECURITIES

Issue of securities.

9. (1) Except with the permission of the Governor, no person shall in the Colony issue any security or do any act which involves, is in association with or is preparatory to the issuing outside the Colony of any security which is registered or to be registered in the Colony, unless the following requirements are fulfilled, that is to say -

- (a) neither the person to whom the security is to be issued nor the person, if any, for whom he is to be a nominee is resident outside the scheduled territories; and
- (b) the prescribed evidence is produced to the person issuing the security as to the residence of the person to whom it is to be issued and that of the person, if any, for whom he is to be a nominee.

(2) The subscription of the memorandum of association of a company to be formed under the Companies Ordinance, by a person resident outside the scheduled territories, or by a nominee for another

person so resident, shall, unless he subscribes the memorandum with the permission of the Governor, be invalid in so far as it would on registration of the memorandum have the effect of making him a member of or shareholder in the company, so, however, that this provision shall not render invalid the incorporation of the company; and if by virtue of this subsection the number of the subscribers of the memorandum who on its registration become members of the company is less than the minimum number required to subscribe the memorandum, the provisions of the said Ordinance relating to the carrying on of business of a company the number of whose members is reduced below the legal minimum shall apply to the company as if the number of its members had been so reduced.

10. (1) Except with the permission of the Colonial Secretary, a security registered in the Colony shall not be transferred, and a security not so registered shall not be transferred in the Colony, unless, in either case, the following requirements are fulfilled, that is to say -

Transfer of securities and coupons.

- (a) neither the transferor nor the person, if any, for whom he is a nominee is resident outside the scheduled territories; and
- (b) the transferor delivers to the transferee at or before the time of the transfer the prescribed declarations as to his residence and that of the person, if any, for whom he is a nominee; and
- (c) neither the transferee nor the person, if any, for whom he is to be a nominee is resident outside the scheduled territories; and
- (d) except where the security is registered in the Colony otherwise than in a subsidiary register, the Colonial Secretary is satisfied that the requirements of paragraph (c) of this subsection are fulfilled :

Provided that -

- (i) neither the transferee nor his agent shall be deemed to have committed an offence by reason only that the requirements of paragraph (a) of this subsection were not fulfilled unless the transferee or, as the case may be, his agent, knew or had reason to believe that those requirements were not fulfilled; and
- (ii) neither the transferor nor his agent shall be deemed to have committed an offence by reason only that any of the requirements of paragraphs (c) and (d) of this subsection have not been fulfilled unless, in the case of a non-fulfilment of the requirements of the said paragraph (c), the transferor or, as the case may be, his agent, knew or had reason to believe that those requirements were not fulfilled.

(2) Except with the permission of the Colonial Secretary, a security not registered in the Colony shall not be transferred outside the Colony if either the transferor or the transferee, or the person, if any, for whom the transferor or transferee is or is to be a nominee, is resident in the Colony.

(3) Except with the permission of the Colonial Secretary -

- (a) no coupon shall be transferred in the Colony if either the transferee or the person, if any, for whom he is to be a nominee is resident outside the scheduled territories;
- (b) no person shall in the Colony do any act which involves, is in association with or is preparatory to the transfer of any coupon outside the Colony if either the transferor or transferee, or the person, if any, for whom the transferor or transferee is or is to be a nominee, is resident in the Colony.

Issue of bearer certificates and coupons.

11. Except with the permission of the Governor, no person shall, in the Colony, issue any bearer certificate or coupon or so alter any document that it becomes a bearer certificate or coupon, and no person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to such issue or alteration outside the Colony.

Substitution of securities and certificates outside the Colony.

12. Except with the permission of the Colonial Secretary -

(1) No person in the Colony shall do any act with intent to secure -

- (a) that a security which is -
  - (i) registered in the Colony; or
  - (ii) transferable by means of a bearer certificate in the Colony,

becomes, or is replaced by, a security registered outside the Colony or a security transferable by means of a bearer certificate outside the Colony; or

- (b) that a certificate of title to any other security, is issued outside the Colony in substitution for or in addition to a certificate of title thereto which is in, or is or has been lost or destroyed in, the Colony.

(2) No person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony as is referred to in sub-paragraphs (a) or (b) above.

Payment of capital moneys outside the Colony.

13. Except with the permission of the Colonial Secretary -

(1) No person in the Colony shall do any act with intent to secure that capital moneys payable on a security registered in the Colony are paid outside the Colony, or that, where the certificate of title to a security is in the Colony, capital moneys payable on the security are paid outside the Colony without production of the certificate to the person making the payment.

(2) No person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony as is referred to in sub-paragraph (1) above.

Duties of persons keeping registers.

14. Except with the permission of the Colonial Secretary, no person concerned with the keeping of any register in the Colony shall -

- (a) enter in the register the name of any person in relation to any security unless there has been produced to him the prescribed evidence that the entry does not form part of a transaction which involves the doing of anything prohibited by this Ordinance; or

- (b) enter in the register, in respect of any security, an address outside the scheduled territories, except for the purpose of any transaction for which the permission of the Colonial Secretary has been granted with the knowledge that it involved the entry of that address; or

- (c) do any act in relation to the register which recognises or gives effect to any act appearing to him to have been done with such intent as is mentioned in the two last preceding sections, whether done by a person in or resident in the Colony or not.

15. (1) Where -

- (a) the holder of a security is a nominee and the person for whom he is a nominee is resident outside the scheduled territories; or

Additional provisions as to nominee holdings.

- (b) the holder of a security is not a nominee and is resident outside the scheduled territories,

then, except with the permission of the Colonial Secretary, no person resident in the Colony shall do any act whereby the holder becomes his nominee in respect of the security.

(2) Except with the permission of the Colonial Secretary, a person resident in the Colony for whom the holder of a security is a nominee shall not do any act whereby -

- (a) the holder, being a person resident outside the scheduled territories, holds the security otherwise than as his nominee; or

- (b) the holder, not being a person resident outside the scheduled territories, holds the security as nominee for a person resident outside the scheduled territories.

(3) Where the holder of a security is a nominee, then, except with the permission of the Colonial Secretary, neither he, if he is resident in the Colony, nor any person resident in the Colony through whose agency the exercise of all or any of the holder's rights in respect of the security are controlled, shall -

- (a) do any act whereby he recognises or gives effect to the substitution of another person as the person from whom he directly receives his instructions unless both the person previously instructing him and the person substituted for that person were, immediately before the substitution, resident in the scheduled territories and not elsewhere; or

- (b) do any act whereby he ceases to be a person bound to give effect to the instructions of another person in relation to the security, unless the person who theretofore instructed him is resident in the scheduled territories and not elsewhere.

(4) Where the holder of a security is not a nominee and is resident in the Colony, then, except with the permission of the Colonial Secretary, he shall not do any act whereby he becomes the nominee of another person in respect of the security, unless that other person is resident in the scheduled territories and not elsewhere.

(5) No person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony as is referred to in this section.

16. (1) This and the next following section apply to any security except -

- (a) a security which is registered in the Colony otherwise than in a subsidiary register, and on which none of the dividends or interest is payable on presentment of a coupon; and

- (b) any such other securities as may be prescribed,

and in the following provisions of this section and in the next following section the expressions "security", "certificate of title" and "coupon" mean respectively a security to which the said sections apply, a certificate of title to such a security, and a coupon representing dividends or interest on such a security.

(2) It shall be the duty of every person by whom or to whose order (whether directly or indirectly) a certificate of title is held in the Colony, and of every person resident in the Colony by whom or to whose order (whether directly or indirectly) a certificate of title is held outside the Colony, to cause the certificate of title to be kept at all times, except with the permission of the Colonial Secretary, in the custody of an authorised depository, and nothing in this Part of this Ordinance shall prohibit the doing of anything for the purpose of complying with the requirements of this subsection.

Deposit of certificates of title.

(3) Except with the permission of the Colonial Secretary, an authorised depositary shall not part with any certificate of title or coupon required under this section to be in the custody of an authorised depositary :

Provided that this subsection shall not prohibit an authorised depositary -

- (a) from parting with a certificate of title or coupon to or to the order of another authorised depositary, where the person from whom the other authorised depositary is to receive instructions in relation thereto is to be the same as the person from whom he receives instructions;
- (b) from parting with a certificate of title, for the purpose of obtaining payment of capital moneys payable on the security, to the person entrusted with payment thereof;
- (c) from parting with a coupon in the ordinary course for collection.

(4) Except with the permission of the Colonial Secretary, no capital moneys, interest or dividends shall be paid in the Colony on any security except to or to the order of an authorised depositary having the custody of the certificate of title to that security, so, however, that this subsection shall not be taken as restricting the manner in which any sums lawfully paid on account of the capital moneys, interest or dividends may be dealt with by the person receiving them.

(5) Except with the permission of the Colonial Secretary, an authorised depositary shall not do any act whereby he recognises or gives effect to the substitution of one person for another as the person from whom he receives instructions in relation to a certificate of title or coupon, unless there is produced to him the prescribed evidence that he is not by so doing giving effect to any transaction which is prohibited by this Ordinance.

(6) Where a certificate of title which under this section should for the time being be in the custody of an authorised depositary is not in the custody of an authorised depositary, then, except with the permission of the Colonial Secretary, no person shall in the Colony, buy, sell, transfer, or do anything which effects his rights or powers in relation to, the security, or do any act which involves, is in association with or is preparatory to any such transaction outside the Colony.

(7) Except with the permission of the Colonial Secretary, no person in or resident in the Colony shall, in the case of a certificate of title with coupons (whether attached or on separate coupon sheets), detach any of the coupons otherwise than in the ordinary course for collection.

17. (1) Where a certificate of title to a security is by the last preceding section required to be and is in the custody of an authorised depositary, the provisions of this section shall, except so far as the Colonial Secretary otherwise directs, have effect in relation thereto until -

- (a) there are delivered to him the prescribed declarations as to the ownership of the security and the residence of the owners thereof; and
- (b) in the case of a certificate of title which -
  - (i) would ordinarily be accompanied by coupons (whether attached or on separate coupon sheets); but
  - (ii) when it comes into the custody of the authorised depositary wants, in order to render it complete, any coupons which would not in the ordinary course have been detached for collection,

there have also been deposited with him the coupons

so wanting at the time when the certificate of title comes into his custody :

Provided that where the said declarations have been delivered to an authorised depositary and he has parted with the certificate of title, paragraph (a) of this subsection shall not again apply on the certificate coming into the custody of another authorised depositary or again coming into his own custody.

(2) Except with the permission of the Colonial Secretary, the authorised depositary shall not part with or destroy the certificate of title or any coupons belonging thereto, otherwise than as mentioned in paragraphs (b) and (c) of the proviso to subsection (3) of the last preceding section, or do any act whereby he recognises or gives effect to the substitution of one person for another as the person from whom he receives instructions in relation thereto :

Provided that, where the person from whom an authorised depositary receives instructions in relation to any certificate of title becomes bankrupt in the Colony or dies, this subsection shall not prohibit the authorised depositary from recognising the trustee in bankruptcy or personal representative as the person entitled to give instructions in relation to the certificate of title.

(3) The authorised depositary shall place any capital moneys, dividends or interest on the security received by him to the credit of the person by virtue of whose authority he received them, but shall not permit any part of the sums received to be dealt with except with the permission of the Colonial Secretary.

18. (1) The Governor may, if in his opinion there are circumstances rendering it necessary or expedient so to do, by order direct that this section shall apply to such securities as may be prescribed, being securities on which capital moneys, dividends or interest are payable in a specified currency or as respects which the holder has an option to require payment of any capital moneys, dividends or interest thereon in a specified currency.

Special provisions as to dealings in certain securities.

(2) Except with the permission of the Colonial Secretary, no person shall, in the Colony, transfer, or do anything which affects his rights or powers in relation to, any security to which this section applies, and no person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony.

19. (1) The title of any person to a security for which he has given value on a transfer thereof, and the title of all persons claiming through or under him, shall, notwithstanding that the transfer, or any previous transfer, or the issue of the security, was by reason of the residence of any person concerned other than the first-mentioned person prohibited by the provisions of this Ordinance relating to the transfer or issue of securities, be valid unless the first-mentioned person had notice of the facts by reason of which it was prohibited.

Validation of certain transfers.

(2) Without prejudice to the provisions of subsection (1) of this section, the Colonial Secretary may issue a certificate declaring, in relation to a security, that any acts done before the issue of the certificate purporting to effect the issue or transfer of the security, being acts which were prohibited by this Ordinance, are to be, and are always to have been, as valid as if they had been done with the permission of the competent authority, and the said acts shall have effect accordingly.

(3) Nothing in this section shall affect the liability of any person to prosecution for any offence against this Ordinance.

20. (1) This Part of this Ordinance shall apply, with such modifications (if any) as may be prescribed, in relation to any such document as is mentioned in the following subsection, as if the document created, and were the certificate of title to, a security (hereafter

Application of Part III to secondary securities.

Additional provisions as to deposited certificates.

in this ordinance referred to as a "secondary security").

(2) The documents referred to in the preceding subsection are any letter of allotment which may be renounced, any letter of rights, any warrant conferring an option to acquire a security, any deposit certificate in respect of securities (but not including a receipt by an authorised depositary for any certificate of title deposited in pursuance of this Part of this Ordinance), and such other documents conferring, or containing evidence of, rights as may be prescribed.

Interpretation of  
Part III.

21. (1) In this Part of this Ordinance –

- (a) the expression "registered" includes inscribed;
- (b) the expressions "registered in the Colony" and "registered outside the Colony" mean respectively, registered in a register in, and registered in a register outside, the Colony;
- (c) the expression "security which is registered in the Colony otherwise than in a subsidiary register" means a security which either –
  - (i) is registered in the Colony and is not and cannot without the necessity for an entry in the register in the Colony become, registered outside; or
  - (ii) is registered both in the Colony and outside but on a transfer cannot, without the necessity for an entry in the register in the Colony, become registered outside in the name of the transferee; and
- (d) the expression "a register" includes any book, file or index in which securities are registered.

(2) For the purposes of any provision of this Part of this Ordinance prohibiting the transfer of securities, a person shall be deemed to transfer a security if he executes any instrument of transfer thereof, whether effective or not, and shall be deemed to transfer it at the place where he executes the instrument.

(3) References in this Part of this Ordinance to the person holding a certificate of title or coupon shall be construed as references to the person having physical custody of the certificate of title or coupon:

Provided that where the certificate of title or coupon is deposited with any person in a locked or sealed receptacle from which he is not entitled to remove it without the authority of some other person, that other person shall be deemed for the purposes of this provision to have the physical custody thereof.

(4) In this Part of this Ordinance, the expression "holder" –

- (a) in relation to a security transferable by means of a bearer certificate or to a coupon, includes the person holding the certificate or coupon; and
- (b) in relation to a security which is registered in the name of a deceased person, or of any person who, by reason of bankruptcy, unsoundness of mind or any other disability is incapable of transferring the security, means the personal representative, trustee in bankruptcy or other person entitled to transfer the security.

(5) The holder of a security or coupon shall be deemed for the purposes of this Part of this Ordinance to be a nominee in respect thereof if, as respects the exercise of any rights in respect thereof, he is not entitled to exercise those rights except in accordance with instructions given by some other person, and references in this Part of this Ordinance to the person for whom the holder of a security or coupon is a nominee shall be construed as references to the person who is entitled to give instructions, either directly or through the agency of one or more persons, as to the exercise of any rights in respect of the security or coupon and is not in so doing himself under

a duty to comply with instructions given by some other person:

Provided that –

- (a) a person shall not by reason only that he has a controlling interest in a body corporate be deemed for the purposes of this subsection to be entitled to give instructions to that body corporate as to the exercise of rights in respect of any security or coupon of which it is the holder; and
- (b) a person shall not be deemed to hold a security or coupon as a nominee by reason only that he holds it as trustee if he is entitled to transfer the security or coupon without permission from any other person.

(6) A certificate of title shall not for the purposes of this Part of this Ordinance be treated as in the custody of an authorised depositary if either –

- (a) the depositary has no notice of the nature of the certificate; or
- (b) the certificate is deposited with him in a locked or sealed receptacle from which he is not entitled to remove it without the authority of some other person.

(7) Where a certificate of title outside the Colony is by this Part of this Ordinance required to be kept in the custody of an authorised depositary, it shall be deemed to be in the custody of an authorised depositary if –

- (a) by his direction or with his assent it is in the custody of some other person who holds it on behalf of and to the order of the authorised depositary; and
- (b) the certificate is not deposited with that other person in a locked or sealed receptacle from which he is not entitled to remove it without the authority of a person other than himself;

and where a certificate of title is by virtue of this subsection deemed to be in the custody of an authorised depositary, references in this Part of this Ordinance to the depositary parting with the certificate or a coupon belonging thereto shall be construed as references to his permitting the person having the actual custody thereof to part with it otherwise than to the depositary, and references to his destroying the certificate or such a coupon shall be construed as references to his permitting it to be destroyed.

#### PART IV

##### IMPORT AND EXPORT

22. (1) The importation into the Colony of –

- (a) any notes of a class which are or have at any time been legal tender in the United Kingdom or any part of the United Kingdom; and
- (b) any such other notes as may be specified by order of the Governor, being notes issued by a bank or notes of a class which are or have at any time been legal tender in any territory; and
- (c) any certificate of title to any security, including any such certificate which has been cancelled, and any document certifying the destruction, loss or cancellation of any certificate of title to a security,

is hereby prohibited except with the permission of the Colonial Secretary.

(2) In this section the expression "note" includes part of a note and the expression "security" includes a secondary security.

23. (1) The exportation from the Colony of –

- (a) any notes of a class which are or have at any time been

Restrictions on  
import.

General restrictions  
on export.

legal tender in the United Kingdom or any part of the United Kingdom or in any other territory; and

- (b) any postal orders; and
- (c) any gold; and
- (d) any of the following documents (including any such document which has been cancelled), that is to say –
  - (i) any certificate of title to a security and any coupon; and
  - (ii) any policy of assurance; and
  - (iii) any bill of exchange or promissory note expressed in terms of a currency other than sterling; and
  - (iv) any document to which section five of this Ordinance applies not issued by an authorised dealer or in pursuance of a permission granted by the Colonial Secretary;

and any document certifying the destruction, loss or cancellation of any of the documents aforesaid; and

- (e) any such articles exported on the person of a traveller or in a traveller's baggage as may be prescribed,

is hereby prohibited except with the permission of the Colonial Secretary.

(2) In this section, the expression "note" includes part of a note, the expression "security" includes a secondary security and the expression "coupon" shall be construed in accordance with the meaning of "security".

Payment for exports.

24. (1) The exportation of goods of any class or description from the Colony to a destination in any such territory as may be prescribed is hereby prohibited except with the permission of the Colonial Secretary, unless the Collector of Customs is satisfied –

- (a) that payment for the goods has been made to a person resident in the Colony in such manner as may be prescribed in relation to goods of that class or description exported to a destination in that territory, or is to be so made not later than six months after the date of exportation; and
- (b) that the amount of the payment that has been made or is to be made is such as to represent a return for the goods which is in all the circumstances satisfactory in the national interest;

Provided that the Colonial Secretary may direct that, in cases to which the direction applies, paragraph (a) of this subsection shall have effect as if for the reference to six months there were substituted a reference to such longer or shorter period as may be specified in the direction, or as if the words "or is to be so made not later than six months after the date of exportation" were omitted.

(2) For the purpose of satisfying himself in the case of any goods as to the matters specified in subsection (1) of this section, the Collector of Customs may require the person making entry of the goods for export to deliver to the Collector or other proper officer together with the entry such declarations signed by such persons as he may require, and where any such declaration has been so required the goods shall not be exported until it has been delivered as aforesaid.

(3) Where the Collector of Customs is not satisfied in the case of any goods as to the matters specified in paragraph (b) of the said subsection (1), he shall give his reasons to the person making entry of the goods for export and shall take into consideration any representations made by him.

(4) Any reference in this section to the destination of any goods includes a reference to the ultimate destination thereof.

## PART V

### MISCELLANEOUS

25. (1) Except with the permission of the Colonial Secretary, no person resident in the Colony who has a right (whether present or future and whether vested or contingent) to receive any specified currency, or to receive from a person resident outside the the scheduled territories a payment in sterling, shall do, or refrain from doing, any act with intent to secure or shall do any act which involves, is in association with or is preparatory to any transaction securing –

Duty to collect certain debts.

- (a) that the receipt by him of the whole or part of that currency or, as the case may be, of that payment in sterling, is delayed; or

- (b) that the currency or payment ceases, in whole or in part, to be receivable by him;

Provided that nothing in this subsection –

- (i) shall, unless the Colonial Secretary otherwise directs, impose on any person any obligation, in relation to any debt arising in the carrying on of any trade or business, to procure the payment thereof at an earlier time than is customary in the course of that trade or business; or

- (ii) shall, unless the Colonial Secretary otherwise directs, prohibit any transfer to a person resident in the Colony and not elsewhere of any right to receive any specified currency or payment in sterling.

(2) Where a person has contravened the provisions of subsection (1) of this section in relation to any specified currency or payment in sterling, the Colonial Secretary may give to him or to any other person who appears to the Colonial Secretary to be in a position to give effect thereto (being a person in or resident in the Colony) such directions as appear to the Colonial Secretary to be expedient for the purpose of obtaining or expediting the receipt of the currency or payment in question, and, without prejudice to the generality of the preceding provisions of this subsection, may direct that there shall be assigned to the Colonial Secretary, or to such person as may be specified in the directions, the right to receive the currency or payment or enforce any security for the receipt thereof.

26. (1) Where –

Duty not to delay sale or importation of goods.

- (a) any permission or consent has been granted under this Ordinance, or under any corresponding provision of the law in force in any territory comprised in the scheduled territories, subject to a condition providing that, or on the faith of an application stating an intention that, any goods should be sold outside the scheduled territories; or
- (b) any statement or declaration has been made under any provision of this Ordinance or any such corresponding provision as aforesaid that any goods are to be sold outside the scheduled territories; or
- (c) any currency has been obtained in, or by any person resident in, the scheduled territories on the faith of an application stating an intention that any goods should be sold outside the scheduled territories,

then, except with the permission of the Colonial Secretary, no person resident in the Colony who is entitled to sell or procure the sale of the said goods shall do, or refrain from doing, any act with intent to secure or shall do any act which involves, is in association with or is preparatory to any transaction securing –

- (i) that the said sale is delayed to an extent which is unreasonable having regard to the ordinary course of trade; or

- (ii) that, on the said sale, any payment made for the goods is not made in the manner indicated by the condition, statement, or declaration, as the case may be.

(2) Where -

- (a) any permission or consent has been granted under this Ordinance, or under any corresponding provisions of the law in force in any territory comprised in the scheduled territories, subject to a condition providing that, or on the faith of an application stating an intention that, any goods should be imported from outside the scheduled territories into any part of the scheduled territories; or
- (b) any currency has been obtained in, or by any person resident in, the scheduled territories on the faith of an application stating an intention that any goods should be so imported.

then, except with the permission of the Colonial Secretary, no person resident in the Colony who is entitled to procure the importation of the said goods shall do, or refrain from doing, any act with intent to secure that the importation thereof is delayed to an extent which is unreasonable having regard to the ordinary course of trade.

(3) Where in such case as is specified in paragraph (a), (b) or (c) of subsection (1), or paragraph (a) or (b) of subsection (2), of this section -

- (a) the goods have not been sold or imported as indicated by the condition, statement or declaration within the time thereby indicated or, if no time is thereby indicated, a reasonable time, or (in either case) within such further time as may be allowed by the Colonial Secretary; or
- (b) it appears to the Colonial Secretary that the goods cannot be sold or imported as indicated by the condition, statement or declaration.

the Colonial Secretary may give to any person resident in the Colony who appears to the Colonial Secretary to be in a position to give effect thereto such directions as appear to him to be expedient as to the manner in which the goods are to be dealt with.

(4) Without prejudice to the generality of the provisions of the last preceding subsection, the power conferred thereby on the Colonial Secretary to give directions shall extend to the giving of directions that the goods shall be assigned to the Colonial Secretary or to a person specified in the directions.

(5) The powers conferred by the two last preceding subsections in relation to any goods shall extend to the giving of directions with respect to any goods produced or manufactured therefrom, and, where goods to be sold outside the scheduled territories or to be imported were to be produced or manufactured from other goods, to the giving of directions with respect to those other goods and any goods produced or manufactured from those other goods.

27. (1) Where a person -

- (a) has made any payment which is prohibited by this Ordinance; or
- (b) being bound under this Ordinance to offer or cause to be offered any specified currency to an authorised dealer, has otherwise disposed of that currency,

the Colonial Secretary may direct him to sell or procure the sale of any property which he is entitled to sell or of which he is entitled to procure the sale, being property which represents, whether directly or indirectly, that payment or that specified currency, as the case may be, and may by the same or a subsequent direction specify the manner in which, the persons to whom and the terms on which the property is to be sold.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section, the power conferred thereby on the Colonial Secretary to give directions shall extend to the giving of directions that the property shall be assigned to the Colonial Secretary or to a person specified in the directions.

28. (1) Where, under the preceding provisions of this Part of this Ordinance, the Colonial Secretary has power to give directions that any right to receive any currency or payment in sterling or to enforce any security for the receipt thereof, any goods, or any other property shall be assigned to the Colonial Secretary, the Colonial Secretary shall also have power to direct that the right, goods or property shall vest in the Colonial Secretary, and it or they shall vest in the Colonial Secretary accordingly free from any mortgage, pledge or charge, and the Colonial Secretary may deal with it or them as he thinks fit.

(2) Where, in pursuance of directions under the said provisions, any right, goods or property is or are assigned to the Colonial Secretary or to a person specified in the directions, or any right, goods or property vests or vest in the Colonial Secretary in pursuance of directions given under subsection (1) of this section, the Colonial Secretary shall pay the net sum recovered by him in respect of the right, goods or property to the person making the assignment or, in the case of any right, goods or property vested in the Colonial Secretary under subsection (1) of this section, to the person who, but for the directions, would be entitled to the right, goods or property.

29. (1) Except with the permission of the Colonial Secretary, no person resident in the Colony shall transfer to a person resident outside the scheduled territories, or who is to be a nominee for a person resident outside the scheduled territories, any right to the sums assured by any policy of assurance, so, however, that where the person liable for the sums so assured makes any payment thereof to a person resident in the scheduled territories and not elsewhere, or makes, with the permission of the Colonial Secretary, any payment thereof to any other person, -

- (a) he shall not be bound to enquire as to the residence of any person other than the person to whom, and (if it is not the same person) the person to whose order the payment is made; and
- (b) the payment shall, to the extent of the sums paid, discharge him from his liability under the policy, notwithstanding that the payment is made to or to the order of a person who was not entitled thereto otherwise than by virtue of a transfer prohibited by this subsection.

(2) Subsections (2) and (3) of section 19 of this Ordinance shall apply in relation to any transfer prohibited by this section as they apply in relation to a transfer prohibited by this Ordinance of a security.

(3) In this section, the expression "nominee" has, in relation to any policy, annuity or insurance, the same meaning as the said expression has in Part III of this Ordinance in relation to a security.

30. (1) Except with the permission of the Colonial Secretary, no person resident in the Colony shall settle any property, otherwise than by will, so as to confer an interest in the property on a person who, at the time of the settlement, is resident outside the scheduled territories, or shall exercise, otherwise than by will, any power of appointment, whether created by will or otherwise, in favour of a person who, at the time of the exercise of the power, is resident outside the scheduled territories.

(2) A settlement or exercise of a power of appointment shall not be invalid by reason that it is prohibited by this section, except

Provisions supplemental to preceding provisions of Part V.

Transfer of annuities, policies, etc.

Settlements.

Property obtained by infringement of Ordinance.

so far as it purports to confer any interest on any person who, at the time of the settlement or the exercise of the power, is resident outside the scheduled territories.

(3) Subsections (2) and (3) of section nineteen of this Ordinance shall apply in relation to a settlement or the exercise of a power of appointment prohibited by this section as they apply in relation to a transfer prohibited by this Ordinance of a security.

(4) For the purpose of this section –

- (a) any reference to settling property includes a reference to the making of any disposition, covenant, agreement or arrangement whereby the property becomes subject to a trust, or (in the case of a resettlement) to a different trust; and
- (b) a person shall be deemed to have an interest in property if he has any beneficial interest therein, whether present or future, and whether vested or contingent, or falls within a limited class of persons in whose favour a discretion or power in respect of the property is exercisable; and
- (c) the expression “will” includes any testamentary disposition.

(5) No person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony as is referred to in this section.

Companies.

31. (1) Where there is served on any person resident in the Colony a notice in writing that the Colonial Secretary wishes any such requirements as are hereinafter mentioned to be complied with by any such body corporate as is specified in the Second Schedule to this Ordinance (hereafter in this subsection referred to as a “foreign company”), and that person can, by doing or refraining from doing any act,

- (a) cause the foreign company to comply with any of the requirements; or
- (b) remove any obstacle to the foreign company complying with any of the requirements; or
- (c) render it in any respect more probable that the foreign company will comply with any of the requirements,

then, except so far as permission to the contrary may be given by the Colonial Secretary, that person shall do, or, as the case may be, refrain from doing, that act.

The requirements with respect to which such a notice may be given are as follows, that is to say, that the foreign company shall –

- (i) furnish to the Colonial Secretary such particulars as to its assets and business as may be mentioned in the notice;
- (ii) sell or procure the sale to an authorised dealer of any gold or specified currency mentioned in the notice, being gold or specified currency which it is entitled to sell or of which it is entitled to procure the sale;
- (iii) declare and pay such dividend as may be mentioned in the notice;
- (iv) realise any of its assets mentioned in the notice in such manner as may be so mentioned;
- (v) refrain from selling, transferring, or doing anything which affects its rights or powers in relation to, any such securities as may be mentioned in the notice.

(2) Except with the permission of the Colonial Secretary, no person resident in the Colony shall do any act whereby a body corporate which is by any means controlled (whether directly or indirectly) by persons resident in the Colony ceases to be controlled

by persons resident in the Colony :

Provided that this subsection shall not prohibit any person from selling any securities authorised to be dealt in on any recognised stock exchange in the Colony if the sale takes place in pursuance of an agreement entered into in the ordinary course of business on that exchange.

No person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony as is referred to in this subsection.

(3) Except with the permission of the Colonial Secretary, no person resident in the Colony shall lend any money or securities to any body corporate resident in the scheduled territories which is by any means controlled (whether directly or indirectly) by persons resident outside the scheduled territories.

Provided that this subsection shall not apply where the lender after making such enquiries as are reasonable in the circumstances of the case does not know and has no reason to suspect that the body corporate is controlled as aforesaid.

No person resident in the scheduled territories shall in the Colony do any act which involves, is in association with or is preparatory to any such transaction outside the Colony as is referred to in this subsection.

(4) For the purposes of this section and of the Second Schedule to this Ordinance, persons resident in the Colony or outside the scheduled territories shall be deemed to control a body corporate notwithstanding that other persons are associated with them in the control thereof if they can together override those other persons.

(5) In this section the expression “security” includes a secondary security.

## PART VI

### SUPPLEMENTAL

32. Any provision of this Ordinance imposing any obligation or prohibition shall have effect subject to such exemptions as may be granted by order of the Governor, and any such exemption may be either absolute or conditional. Exemptions.

33. Where –

- (a) under any provision contained in Part II of this Ordinance, the permission of the Colonial Secretary is required for the making of a payment or the placing of any sum to the credit of any person resident outside the scheduled territories; or
- (b) any payment falls to be made by an authorised dealer on the sale of any gold or specified currency by any foreign company within the meaning of subsection (1) of the concluding section of Part V of this Ordinance, being a sale made to comply with any requirement notified under that subsection,

the Colonial Secretary may direct that the sum payable or to be credited shall be paid or credited to a blocked account only, and, where such a direction is given, the provisions of the Third Schedule to this Ordinance shall have effect in relation to the payment or crediting of the sum. Blocked accounts.

34. (1) It shall be an implied condition in any contract that, where, by virtue of this Ordinance, the permission or consent of the Colonial Secretary is at the time of the contract required for the performance of any term thereof, that term shall not be performed except in so far as the permission or consent is given or is not required : Contracts, legal proceedings, etc.

Provided that this subsection shall not apply in so far as it is shown to be inconsistent with the intention of the parties that it should apply, whether by reason of their having contemplated the performance of that term in despite of the provisions of this Ordinance or for any other reason.

(2) Notwithstanding anything in the Bills of Exchange Act, 1882, neither the provisions of this Ordinance, nor any condition, whether express or to be implied having regard to those provisions, that any payment shall not be made without the permission of the Colonial Secretary under this Ordinance, shall be deemed to prevent any instrument being a bill of exchange or promissory note.

(3) The provisions of the Fourth Schedule to this Ordinance shall have effect with respect to legal proceedings, arbitrations, bankruptcy proceedings, the administration of the estates of deceased persons, the winding up of companies, and proceedings under deeds of arrangement or trust deeds for behoof of creditors.

Enforcement and administration.

35. (1) The provisions of the Fifth Schedule to this Ordinance shall have effect for the purpose of the enforcement of this Ordinance.

(2) Persons belonging to the following classes, that is to say –

- (a) bankers, authorised dealers, authorised depositaries;
- (b) persons to whom any powers of the competent authority under this Ordinance are delegated;
- (c) persons who with the permission of the competent authority are in possession of documents which would, but for the permission, have to be in the custody of an authorised depositary;
- (d) persons concerned with the keeping of any register in the Colony; and
- (e) persons entrusted with the payment of capital moneys, dividends or interest in the Colony,

shall comply with such directions as may be given to them respectively by the Colonial Secretary, being –

- (i) in the case of any such persons, directions as respects the exercise of any functions exercisable by them by virtue of, or by virtue of anything done under, any provision of this Ordinance; or
- (ii) in the case of authorised dealers, such directions as aforesaid or directions as to the terms on which they are to accept gold or foreign currency or directions requiring them to offer their gold or specified currency for sale to the Bank of England on such terms as may be specified in any such directions.

Application to Crown.

36. This Ordinance shall bind the Crown and shall apply to transactions by a Government department or other person acting on behalf of the Crown, and the competent authority shall not, by virtue of any contract made by them or on their behalf in relation to any securities, be under any obligation to grant any permission under Part III of this Ordinance or any exemption from the provisions of the said Part III.

Governor's orders.

37. The Governor may by order make such transitional provisions as appear to him necessary or expedient in consequence of the exercise by him of any other power to make orders under this Ordinance.

Other powers.

38. (1) Any permission, consent or authority granted under this Ordinance –

- (a) may be either general or special; and
- (b) may be revoked by the competent authority; and

- (c) may be absolute or conditional; and
- (d) may be limited so as to expire on a specified date, unless renewed; and
- (e) shall be published in such a way as, in the opinion of the competent authority, to give any person entitled to the benefit of it an adequate opportunity of getting to know of it, unless in his opinion publication is not necessary for that purpose.

(2) Any directions given under any provision of this Ordinance –

- (a) may be either general or special; and
- (b) may be revoked or varied by subsequent directions; and
- (c) shall be given to such persons and in such manner as the competent authority thinks appropriate, and if so given shall be valid for all purposes.

(3) Notwithstanding paragraph (c) of the last preceding subsection, a person shall not by virtue of any direction given by the competent authority under this Ordinance, be convicted of an offence against this Ordinance, unless the direction was served on him or he knew, or avoided getting to know, of the giving thereof:

Provided that where reasonable steps were taken for the purpose of bringing the purport of the direction to his notice, it shall be for him to show that he neither knew nor avoided getting to know of the giving thereof.

(4) The competent authority may, to such extent and subject to such restrictions and conditions as he may think proper, delegate or authorise the delegation of any of his powers (other than any power to make orders or to give authority to apply for a search warrant) to any person, or class or description of persons, approved by him, and references in this Ordinance shall be construed accordingly.

(5) Any document stating that any permission, consent, authority or direction is given under any of the provisions of this Ordinance by the competent authority, and purporting to be signed on his behalf, shall be evidence of the facts stated in the document.

39. Any expenses incurred under or by virtue of this Ordinance by any Government department shall be paid out of moneys provided by the Legislative Council, and any sums received under or by virtue of this Ordinance by any Government department shall be paid into the Colonial Treasury.

Financial provisions.

40. (1) The Governor may by order or direction provide that, for such of the purposes of this Ordinance as may be specified in the order or direction –

Branches.

- (a) any transaction with or by a branch of any business, whether carried on by a body corporate or otherwise, shall be treated in all respects as if the branch were a body corporate resident where the branch is situated; and
- (b) the making of any book entry or other statement recording a debit against a branch of any business in favour of any other branch of that business, shall be treated as a payment to that other branch; and
- (c) any property held by or on behalf of the person carrying on the business shall be deemed to be held by such of the branches of the business as may be determined in accordance with the order or direction.

and any such order or direction which makes, for any of the purposes of Part III of this Ordinance, such provision as is mentioned in paragraph (c) of this subsection may contain provisions declaring the circumstances in which a branch is to be treated as nominee for any other branch.

(2) Any reference in subsection (1) of this section to a branch of a business shall be deemed to include a reference to the head office of that business.

(3) Subsections (1) and (2) of this section shall apply in relation to any body of persons (whether corporate or unincorporated) carrying on any activity, whether for the purpose of profit or not, as they apply in relation to a business.

Persons leaving the scheduled territories.

41. Where a person resident in the Colony leaves the scheduled territories, the Colonial Secretary may, before, at or after the time he leaves the scheduled territories, direct that, for such period as may be specified in the direction, payments by him or on his behalf and to him or to his credit and transactions in or in relation to securities or secondary securities in which he is in any way concerned shall, whether or not he continues to be resident in the Colony, be subject to such restrictions as may be specified in the direction.

Determination of residence.

42. (1) For the purposes of this Ordinance, a personal representative of a deceased person shall, unless the Colonial Secretary otherwise directs, be treated as resident in the territory where the deceased person was resident for the purposes in question at the time of his death and as not resident elsewhere, so far as relates to any matters in which the personal representative is concerned solely in his capacity as such.

(2) The Colonial Secretary may give directions declaring that for all or any of the purposes of this Ordinance a person is to be treated as resident or not resident in such territories as may be specified in the directions.

General provisions as to interpretation.

43. (1) In this Ordinance, except so far as the contrary is expressly provided or the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say :-

"authorised dealer" means, in relation to gold or any foreign currency, a person for the time being authorised by an order of the Governor to act for the purposes of this Ordinance as an authorised dealer in relation to gold, or, as the case may be, that foreign currency;

"authorised depositary" means a person for the time being authorised by an order of the Governor to act as an authorised depositary for the purposes of Part III of this Ordinance;

"bearer certificate" means a certificate of title to securities by the delivery of which (with or without endorsement) the title to the securities is transferable;

"certificate of title to securities" means any document of title whereby a person recognises the title of another to securities issued or to be issued by the first-mentioned person, and in the case of any such document with coupons (whether attached or on separate coupon sheets) includes any coupons which have not been detached;

"coupon" means a coupon representing dividends or interest on a security;

"foreign currency" has the meaning ascribed to it by section two of this Ordinance;

"gold" means gold coin or gold bullion;

"policy of assurance" means any policy securing the payment of a capital sum or annuity on the occurrence of a specified event which is certain to happen and includes -

(a) any policy by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life; and

(b) any policy securing the payment of an immediate annuity;

and the reference in this definition to the occurrence of a specified event which is certain to happen shall include the occurrence, which is certain to happen, of one of specified events none of which by itself is certain to happen;

"prescribed" means prescribed, for the purposes of the provision in question, by order of the competent authority;

"scheduled territories" has the meaning ascribed to it by section two of this Ordinance;

"secondary securities" has the meaning ascribed to it by section twenty of this Ordinance;

"securities" means shares, stock, bonds, notes (other than promissory notes), debentures, debenture stock, units under a unit trust scheme and shares in an oil royalty;

"specified currency" has the meaning ascribed to it by section three of this Ordinance as extended by section five thereof;

"unit trust scheme" means any arrangements made for the purpose, or having the effect, of providing for persons having funds available for investment, facilities for the participation by them, as beneficiaries under a trust, in profits or income arising from the acquisition, holding management or disposal of any property whatsoever;

"unit" means, in relation to a unit trust scheme, a right or interest (whether described as a unit, as a sub-unit or otherwise) which may be acquired under the scheme.

(2) Any provision of this Ordinance (however worded) the effect of which is to prohibit the doing of any act where a person to or by whom the act is to be done or who stands in a specified relation to any property possesses any specified attribute as to residence or otherwise shall, where the act is done to or by two or more persons or, as the case may be, where two or more persons stand jointly in that relation to the property, operate to prohibit the doing of that act if any of those persons possess that attribute; and any provision of this Ordinance imposing an obligation on any person to do an act if he possesses any specified attribute as to residence or otherwise shall, in relation to any act which can only be done by two or more persons jointly -

(a) where all those persons possess that attribute, operate to impose a joint obligation on all of them to do the act; and

(b) where some only of them possess that attribute, operate to impose a separate obligation on each one of them who possesses that attribute to do all he can to secure the doing of the act.

(3) Any power conferred by this Ordinance to prescribe the declarations which are to be furnished on any occasion shall include a power to require that the declarations shall be made by specified persons and shall be verified in a specified manner.

(4) Nothing in this Ordinance shall be construed as requiring the Colonial Secretary to pay any sum otherwise than in sterling or otherwise than in the Colony, and any provision of this Ordinance requiring the Colonial Secretary to pay any sum to any person shall, where that sum is in a specified currency, be construed as a provision that the Colonial Secretary shall pay to that person the amount in sterling which he would have received for the specified currency if he had sold it to an authorised dealer in pursuance of an offer made under section three of this Ordinance at the time when the said sum is paid.

(5) The obligations and prohibitions imposed by this Ordinance shall, subject to the express limitations contained therein, apply to all persons, notwithstanding that they are not British subjects.

44. This Ordinance shall come into force on such day as

Commencement and repeat.

the Governor may by order appoint, and —

- (a) different days may be appointed for different purposes and for different provisions thereof; and
- (b) the power of the Governor to make transitional provisions consequent on the making of an order under this Ordinance shall extend to the revocation, in consequence of any order made under this subsection, of any of the provisions of the Defence (Finance) Regulations, 1947.

Section 2

## SCHEDULES

### FIRST SCHEDULE

#### THE SCHEDULED TERRITORIES

1. The fully self-governing countries of the British Commonwealth except Canada.
2. Any Colony under the dominion of His Majesty.
3. Any territory administered by the government of any part of His Majesty's dominions under the trusteeship system of the United Nations.
4. Any British protectorate or British protected state.
5. South West Africa.
6. The Irish Republic.
7. Iraq.
8. Iceland.
9. Burma.
10. The Hashemite Kingdom of the Jordan.

Section 31.

### SECOND SCHEDULE

#### FOREIGN COMPANIES

1. The bodies corporate in question are bodies corporate not incorporated under the Law of the Colony in the case of which any of the following conditions is fulfilled—
  - (a) that the body corporate is by any means controlled (whether directly or indirectly) by persons resident in the Colony;
  - (b) that more than one-half of the sums which, on a liquidation thereof, would be receivable by holders of share or loan capital would be receivable directly or indirectly by or for the benefit of persons resident in the Colony;
  - (c) that more than one-half of the assets which, on a liquidation thereof, would be available for distribution after the payment of creditors would be receivable directly or indirectly by or for the benefit of persons resident in the Colony; or
  - (d) that more than one-half—
    - (i) of the interest payable on its loans and loan capital, if any; or
    - (ii) of the dividends payable on its preference share capital, if any; or
    - (iii) of the dividends payable on its share capital, if any, not being preference share capital,is receivable, directly or indirectly, by or for the benefit of persons resident in the Colony.

2. Where the identity of the persons by whom or for whose benefit any sum, assets, interest or dividends are directly or indirectly receivable depends on the exercise by a person resident in the Colony of a power of appointment or similar power, the sum, assets, interest or dividends shall, for the purposes of this Schedule, be deemed to be receivable directly or indirectly by or for the benefit of persons resident in the Colony.

Section 33.

### THIRD SCHEDULE

#### BLOCKED ACCOUNTS

1. In this Schedule, the expression "a blocked account" means an account opened as a blocked account at an office or branch in the Colony in favour of any person by a banker authorised by the Colonial Secretary to open blocked accounts, and the expression "the banker" means, in relation to any person, a banker who opens a blocked account in favour of that person.

2. Where a direction is given that a payment is to be made to a blocked account only, then, subject to the next following paragraph—

(a) the manner in which the payment may be made shall be either—

- (i) to the banker, with a direction that it is to be credited to a blocked account of that person (which direction may, in the case of a payment by means of a cheque or warrant, be made by marking the cheque or warrant with the words "blocked account of" (naming the person in question) or words to the same effect); or
- (ii) by a crossed cheque or warrant drawn in favour of that person, marked with the words "payable only to blocked account of payee" or words to the same effect; and

(b) the sum collected shall be credited by the banker to a blocked account of that person.

3. Where a direction is given that a sum is to be paid or credited to a blocked account only, then, notwithstanding the direction, the sum may, with the consent of the person to whom it is to be paid or credited, and subject to the requirements of Part III of this Ordinance, be invested instead in the purchase for that person of any such investments as may be prescribed for the purposes of paragraph (a) of the proviso to the next following paragraph.

4. Any sum standing to the credit of a blocked account shall not be dealt with except with the permission of the Colonial Secretary:

Provided that, subject to compliance with the requirements of Part III of this Ordinance—

- (a) the whole or any part of any such sum may, at the request of the person in whose name the account stands, be invested through the banker in such investments as may be prescribed; and
- (b) nothing in this Schedule shall be construed as restricting the manner in which the investments acquired may be dealt with.

5. Where a person in whose name a blocked account is standing becomes bankrupt in the Colony or dies, the banker may, notwithstanding anything in paragraph 4 of this Schedule, transfer the account to the name of the trustee in bankruptcy or personal representative, but save as aforesaid, no change shall, except with the permission of the Colonial Secretary, be made in the name in which the account stands; and where any such change is made (whether or not the permission of the Colonial Secretary is necessary therefor) the account shall remain a blocked account notwithstanding the change, and the provisions of this Schedule shall apply accordingly.

6. Where—

- (a) a sum is due from any person to any other person but the Colonial Secretary directs that it shall be paid or credited to a blocked account only; and
- (b) the person to whom the sum is due nominates such an account to the person from whom the sum is due.

the last mentioned person is under a duty to the person to whom the sum is due to cause the sum to be paid or credited to that blocked account, and the crediting of any sum to a blocked account in pursuance of a direction of the Colonial Secretary shall, to the extent of the sum credited, be a good discharge to the person from whom the sum is due:

Provided that in the case of a sum due under a contract this paragraph shall not apply in so far as it is shown to be inconsistent with the intention of the parties that it should apply.

### FOURTH SCHEDULE

#### LEGAL PROCEEDINGS, &c.

Section 34.

1. The provisions of Part II of this Ordinance shall apply to sums required to be paid by any judgment or order of any court or by any award as they apply in relation to other sums, and it shall be implied in any judgment or order of any court in the Colony, and in any award given under the law of the Colony, that any sum required to be paid by the judgment, order or award (whether as a debt, as damages or otherwise) to which the said provisions apply shall not be paid except with the permission of the Colonial Secretary.

2. Nothing in this Ordinance shall be construed as preventing the payment by any person of any sum into any court in the Colony but the provisions of Part II of this Ordinance shall apply to the payment of any sum out of court, whether under an order of the court or otherwise, to or for the credit of any person resident outside the scheduled territories.

3. Without prejudice to the provisions of any enactments relating to the making of rules of court, rules of court—

- (a) enabling any person who is required by any judgment, order or award to pay any sum, if he apprehends that the payment of that sum is unlawful under this Ordinance except with the permission of the Colonial Secretary, to pay that sum into court; and
- (b) declaring that payment of a sum into court by virtue of the preceding sub-paragraph, together with the delivery to the other party concerned of such evidence of the payment as may be prescribed by the rules, shall, to the extent of the payment, be a good discharge to the person making the payment; and
- (c) so regulating the process of execution which may issue in respect of any sum required to be paid by any judgment, order or award as to secure that, unless it is shown, in such manner as may be prescribed by the rules, that the permission of the Colonial Secretary for the payment of the sum is not required under this Ordinance or has been given without conditions, the proceeds of the execution will be paid into court, and, so far as is necessary for that purpose, varying the form of any writ of execution or other similar document or the duties of the sheriff or other officer to whom any such writ or other similar document is directed.

may be made, as respects the Supreme Court, or any other court, by such authority as may be designated in that behalf by the Judge:

Provided that—

- (i) the form of any bankruptcy notice shall be such as may be prescribed by the Colonial Secretary; and
- (ii) nothing in this paragraph shall affect the provisions of any legislation which requires rules of court for inferior courts to have the concurrence of the rule-making authority for the Supreme Court.

4.—(1) In any proceedings in a prescribed court and in any arbitration proceedings, a claim for the recovery of any debt shall not be defeated by reason only of the debt not being payable without the permission of the Colonial Secretary and of that permission not having been given or having been revoked.

(2) No court shall be prescribed for the purpose of this paragraph unless the Colonial Secretary is satisfied that adequate provision has been made therefor by rules of court for the purposes specified under the last preceding paragraph.

5.—(1) In any bankruptcy, in the winding up of any company or in the administration of the estate of any deceased person (being a bankruptcy, winding up or administration carried on under the law of the Colony), a claim for a sum not payable without the permission of the Colonial Secretary shall, notwithstanding that the permission has not been given or has been revoked, be admitted to proof as if it had been given and had not been revoked:

Provided that nothing in this sub-paragraph shall be construed as affecting the application of the provisions of Part II of this Ordinance to payments by any trustee, liquidator, personal representative or other person in any such bankruptcy, winding up or administration.

(2) The provisions of this Ordinance restricting the making of settlements shall not apply to any deed of arrangement made for the benefit of creditors generally, and the provisions of sub-paragraph (1) of this paragraph shall apply in relation to proceedings under any deed of arrangement as they apply in relation to proceedings in bankruptcy.

6. A debt for the payment of which the permission of the Colonial Secretary is required under this Ordinance shall, if in other respects it complies with the requirements of subsection (1) of section four of the Bankruptcy Act, 1914, be allowed to be a good petitioning creditor's debt, notwithstanding the said requirement, if and to the extent that the debt can be satisfied either by a payment into court or by a payment to a blocked account.

(2) A person required by any such directions as aforesaid to furnish information shall also produce such books, accounts or other documents (hereafter in this Part of this the said purpose by the Colonial Secretary or by the person authorised to require the information, as the case may be.

(3) Nothing in the preceding provisions of this paragraph shall be taken to require any person who has acted as counsel or solicitor for any person to disclose any privileged communication made to him in that capacity.

(4) Where a person is convicted on indictment for failing to give information or produce documents when required so to do under this paragraph, the court may make an order requiring the offender, within such period as may be specified in the order, to comply with the requirement to give the information or produce the documents.

2.—(1) If a justice of the peace is satisfied by information on oath given by a person authorised by the Colonial Secretary to act for the purposes of this paragraph either—

- (a) that there is reasonable ground for suspecting that an offence against this Ordinance has been or is being committed and that evidence of the commission of the offence is to be found at any premises specified in the information, or in any vehicle, vessel or aircraft so specified; or
- (b) that any documents which ought to have been produced under the preceding paragraph and have not been produced are to be found at any such premises or in any such vehicle, vessel or aircraft,

he may grant a search warrant authorising any police officer, together with any other persons named in the warrant and any other police officers, to enter the premises specified in the information or, as the case may be, any premises upon which the vehicle, vessel or aircraft so specified may be, at any time within one month from the date of the warrant, and to search the premises, or, as the case may be, the vehicle, vessel or aircraft.

(2) A person authorised by any such warrant as aforesaid to search any premises or any vehicle, vessel or aircraft, may search every person who is found in, or whom he has reasonable ground to believe to have recently left or to be about to enter, those premises or that vehicle, vessel or aircraft, as the case may be, and may seize any article found in the premises or in the vehicle, vessel or aircraft which he has reasonable ground for believing to be evidence of the commission of any offence against this Ordinance or any documents which he has reasonable ground for believing ought to have been produced under the preceding paragraph:

Provided that no female shall, in pursuance of any warrant issued under this paragraph, be searched except by a female.

(3) Where, by virtue of this paragraph, a person has any power to enter any premises, he may use such force as is reasonably necessary for the purpose of exercising that power.

3.—(1) Any article coming into the possession of an executive authority (whether in consequence of the seizure of the article under or by virtue of this Ordinance or otherwise) which the authority has reasonable ground for believing to be evidence of the commission of an offence against this Ordinance may be retained for a period of three months or, if within that period there are commenced proceedings in respect of such an offence in which the article is, or can properly be, adduced in evidence, until the final determination of those proceedings.

(2) For the purposes of this paragraph, any person to whom any powers of the competent authority under this Ordinance are delegated or on whom any functions are conferred by or by virtue of this Ordinance, including any police officer, shall be deemed to be an executive authority.

(3) For the purposes of this paragraph, any proceedings shall be deemed not to have been finally determined so long as there is pending any appeal in the matter of the proceedings, and an appeal in that matter shall be deemed to be pending during the ordinary time within which such an appeal may be lodged, and, if such an appeal is duly lodged, the appeal shall be deemed to be pending until it is decided or withdrawn.

(4) The powers conferred by this paragraph in relation to any article shall be in addition to, and not in derogation of, any powers otherwise exercisable in relation thereto.

4. No person in or resident in the Colony shall—

- (a) with intent to evade the provisions of this Ordinance, destroy, mutilate, deface, secrete or remove any documents;
- (b) in furnishing any information for any of the purposes of this Ordinance, make any statement which he knows to be false in a material particular, or recklessly make any statement which is false in a material particular;
- (c) obstruct any person in the exercise of any powers conferred on him by virtue of this Part of this Schedule.

## FIFTH SCHEDULE

### ENFORCEMENT

#### PART I.

##### *General provisions as to evidence and information.*

1.—(1) Without prejudice to any other provisions of this Ordinance, the Colonial Secretary may give to any person in or resident in the Colony directions requiring him, him, or to any person designated in the directions as a person authorised to require it, so authorised, as the case may be, may require for the purpose of securing compliance with or detecting evasion of this Ordinance.

## PART II.

### *General provisions as to offences*

1.—(1) Any person in or resident in the Colony who contravenes any restriction or requirement imposed by or under this Ordinance, and any such person who conspires or attempts, or aids, abets, counsels or procures any other person, to contravene any such restriction or requirement as aforesaid, shall be guilty of an offence punishable under this Part of this Schedule:

Provided that an offence punishable by virtue of Part III of this Schedule shall not be punishable under this Part of this Schedule.

(2) Where an offence punishable under this Part of this Schedule has been committed by a body corporate, any person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the contravention was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

(3) Any person who commits an offence punishable under this Part of this Schedule shall be liable—

(a) on summary conviction, to imprisonment for not more than three months or to a fine or to both;

(b) on conviction on indictment, to imprisonment for not more than two years or to a fine or to both;

and where the offence is concerned with any currency, any security, any gold, any goods or any other property, the court may, if they think fit so to do, order the currency, security, gold, goods or property to be forfeited.

(4) Except in the case of a body corporate convicted on indictment, the maximum fine which may be imposed for an offence punishable under this Part of this Schedule shall be—

(a) on summary conviction five hundred pounds; and

(b) on conviction on indictment one thousand pounds;

so, however, that (in either case) where the offence is concerned with any currency, any security, any payment, any gold, any goods or any other property, and does not consist only of a failure to give information or produce books, accounts or other documents with respect thereto when required so to do under Part I of this Schedule, a larger fine may be imposed not exceeding three times the amount or value of the currency, security, payment, gold, goods or property.

2.—(1) No proceedings for an offence punishable under this Part of this Schedule shall be instituted, except by or with the consent of the Colonial Secretary or appropriate officer.

Provided that this sub-paragraph shall not prevent the issue or execution of a warrant for the arrest of any person in respect of such an offence, or the remanding in custody or on bail of any person charged with such an offence.

(2) Proceedings against any person in respect of an offence punishable under this Part of this Schedule may be taken before the appropriate court in the Colony having jurisdiction in the place where that person is for the time being.

(3) Any proceedings under a law establishing summary jurisdiction which may be taken against any person in respect of any offence punishable under this Part of this Schedule may, notwithstanding anything to the contrary in that law, be taken at any time within twelve months from the date of the commission of the offence or within three months from the date on which evidence sufficient in the opinion of the Colonial Secretary to justify the proceedings comes to the knowledge of the Colonial Secretary, whichever period last expires, or, where the person in question was outside the Colony at the date last mentioned, within twelve months from the date on which he first arrives in the Colony thereafter.

(4) For the purposes of this paragraph a certificate of the Colonial Secretary as to the date on which such evidence as aforesaid came to the knowledge of the Colonial Secretary shall be conclusive evidence thereof.

3. The maximum period of imprisonment that may be imposed by a court of summary jurisdiction in the Colony—

(a) in respect of the non-payment of a sum adjudged to be paid by a conviction for an offence punishable under this Part of this Schedule; or

(b) in respect of the default of a sufficient distress to satisfy any such sum.

shall, in cases where the sum exceeds twenty pounds, be increased in accordance with

the following scale, that is to say,—

<i>Where the amount of the sum adjudged to be paid by the conviction, as ascertained by the conviction,—</i>	<i>The said period shall not exceed—</i>
Exceeds twenty pounds but does not exceed one hundred pounds	Four months.
Exceeds one hundred pounds	Six months.

## PART III.

### *Import and Export.*

1.—(1) The enactments relating to customs shall, subject to such modifications, if any, as may be prescribed to adapt them to this Ordinance apply in relation to anything prohibited to be imported or exported by any of the provisions of Part IV of this Ordinance except with the permission of the Colonial Secretary as they apply in relation to goods prohibited to be imported or exported by or under any of the said enactments, and any reference in the said enactments to goods shall be construed as including a reference to anything prohibited to be imported or exported by any of the provisions of the said Part IV except with the permission of the Colonial Secretary.

(2) References in this paragraph to the enactments relating to customs shall be taken as including references to the Customs Ordinance, 1943.

2. Any declaration required to be given under Part IV of this Ordinance shall, for the purposes of the Customs Ordinance, 1943, be deemed to be a declaration in a matter relating to customs.

3. If anything prohibited to be exported by any provision of the said Part IV is exported in contravention thereof, or is brought to a quay or other place, or water-borne, for the purpose of being so exported, the exporter or his agent shall be liable to the same penalty as that to which a person is liable for an offence to which the Customs Ordinance, 1943, applies.

4. Without prejudice to any of the preceding provisions of this Part of this Schedule, any person who, on any occasion, is about to leave the Colony or arrives in the Colony (which person is hereafter in this paragraph referred to as "the traveller") shall, if on that occasion he is required so to do by an officer of Customs or an immigration officer—

(a) declare whether or not he has with him anything prohibited to be imported or exported by any of the provisions of the said Part IV except with the permission of the Colonial Secretary; and

(b) produce any such thing as aforesaid which he has with him.

and the officer may examine or search any article which the traveller has with him for the purpose of ascertaining whether he is conveying or has in his possession any such thing, and, if the officer has reasonable grounds for suspecting that the traveller has about his person any such thing, search him, and may seize anything produced as aforesaid or found upon such examination or search as aforesaid as to which the officer has reasonable ground for suspecting that it is prohibited to be imported or exported by any of the provisions of the said Part IV except with permission of the Colonial Secretary:

Provided that no female shall be searched in pursuance of this paragraph except by a female.

5. Sub-paragraph (2) of paragraph 1 of Part II of this Schedule shall apply also to offences punishable by virtue of this Part of this Schedule.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS:

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 6



1951.

**Colony of the Falkland Islands.**

IN THE FIFTEENTH YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**Further to amend the Income Tax Title.**  
**Ordinance, 1939.**

[*1st January, 1951.*]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance, 1951, and shall be read and construed as one with the Income Tax Ordinance, 1939, (hereinafter referred to as the Principal Ordinance) and all amendments thereto, and shall be deemed to have come into force on the 1st January, 1951.

Short title.

2. In section 15 of the Principal Ordinance for the word "eighty" there shall be substituted the words "one hundred".

Amendment of  
section 15 of the  
Principal Ordinance.

3. In subsection (1) of section 21 of the Principal Ordinance for the figures "1/6" there shall be substituted the figure "1/-".

Amendment of  
section 21 of the  
Principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 26th day of  
November, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 7



1951.

**Colony of the Falkland Islands.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Revised Edition of the  
Laws (Amendment) Ordinance, 1950.**

Title.

[30th December, 1950]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands, with the advice and consent of the Legislative Council there-  
of, as follows :—

Enacting Clause.

1. (1) This Ordinance may be cited as the Revised Edition  
of the Laws (Amendment) (No. 2) Ordinance, 1951, and shall be  
read and construed as one with the Revised Edition of the Laws  
(Amendment) Ordinance, 1950 (hereinafter called the Principal  
Ordinance).

Short title and  
commencement.

(2) This Ordinance shall be deemed to have come into  
operation on the 30th December, 1950.

2. Section 1 of the Principal Ordinance is hereby amended  
by the deletion of the words "and shall be deemed to have come into  
force on the 1st January, 1950".

Amendment of  
section 1 of the  
Principal Ordinance.

3. The following new section is hereby inserted in the  
Principal Ordinance after section 16 thereof :—

Insertion of new  
section 16A in the  
Principal Ordinance.

"16A. The amendments to the Principal Ordinance effected  
hereby shall be deemed to have come into force on the 1st Jan-  
uary, 1950, with the exception of the amendment effected by  
section 8 (1) hereof, which shall be deemed to have come into  
force on the 1st January, 1949."

Amendment of  
Schedule to Principal  
Ordinance.

4. The Schedule to the Principal Ordinance is hereby amended :—

- (a) by the insertion of the name of the Pensions Ordinance, No. 5 of 1937 in the first column, and opposite thereto in the second column the words—

“Section 21 is repealed and replaced by the following :—

“21. The Pensions Ordinance, 1927, the Pensions (Amendment) Ordinance, 1929 and the Pensions (Amendment) Ordinance, 1931 shall cease to apply to the officers to whom the provisions of this Ordinance apply.”

and opposite thereto in the third column the date “20th November, 1937”;

- (b) by the insertion in the second column opposite the name of the Pensions Ordinance, No. 13 of 1949, of the words—

“Section 19 is repealed and replaced by the following :—

“19. The Pensions Ordinance, 1937, the Pensions (Amendment) Ordinance, 1940, the Pensions (Amendment) Ordinance, 1941, and the Pensions (Amendment) Ordinance, 1946, shall cease to apply to the officers to whom the provisions of this Ordinance apply.”

Ref. 0681/11.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE.

*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 26th day of November, 1951.

MILES CLIFFORD,  
*Governor.*

[ L.S. ]

No. 8

1951.



Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To further amend the Revised Edition  
of the Laws Ordinance, 1943. Title.

[ 1st January, 1950. ]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

Enacting clause.

1. (1) This Ordinance may be cited as the Revised Edition of the Laws (Amendment) (No. 3) Ordinance, 1951, and shall be read and construed as one with the Revised Edition of the Laws Ordinance, 1943 (hereinafter called the Principal Ordinance).

Short title and  
commencement.

(2) This Ordinance shall be deemed to have come into operation on the 1st January, 1950.

2. Section 8 of the Principal Ordinance is hereby amended by the insertion of the words “or any part thereof” after the words “the Revised Edition” in subsection (1).

Amendment of  
section 8 of the  
Principal Ordinance.

3. Section 19 of the Principal Ordinance is hereby amended by the deletion from subsection (1) thereof of the words “Unless a contrary intention appears”.

Amendment of  
section 19 of the  
Principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,

*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 26th day of  
November, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 9



1951.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To validate the expenditure incurred during the period from 1st April, 1948 to 31st December, 1948 for the services of the Dependencies.

Title.

ENACTED by the Governor of the Colony of the Falkland Islands with the advice and consent of the Legislative Council thereof, as follows :—

Enacting Clause.

1. This Ordinance may be cited as the Validation of Expenditure (Dependencies) Ordinance, 1951.

Short title.

2. The sum of Seventy five thousand, four hundred and one pounds, eight shillings and elevenpence drawn from the Public Revenue and other funds of the Dependencies for the several services of the Dependencies expressed and particularly mentioned in the Schedule hereto for the period from 1st April, 1948 to 31st December, 1948, under the warrant of the Governor, is hereby declared to have been lawfully expended for the said services.

Validation of Expenditure.

# SCHEDULE

Head of Service.	Amount.		
	£	s.	d.
South Georgia ... ..	1787	12	3
South Georgia Extraordinary ...	6058	16	8
Falkland Islands Dependencies Survey	25835	12	8
Falkland Islands Dependencies Survey Extraord'y	40004	4	0
Discovery Committee ... ..	1715	3	4
Total Expenditure	£ 75401	8	11

Ref. D/S/51.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in His Majesty's name this 26th day of November, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 10



1951.

## Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the year One thousand Nine hundred and Fifty in excess of the Expenditure sanctioned by Ordinance No. 48 of 1949.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1950. Preamble.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :— Enacting Clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1950) Ordinance, 1951. Short Title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service of the year One thousand Nine hundred and Fifty, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that year, and are hereby approved, allowed and granted in addition to the sums mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the year 1950.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
I.	The Governor ... ..	171	6	3
IV.	Communications ... ..	198	11	5
V.	Customs ... ..	83	8	6
VII.	Medical ... ..	153	12	7
X.	Miscellaneous ... ..	6460	19	11
XI.	Pensions ... ..	1641	11	9
XIII.	Posts & Telegraphs ... ..	4458	7	6
XIV.	Public Works ... ..	1546	19	4
XVIII.	Extraordinary Expenditure ... ..	30344	17	3
	£	45059	14	6

Ref. 0284/IV.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 1

1951.

## Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## An Ordinance

To amend the Dependencies Ordinance, 1908. Title.

[1st January, 1949.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :-

Enacting Clause.

1. This Ordinance may be cited as the Dependencies (Amendment) Ordinance, 1951, and shall be read and construed as one with the Dependencies Ordinance, 1908, hereinafter called the Principal Ordinance, and shall be deemed to have come into force on the 1st January, 1949.

Short title.

2. (1) Section 5 of the Principal Ordinance is renumbered 5. (1).

Amendment of section 5.

(2) The following subsection is added as section 5 (2) :

"(2) Any Ordinance or part of any Ordinance of the Colony which shall be in force in the Dependencies shall be read with such formal alteration as to name, locality, court, officer, person and otherwise as may be necessary to make it applicable to circumstances."

3. Sections 1, 2, 7, 8, 9 and 10 of the Principal Ordinance are repealed.

Repeal of sections 1, 2, 7, 8, 9 and 10.

4. After the commencement of this Ordinance no Ordinance of the Colony shall be in force in the Dependencies unless it shall have been expressly declared to apply to the Dependencies by an Ordinance of the Dependencies :

Provided nothing in this section shall affect the operation in the Dependencies of any Ordinance of the Colony that shall have been lawfully applied to the Dependencies before the commencement of this Ordinance.

5. No liability shall be imposed on any person by reason solely that an Ordinance of the Colony shall have been applied to the Dependencies with retrospective effect.

Promulgated by the Governor on the 24th day of April, 1951.

M. R. RAYMER,  
*Colonial Secretary.*

Assented to in His Majesty's name this 24th day of April, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 2

1951.

**Falkland Islands Dependencies.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To amend the Interpretation and General Law Ordinance, 1949, of the Colony, as applied to the Dependencies.

[1st January, 1949.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :—

Enacting Clause.

1. This Ordinance may be cited as the Interpretation and General Law (Amendment) (Dependencies) Ordinance, 1951.

Short title.

2. The Interpretation and General Law (Amendment) Ordinance, 1951, of the Colony is applied to the Dependencies and shall be deemed to have been in force in the Dependencies with effect from the 1st January, 1949.

Application of Ordinance No. 1 of 1951 to the Dependencies.

Promulgated by the Governor on the 24th day of April, 1951.

M. R. RAYMER,  
*Colonial Secretary.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 18th day of May, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 3



1951.

**Falkland Islands Dependencies.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To provide for the service between the first day of July, 1951 and the thirtieth day of June, 1952.

[1st July, 1951.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1951/1952) Ordinance, 1951.

Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1952, a sum not exceeding One hundred and Forty Eight Thousand Nine Hundred and Sixty Two Pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1951, to the thirtieth day of June, 1952.

Appropriation of £148,962 for service of the year ending 30th June, 1952.

# SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	25,344
2.	F.I.D.S., Rear Base	4,411
3.	F.I.D.S., Headquarters (Administration)	13,273
4.	F.I.D.S., Headquarters (Met. Service)	9,390
5.	F.I.D.S., Bases	37,863
6.	F.I.D.S., "John Biscoe"	58,681
	Total Expenditure	£ 148,962

Promulgated by the Governor on the 18th day of May, 1951.

M. R. RAYMER,  
*Colonial Secretary.*

Assented to in His Majesty's name this 20th day of July, 1951.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

[L.S.]



No. 4

1951.

## Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

MICHAEL ROBERT RAYMER, ESQUIRE, O.B.E.,  
*Officer Administering the Government.*

## An Ordinance

To apply certain Ordinances of the Colony to the Dependencies.

[1st July, 1951.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows —

Enacting Clause.

1. This Ordinance may be cited as the Application of Ordinances of the Colony (Dependencies) Ordinance, 1951.

Short title.

2. The Ordinances specified in the Schedule hereto are applied to the Dependencies, and shall be deemed to have been in force in the Dependencies with effect from the respective dates set out opposite their title in the third column of the said Schedule.

Application of certain  
Ordinances to the  
Dependencies.

## SCHEDULE.

2 of 1951	Revised Edition of the Laws (Amendment) Ordinance	1st January, 1950.
4 of 1951	Seal Fishery (Amendment) Ordinance	24th April, 1951.
5 of 1951	Exchange Control Ordinance	24th April, 1951.
6 of 1951	Income Tax (Amendment) Ordinance	1st January, 1951.

Promulgated by the Governor on the 20th day of July, 1951.

L. W. ALDRIDGE,  
*for Colonial Secretary.*

Assented to in His Majesty's name this 20th day of July, 1951.

MICHAEL R. RAYMER,  
*Officer Administering the Government.*

[L.S.]

No. 5



1951.

**Falkland Islands Dependencies.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

MICHAEL ROBERT RAYMER, ESQUIRE, O.B.E.,  
*Officer Administering the Government.*

**An Ordinance**

To provide for the service between the first day of July, 1951 and the thirtieth day of June, 1952.

[1st July, 1951.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1951/1952) (Amendment) Ordinance, 1951.

Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1952, a sum not exceeding One hundred and Sixty One Thousand Six Hundred and Forty Three Pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1951, to the thirtieth day of June, 1952.

Appropriation of £161,643 for service of the year ending 30th June, 1952.

3. The Appropriation (Dependencies) (1951/1952) Ordinance, 1951, is hereby repealed.

Repeal of No. 3 of 1951.

# SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	26,644
2.	F.I.D.S., Rear Base	4,821
3.	F.I.D.S., Headquarters (Administration)	15,493
4.	F.I.D.S., Headquarters (Met. Service)	9,390
5.	F.I.D.S., Bases	46,114
6.	F.I.D.S., "John Biscoe"	59,181
	Total Expenditure	£ 161,643

Promulgated by the Governor on the 20th day of July, 1951.

L. W. ALDRIDGE,  
*for Colonial Secretary.*

Assented to in His Majesty's name this 1st day of  
December, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 6

1951.

## Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To apply certain Laws of the Colony to  
the Dependencies. Title.

ENACTED by the Governor of the Colony of the Falkland  
Islands and the Dependencies thereof as follows :— Enacting clause.

1. This Ordinance may be cited as the Application of Colony  
Laws Ordinance, 1951. Short title.

2. The Ordinances of the Colony specified in the first and  
second column of the Schedule to this Ordinance are applied to the  
Dependencies, and shall be deemed to have been in force in the De-  
pendencies with effect from the respective dates set out opposite their  
titles in the third column of the Schedule to this Ordinance. Application of certain  
Ordinances to the  
Dependencies.

3. It is hereby declared for the avoidance of doubt that the  
operation in the Dependencies of Ordinances of the Colony that have  
from time to time been lawfully applied to the Dependencies under  
section 3 of the Dependencies Ordinance, 1908, shall not be affected  
solely by reason of the repeal of the section.

4. Ordinance No. 4 of 1893, the Christ Church Ordinance,  
shall cease to apply to the Dependencies, and shall be deemed to have  
ceased so to apply with effect from the 1st January, 1949.

5. It is hereby declared for the avoidance of doubt that the  
Pensions (Amendment) Ordinance, 1929, and the Pensions (Amend-  
ment) Ordinance, 1931, are in force in the Dependencies and that  
they have been in force in the Dependencies since the 3rd May, 1929  
and the 21st April, 1931 respectively.

# SCHEDULE.

7 of 1918	Live Stock (Amendment) Ordinance, 1918	31st October, 1918.
5 of 1922	Live Stock (Amendment) Ordinance, 1922	20th November, 1922.
6 of 1938	Defence Force (Amendment) Ordinance, 1938	4th June, 1938.
2 of 1941	Trespass (Amendment) Ordinance, 1941	29th November, 1941.
9 of 1941	Defence Force (Amendment) Ordinance, 1941	8th December, 1941.
6 of 1942	Live Stock (Amendment) Ordinance, 1942	13th March, 1942.
7 of 1944	Live Stock (Amendment) Ordinance, 1944	23rd December, 1944.
13 of 1948	Workmen's Compensation (Amendment) Ordinance, 1948	1st November, 1948.
19 of 1948	Defence Force (Amendment) Ordinance, 1948	31st December, 1948.
30 of 1949	Public Health (Amendment) Ordinance, 1949	31st December, 1949.
31 of 1949	Live Stock (Amendment) Ordinance, 1949	31st December, 1949.
35 of 1949	Trespass (Amendment) Ordinance, 1949	31st December, 1949.
39 of 1949	Harbour (Amendment) Ordinance, 1949	31st December, 1949.
40 of 1949	Merchandise Marks (Amendment) Ordinance, 1949	31st December, 1949.
7 of 1951	Revised Edition of the Laws (Amend.) (No. 2) Ordinance, 1951	30th December, 1950.
8 of 1951	Revised Edition of the Laws (Amend.) (No. 3) Ordinance, 1951	1st January, 1950.

Promulgated by the Governor on the 1st day of December, 1951.

MICHAEL R. RAYMER,  
*Colonial Secretary.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 1st day of December, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 7



1951.

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE VI.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To further amend the Dependencies Title.  
(Amendment) Ordinance, 1951.

[1st January, 1949.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :—

Enacting clause.

1. (1) This Ordinance shall be cited as the Dependencies (Amendment) (No. 2) Ordinance, 1951, and shall be read and construed with the Dependencies (Amendment) Ordinance, 1951, (hereinafter called the Principal Ordinance).

Short title.

(2) This Ordinance shall be deemed to have come into force on the 1st January, 1949.

2. The Principal Ordinance is hereby amended by the insertion of the words "Unless a contrary intention appears" at the beginning of section 5 thereof.

Amendment of  
section 5 of the  
Principal Ordinance.

Promulgated by the Governor on the 1st day of December, 1951.

MICHAEL R. RAYMER,  
*Colonial Secretary.*

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in His Majesty's name this 1st day of  
December, 1951.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 8



1951.

**Falkland Islands Dependencies.**

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**HIS MAJESTY KING GEORGE VI.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Revised Edition of the  
Laws (Amendment) (Dependencies) Ordinance, 1950.**

Title.

[30th December, 1950.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands and the Dependencies thereof as follows :—

Enacting clause.

1. (1) This Ordinance may be cited as the Revised Edition  
of the Laws (Amendment) (Dependencies) Ordinance, 1951, and  
shall be read and construed as one with the Revised Edition of the  
Laws (Amendment) (Dependencies) Ordinance, 1950, (hereinafter  
called the Principal Ordinance).

Short title.

(2) This Ordinance shall be deemed to have come into  
operation on the 30th December, 1950.

2. Section 2 of the Principal Ordinance is hereby amended  
by the deletion of the words "and shall be deemed to have been in  
force in the Dependencies from the commencement of this Ordinance."

Amendment of section  
2 of the Principal  
Ordinance.

3. Section 3 of the Principal Ordinance is hereby amended  
by being renumbered section 3 (1) and by the addition thereto of the  
following subsection :—

Amendment of section  
3 of the Principal  
Ordinance.

"(2) The Revised Edition of the Laws (Amendment)  
Ordinance shall be read in its application to the Dependen-  
cies as if subsection (1) of section 8 were deleted and  
replaced by the following subsection :—

"(1) Section 8 (1) of the Principal Ordinance is  
amended by deleting the words "upon the passing of  
a resolution of the Legislative Council authorising  
him to do so"."

Amendment of section 4 of the Principal Ordinance.

4. Section 4 of the Principal Ordinance is hereby amended by the insertion after the words "avoidance of doubt that" of the words "subject to the provisions of any other Ordinance in force in the Dependencies."

Amendment of section 5 of the Principal Ordinance.

5. Section 5 of the Principal Ordinance is hereby amended by the insertion of the words "The Matrimonial Causes (Amendment) Ordinance, 1940" after the words "the Matrimonial Causes Ordinance, 1940".

Repeal of section 6 of the Principal Ordinance.

6. Section 6 of the Principal Ordinance is hereby repealed.

Amendment of the Schedule of the Principal Ordinance.

7. The Schedule to the Principal Ordinance is hereby amended by the deletion therefrom of the following :

1 of 1863 Vaccination Ordinance	1st January, 1950
1 of 1901 Census Ordinance	1st January, 1950
2 of 1902 Harbour Ordinance	1st January, 1948
12 of 1940 Matrimonial Causes (Amendment) Ordinance	28th November, 1950

and by the substitution for the date "1st January, 1951" of the date "30th December, 1950" where it appears in the second column of the Schedule opposite the name Income Tax (Amendment) Ordinance, No. 9 of 1950.

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Promulgated by the Governor on the 1st day of December, 1951.

MICHAEL R. RAYMER,  
*Colonial Secretary.*

## PART II.

## RULES. REGULATIONS. Etc.

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" " 8 " "	Consular Conventions (Kingdom of Norway) Order.
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## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

Made under the Diplomatic Privileges (Extension) Ordinance, 1949.

MILES CLIFFORD,  
Governor.

No. 1 of 1951.

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that :-

1. This Order may be cited as the Diplomatic Privileges (United Nations and International Court of Justice) Order-in-Council, 1951.

### THE UNITED NATIONS.

2. The United Nations shall have the legal capacity of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. Except in so far as in any particular case any privilege or immunity is waived by the member governments whom they represent, Representatives of member governments to the General Assembly or to any Council or other organ of the United Nations shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

4. For the purpose of the application of this Order, the expression "representatives of member governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations, but shall not include any person who is the representative of His Majesty's Government in the Colony or any member of the staff of such representative, or any person, who is a British subject and who is not the representative of a Government of His Majesty other than His Majesty's Government in the Colony or the member of the staff of and accompanying any such representative.

5. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General or the Security Council of the United Nations, the Secretary-General and Assistant Secretaries General of the United Nations (and not exceeding at one time 6 in number) and their spouses and children under the age of twenty-one shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General of the United Nations, persons employed on missions on behalf of the United Nations shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

7. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General of the United Nations, officials of the United Nations (other than those referred to in Article 5 above, and officials engaged locally and remunerated by payment calculated by the number of hours worked) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

### INTERNATIONAL COURT OF JUSTICE.

8. Except in so far as in any particular case any privilege or immunity is waived by the Court, the Judges and Registrar of the International Court of Justice (including any officer of the Court acting as Registrar) shall, when engaged on the business of the Court and during any journey to and from the place where the Court is sitting in connexion with such business, enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

9. The Judges and Registrar of the International Court of Justice shall enjoy exemption from income tax in respect of all emoluments received by them as Judges or Registrar.

10. Except in so far as in any particular case any privilege or immunity is waived by the government whom they represent before the Court, the agents, counsel and advocates of parties before the Court shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

GENERAL.

11. The names of the persons to whom the provisions of Articles 3, 4, 5, 6, 8, 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which, for the purpose of this Order, he first held that office or employment in question, and the date when he ceased to hold office or employment.

Made at a meeting of the Executive Council held on the 13th of January, 1951.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

MILES CLIFFORD,  
*Governor.*

No. 2 of 1951.

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, and with the advice and consent of the Executive Council, His Excellency is pleased to order and it is hereby ordered that—

1. This Order may be cited as the Customs (Amendment) Order (No. 1) 1951, and shall be read and construed as one with the Customs Order (No. 3) of 1948 (hereinafter referred to as the Principal Order). Short title.

2. Section 3 of the Principal Order is hereby amended by the insertion of the words and comma "hides and skins," between the words and comma "than oil." and the word "sixpence". Amendment of section 3 of the Principal Order.

Made by the Governor in Executive Council on the 8th day of April, 1951.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

Ref. 0466.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

MILES CLIFFORD.

*Governor.*

No. 3 of 1951.

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, and with the advice and consent of the Executive Council, His Excellency is pleased to order and it is hereby ordered that—

1. This Order may be cited as the Customs (Amendment) Order (No. 2) 1951, and shall be read and construed as one with the Customs Order (No. 4) of 1948 (hereinafter referred to as the Principal Order). Short title.

2. Section 2 of the Principal Order is hereby amended in the following respects :— Amendment of section 2 of the Principal Order.

- (a) by the deletion of the words and figures "From and after the first day of January 1949" and the substitution therefor of the words and figures "Commencing with the 1950/51 season";
- (b) by adding the words and figures "but does not exceed 70d." immediately after the figures and letter "60d."
- (c) by the insertion of the following at the end of the section :—  
"when the average gross selling price  
per lb. of the whole Falkland Islands  
clip exceeds 70d. per lb. for each ad-  
ditional 10d. or part of 10d. increase  
in the gross selling price      ....      0.5d. per lb."

Made by the Governor in Executive Council on the 8th day of April, 1951.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

Ref. 0466.

## FALKLAND ISLANDS.

Order by His Excellency the Governor.

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### Made under the Diplomatic Privileges (Extension) Ordinance, 1949.

MILES CLIFFORD,  
*Governor.*

No. 4 of 1951.

In exercise of the powers vested in him by Section 2 of the Diplomatic Privileges (Extension) Ordinance, 1949, and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that :-

1. This Order may be cited as the Diplomatic Privileges (International Refugee Organisation) Order-in-Council 1951.

2. The United Nations International Refugee Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments to the Council of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staff, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation the Director-General or the Deputy Director-General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officials of the Organisation, (other than those referred to in Article 4 above or officials engaged locally and remunerated by payment calculated on the number of hours worked) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3 and 4 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purpose of this Order, he first held the Office or employment in question, and the date when he ceased to hold that office or employment.

Made at a meeting of the Executive Council held on the 15th of May, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### The Post Office Ordinance, 1898.

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#### Order by His Excellency the Governor in Council.

No. 5 of 1951.

MILES CLIFFORD,  
*Governor.*

His Excellency the Governor, by virtue of the powers in him vested by Section 2 of the Post Office Ordinance, 1898 and otherwise, and with the advice and consent of the Executive Council, is hereby pleased to declare that all stamps for denoting duties of postage in the Colony of the Falkland Islands and the Dependencies thereof which have ceased to be on sale for a period of ten years will thereafter not be lawful stamps for the payment of duty.

*By Command,*  
M. R. RAYMER,  
*Colonial Secretary.*

Government House,  
Stanley.

15th May, 1951.

Ref. 185/37.

## FALKLAND ISLANDS.

### Order by His Excellency the Governor

MILES CLIFFORD,  
*Governor.*

No. 6 of 1951.

In exercise of the powers vested in him by the Supplies and Services (Transitional Powers) Act, 1945, and the Supplies and Services (Transitional Powers) (Colonies etc.) Order in Council, 1946. His Excellency the Governor is pleased to order and it is hereby ordered :—

That the office of Competent Authority (Supplies) shall continue in force until the 10th day of December, 1952, unless previously determined and that all acts and orders made by the holder of the said office, for the purpose of regulating the import export supply or prices of goods shall continue in force until the 10th day of December, 1952, unless previously determined and that he shall until such date continue to exercise the powers vested in him by the Defence Regulations, 1939.

Dated this 28th day of September, 1951.

*By Command,*  
MICHAEL R. RAYMER,  
*Colonial Secretary.*

Ref. 0561.

## FALKLAND ISLANDS.

### The Post Office Ordinance, 1898.

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#### Order by His Excellency the Governor in Council.

MILES CLIFFORD,  
*Governor.*

No. 7 of 1951.

In exercise of the powers vested in him by the Post Office Ordinance, 1898, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered as follows :—

- |  |                               |
|--|-------------------------------|
| 1. This Order may be cited as the Post Office (Amendment) Order, 1951, and shall come into operation on the 1st day of November, 1951.   | Short title and commencement. |
| 2. Section 2 (f) of the Post Office Order, 1949, is hereby amended by the deletion of the figures "2/3, 3/9, 5/6, 9/-" under Parcel Post rates to the United Kingdom and the substitution therefor of the figures "3/6, 6/6, 9/3, 15/6". | Amendment of section 2 (f).   |

Made by the Governor in Executive Council at a meeting held on the 29th day of September, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 1083.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

Made under the Consular Conventions Ordinance, 1950.

MILES CLIFFORD,  
*Governor*

No. 8 of 1951.

His Excellency the Governor in exercise of the powers vested in him by section 6 of the Consular Conventions Ordinance, 1950, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Consular Conventions (Kingdom of Norway) Order, 1951, and shall be deemed to have come into force on the 30th day of August, 1951.

2. Sections 2, 3, 4 and 5 of the Consular Conventions Ordinance, 1950, shall apply to the Kingdom of Norway.

Made by the Governor in Executive Council at a meeting held on the 19th day of October, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 1454.

FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

Made under the Wild Animals and Birds Protection  
Ordinance, 1913.

MILES CLIFFORD,  
*Governor.*

No 9 of 1951.

His Excellency the Governor in exercise of the powers vested in him by section 7 of the Wild Animals and Birds Protection Ordinance, 1913, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Wild Animals and Birds Protection Order, 1951.
2. It is hereby declared that the wild birds "Red-backed Buzzard" and "Cassin's Falcon" shall be added to Schedule I of the Wild Animals and Birds Protection Ordinance, 1913.

Made by the Governor in Executive Council at a meeting held on the 19th day of October, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 1099.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

Made under the Income Tax Ordinance, 1939, as amended by the Income Tax (Amendment) Ordinance No. 8 of 1949.

MILES CLIFFORD,  
*Governor.*

No. 10 of 1951.

His Excellency the Governor in exercise of the powers vested in him by section 47A of the Income Tax Ordinance, 1939, as amended by the Income Tax (Amendment) Ordinance No. 8 of 1949, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Double Taxation Relief (Taxes on Income) (New Zealand) Order, 1951, and shall be deemed to have come into force on the 1st day of January, 1951.

2. It is hereby declared —

- (a) that the arrangements specified in the Agreement between the Government of the United Kingdom and the Government of New Zealand, set out in the Schedule to the Double Taxation Relief (Taxes on Income) (New Zealand) Order, 1947, affording relief from double taxation in relation to income tax and taxes of a similar character imposed by the laws of New Zealand, shall extend to the Colony; and
- (b) that references to the "United Kingdom" in the Agreement shall be construed as references to the Colony.

Made by the Governor in Executive Council at a meeting held on the 19th day of October, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 0527/11.

## FALKLAND ISLANDS.

### ORDER.

Made under section 44 of the Exchange Control Ordinance, 1951.

MILES CLIFFORD,  
*Governor.*

No. 11 of 1951.

In pursuance of the powers in him vested by section 44 of the Exchange Control Ordinance, 1951, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

- |   |                      |
|---|----------------------|
| 1. This Order may be cited as the Exchange Control Ordinance (Appointment of Date) Order, 1951.   | Title.               |
| 2. The 1st day of December, 1951, is hereby appointed to be the date upon which the Exchange Control Ordinance, 1951, will come into operation. | Appointment of Date. |

Dated the 30th day of November, 1951.

*By Command,*  
MICHAEL R. RAYMER,  
*Colonial Secretary.*

ReE. 0078/D.

# FALKLAND ISLANDS.

No. 1.

## Proclamation

1951

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

M. R. RAYMER. — *By the Honourable MICHAEL ROBERT RAYMER, ESQUIRE,  
Officer of the Most Excellent Order of the British Empire,  
Officer Administering the Government of the Colony of  
the Falkland Islands and its Dependencies, &c., &c.*

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, has this day left the Colony for the purpose of visiting the United Kingdom.

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor:

NOW, THEREFORE, I, MICHAEL ROBERT RAYMER, Officer of the Most Excellent Order of the British Empire, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

**GOD SAVE THE KING.**

Given at Government House, Stanley, this 23rd day of June, in the Year of Our Lord, One thousand Nine hundred and Fifty-one.

*By Command of the  
Officer Administering the Government,*

L. W. ALDRIDGE,

*for Colonial Secretary.*

## FALKLAND ISLANDS.

No. 2.

### Proclamation

1951

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

M. R. RAYMER.

[L.S.]

*By His Honour MICHAEL ROBERT RAYMER, ESQUIRE,  
Officer of the Most Excellent Order of the British Empire,  
Officer Administering the Government of the Colony of  
the Falkland Islands and its Dependencies, &c., &c.*

WHEREAS by section 44 of the Live Stock Ordinance, 1901, it is provided that the Governor in Council may from time to time by proclamation, prohibit the importation of sheep, cattle or other animals from any places that may be named in such proclamation, for such period as he may deem necessary for the purpose of preventing the introduction of any infectious disease.

AND WHEREAS information has been received that Newcastle Disease (Pneumo-encephalitis) among poultry is now present in Chile.

NOW THEREFORE, by virtue of these powers vested in the Governor in Council be it ordered and proclaimed as follows, to wit:

The importation into the Falkland Islands from Chile of poultry and eggs is prohibited until further notice.

### GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 23rd day of July, in the Year of our Lord, One thousand Nine hundred and Fifty-one.

*By Command of the  
Officer Administering the Government,*

L. W. ALDRIDGE,  
*for Colonial Secretary.*

# FALKLAND ISLANDS.

No. 3.

## Proclamation

1951.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

MILES CLIFFORD — *By His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

[L.S.]

WHEREAS by subsection (1) of Section 2 of the Exports and Imports (Emergency Powers) Ordinance, 1939, it is enacted that the Governor may, on the occurrence of any public emergency or whenever it appears to him to be necessary in the interest of public safety or tranquillity, by Proclamation published in the Gazette, prohibit absolutely, or restrict by means of such conditions and limitations as may be defined by him in the Proclamation, the exportation or importation from or to the Colony of all or any specified goods or class or description of goods to or from any specified country or place or to or from any specified person or class of persons :

NOW THEREFORE, I, Sir Miles Clifford, in pursuance of the powers vested in me by the Export and Imports (Emergency Powers) Ordinance, 1939, do hereby proclaim and order and it is hereby proclaimed and ordered that the following amended rules regarding the import and export of goods, shall come into force forthwith :

An Open General Import Licence will be granted for all articles produced in the United Kingdom, Sterling Area Dominions and British Colonial Territories, with the exception of foodstuffs remaining on the Reserved Commodity List.

A World Open General Import Licence will be granted for the following listed range of goods :—

1. Semi-manufactured copper.
2. Semi-manufactured zinc.
3. Semi-manufactured nickel.
4. Borax.
5. Boric Acid.
6. Jute Goods.
7. Dried, smoked, pickled and salted fish.
8. Onions.
9. Potatoes.
10. Animal feeding stuffs (excluding wheat and wheat flour).
11. Finished steel (excluding fabricated steel) as under :
  - a. Heavy steel products — including heavy rails, sleepers, etc., and heavy medium plates.
  - b. Light rolled products — including bars, rods, hoop and strip.
  - c. Steel sheets.
  - d. Wire, plain or barbed, other than insulated wire.

- e. Wire rods.
- f. Tubes and pipes – including tube fittings.
- g. Tyres, wheels and axles.
- h. Steel forgings.
- i. Nails, screws, nuts and bolts.

subject to the following conditions :

- (a) that goods imported under World Open General Licence are not re-exported either
  - (i) outside the Scheduled Territories in such circumstances that payment is received in a softer currency than that in which payment was originally made, or
  - (ii) to the United Kingdom simply for the purpose of resale at enhanced profits owing to their scarcity.

Where goods are admitted under World Open General Licence and subsequently destined for re-export outside the Scheduled Territories, a Specific Export Licence will be required.

- (b) goods admitted under World Open General Licence will be subject to the following limitations :
  - (i) that the licence operates only in respect of goods wholly produced in the country from which export takes place
  - (ii) that certificates of origin will be required for such imports and
  - (iii) that any payment to a country other than the country of origin of the goods will require the prior approval of the Competent Authority (Finance).

Specific Import Licences will be required for all articles of merchandise falling outside the aforementioned categories.

An Open General Licence will continue in force for the export of Hides, Skins and Wool to the United Kingdom.

Specific Export Licences shall continue to be required for the export of Hides, Skins and Wool to other destinations.

Subject to the limitations of the Defence (Finance) Regulations, 1947, and to the conditions aforementioned in regard to the World Open General Licence, the re-exportation of imported articles in *bona-fide* unsolicited gift parcels will continue to be permitted subject to the following exceptions:—

- (i) Goods imported at the expense of foreign currency.
- (ii) Jute goods, including bags, bagging and twine, except where these products are utilised in the marketing of produce.

Proclamations No. 2 of 1947, dated the 10th of October, 1947, and No. 2 of 1950, dated the 7th of October, 1950, are hereby repealed.

### GOD SAVE THE KING.

Given at Government House, Stanley, this 11th day of October, in the Year of Our Lord One thousand Nine hundred and Fifty-one.

*By His Excellency's Command,*  
MICHAEL R. RAYMER,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 4.

### Proclamation

1951.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

MILES CLIFFORD — *By His Excellency* SIR MILES CLIFFORD, *Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

[L.S.]

WHEREAS it is provided by subsection (1) of Section 26 of the Falkland Islands (Legislative Council) Order in Council, 1948, as amended by the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1950, that the Governor may at any time by Proclamation published in the Gazette, prorogue or dissolve the Council :

NOW THEREFORE, I, Sir Miles Clifford, in pursuance of the powers vested in me by the said Falkland Islands (Legislative Council) Order in Council, 1948, as amended by the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1950, do hereby order and proclaim the dissolution of the Legislative Council, with effect from the 30th day of November, 1951.

### GOD SAVE THE KING.

Given at Government House, Stanley, this 30th day of November, in the Year of Our Lord One thousand Nine hundred and Fifty-one.

*By His Excellency's Command,*  
MICHAEL R. RAYMER,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 5.

### Proclamation

1951.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

MILES CLIFFORD — *By His Excellency* SIR MILES CLIFFORD, *Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

[L.S.]

WHEREAS it is provided by subsection (3) of Section 5 of the Revised Edition of the Laws Ordinance, 1943, that at any time before the revised edition is approved in pursuance of Section 8, the Governor may by Proclamation make any addition to or variation in the First and Second Schedules :

NOW THEREFORE, I, Sir Miles Clifford, in pursuance of the powers vested in me by the said Ordinance, do hereby order and proclaim that the First Schedule to the Revised Edition of the Laws Ordinance, 1943, is hereby amended by the insertion therein of the following Ordinances :

- 8 of 1927.      The Pensions Ordinance, 1927, and all amending Ordinances.
- 5 of 1937.      The Pensions Ordinance, 1937, and all amending Ordinances.

GOD SAVE THE KING.

Given at Government House, Stanley, this 3rd day of December, in the Year of Our Lord One thousand Nine hundred and Fifty-one.

*By His Excellency's Command,*  
MICHAEL R. RAYMER,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

### Falkland Islands (Legislative Council) (Amendment) Order in Council, 1951.

No. 6.

### Proclamation

1951

IN THE NAME OF His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

MILES CLIFFORD — *By His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

[L.S.]

WHEREAS it is provided by subsection (2) of Section 1 of the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1951, that the Order shall come into operation on a day to be appointed by the Governor by Proclamation in the Gazette :

NOW THEREFORE, I, Sir Miles Clifford, by virtue of the powers vested in me by the said Falkland Islands (Legislative Council) (Amendment) Order in Council, 1951, do hereby proclaim that the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1951, shall come into operation on the 15th day of December, 1951.

GOD SAVE THE KING.

Given at Government House, Stanley, this 15th day of December, in the Year of Our Lord One thousand Nine hundred and Fifty-one.

*By His Excellency's Command,*

MICHAEL R. RAYMER,

*Colonial Secretary.*

## FALKLAND ISLANDS.

### Leave and Passage (Amendment) Regulations, 1951.

MILES CLIFFORD,

No. 1 of 1951.

*Governor.*

1. Regulation 11 of the Leave and Passage Regulations, 1937, is hereby amended by the deletion of the figure "2" and the substitution therefor of the figure "2½".

Made by the Governor in Executive Council on the 14th day of February, 1951.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

Ref. 0003.

# FALKLAND ISLANDS.

## Regulations made by the Governor in Council under the Electricity Supply Ordinance, 1939.

MILES CLIFFORD.

*Governor.*

No. 2 of 1951.

By virtue of the powers vested in him by Section 3 of the Electricity Supply Ordinance, 1939, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations :—

1. These Regulations may be cited as the Electricity Supply Regulations, 1951. Short title.

2. In these Regulations, unless the context otherwise requires :— Interpretation.

“Energy” means electrical energy when generated transmitted supplied or used for any purpose except the transmission of a message;

“Apparatus” means electrical apparatus and includes all apparatus machines consuming devices and fittings in which conductors are used or of which they form a part;

“Area of Supply” means the area within which the Executive Engineer is supplying or is undertaking to supply electrical energy;

“Conductor” means an electrical conductor arranged to be connected electrically to a system;

“Consumer” means a person whose premises are for the time being connected for the purpose of a supply of electrical energy with any system;

“Danger” means danger to health, human life, or limb, from shock burn or other injury resulting from the generation transformation distribution or use of electrical energy and includes danger to property from fire resulting as aforesaid;

“Earthed” means connected to the general mass of the earth in such a manner as to ensure at all times an immediate and safe discharge to earth of electrical energy.

“Electric Line” means a wire or conductor or other means for conveying transmitting or distributing electrical energy together with any coating casing covering tube pipe or insulator enclosing surrounding or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of conveying transmitting or distributing electrical energy;

“Generator” means a dynamo of any type for the generation of energy;

“Installation” means the whole of any electrical plant apparatus or works, including the means of transmission from the the original source of power or prime-mover and its auxiliaries, and all buildings appurtenant thereto;

“Insulated” means covered or protected by insulating material;

“Insulating” means used as an epithet to characterise any substance size quality and construction according to the circumstances as to afford to persons protection from danger;

“Live” means electrically charged;

“Mains” means an electric supply line through which energy is, or is intended to be, supplied;

“Motor” means a motor of any type for the transformation of electrical energy into mechanical energy;

"Occupier" means the person in the immediate possession of any premises without regard to the title under which he occupies and in the case of premises sub-divided and let to lodgers or various tenants, the term "Occupier" shall mean the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein;

"Owner" means the person receiving the rent or profit of any lands or premises either for himself or as agent trustee executor or administrator for any other person, or who would receive such rent or profits if such land or premises were let;

"Premises" means any building room tenement shed and the land appurtenant thereto;

"Pressure" means the difference of electrical potential between any two conductors or between a conductor and the earth as read by a standard voltmeter;

"Low pressure" means any pressure up to six hundred and fifty volts; "High pressure" means any pressure over six hundred and fifty volts, and up to three thousand three hundred volts;

"Extra high pressure" means any pressure over three thousand three hundred volts;

"Prime-mover" means a machine supplying power to a generator for the purpose of generating energy;

"Private safety" means the obviation of danger to individuals or to private property;

"Public lamp" means an electric lamp used for the lighting of any street wharf or other public place;

"Public safety" means the obviation of danger to the general public to public property and to roads streets wharves piers and telegraphic telephonic and other electrical signalling lines owned or operated by the Government;

"Street" includes any way road lane alley passage or open space, whether a thoroughfare or not, over which the public have a right of way;

"System" means an electrical system in which all the conductors and apparatus are connected to a common source of electro-motive force;

"Transformation" includes the transformation of pressure up or down and the conversion of alternating to direct current or vice versa by static rotary or electro-chemical means;

3. Every notice order or other document under these Regulations requiring authentication by the Government shall be sufficiently authenticated if signed by the Executive Engineer.

4. Where any notice or other document is required by these Regulations to be served on or given to any person it shall be either served personally on such person or left at or sent by post to his last usual place of abode or business.

5. Any person who shall fail to comply with any notice or order duly given or made under these Regulations shall be deemed to have committed a breach of these Regulations.

6. (1) Subject to the provisions of these Regulations the installation connected with the supply of electric light or energy for power purposes to the premises of any person shall be provided and fixed by such person at his own expense and the wiring of the premises shall be effected in accordance with the Electricity Supply

Regulation, 1937, made by the Electricity Commissioner of the United Kingdom unless otherwise authorised by the Executive Engineer.

(2) A copy of the above-mentioned Electricity Supply Regulation may be had on application to the Executive Engineer.

(3) Any person providing or fixing any installation or wiring any premises in such a manner as to contravene the aforesaid Electricity Supply Regulation shall be deemed to have committed a breach of these Regulations.

7. Before any new installation or any addition or alteration to any existing installation is commenced, or before the whole or any part of an installation connected with the service is commenced by or on behalf of any person, such person shall in every case address to the Executive Engineer—

- (a) notice of his intention to commence such work; and
- (b) a precise description of such proposed work.

8. No energy shall be supplied to any new or altered installation until it has been approved by the Executive Engineer who may test such installation or any part thereof.

9. Installation Forms will be provided by the Executive Engineer and an applicant who desires his premises to be connected to the main service shall first sign one of these forms on which his requirements shall be fully set forth.

10. Charges for the supply of energy shall be as specified in the Schedule to these Regulations.

11. (1) The Government may, without incurring any liability for so doing other than a liability to make a proportionable abatement in the charges for the supply, reduce as it may think fit the quantity of energy supplied to any premises if by reason of any unforeseen circumstances it shall appear that the supply of energy generated is insufficient to enable the full quantity to be conveniently supplied.

(2) The Government shall not be liable for any damage to person or property or for cessation of the supply of energy which may be due to unavoidable accident fair wear and tear or to the reasonable requirements of the system or to defects in any installation not provided by the Government.

12. (1) The execution of all work in connection with the generation or supply of energy which may affect any street drainage or water supply or any telegraphs telephones harbour-works or other public or private works and also the erection of any apparatus which crosses, whether overhead or underground, any such work as aforesaid shall independently of any other statutory requirement in that behalf be carried out in the manner prescribed by these Regulations and without danger to public safety or private safety.

(2) When an installation is under construction the Executive Engineer shall have free access for inspection at all reasonable hours of the work in progress and all reasonable facilities for such inspection shall be afforded by the persons controlling or carrying on the work.

(3) In addition to periodical inspection during construction and final inspection on completion, all installations while in operation may be inspected by the Executive Engineer. The licensee and persons in control of all installations shall afford full facilities for inspection within working hours.

Authentication of notices, etc.

Service of notices.

Failure to comply with notice, etc.

Installation by consumer.

Notice of installation.

Approval and test of installation.

Form of application.

Charges for the supply of energy. (Schedule)

Reduction or cessation of supply.

Liability of Government.

Precautions in execution of work.

Inspection of works in progress.

Inspection of works in operation.

Entry of premises.	<p>13. The Executive Engineer or any person authorised by him may, for any of the purposes mentioned in this regulation, at any time between the hours of nine in the morning and four in the afternoon or in the case of urgency at any other time enter upon any premises upon which an installation is under construction or is in operation :—</p> <p>(i) To inspect and or test any wire fitting or apparatus installed or being installed so as to ascertain whether there is likely to be any waste leakage obstruction damage or misuse of electrical energy in connection therewith and or to ascertain whether such wire fitting or apparatus complies with the terms of the Electricity Supply Ordinance or any regulations made thereunder;</p> <p>(ii) To fix inspect read check clean remove or replace any meter or similar appliance of the Executive Engineer used or to be used in connection with the installation;</p> <p>(iii) To disconnect the installation from any premises or to diminish withhold or divert the supply of electrical energy through or by means of any wire fitting or apparatus wholly or in part.</p>	
Precautions against damage by atmospheric electricity.	<p>14. Any consumer taking or using energy from an installation shall if the Executive Engineer so requires provide such means for obviating risk of damage to such installation by atmospheric electricity as may be indicated by the Executive Engineer.</p>	
Use of energy supplied.	<p>15. No consumer shall use energy supplied to him for purposes other than that for which it is supplied.</p>	
Procedure in case of dangerous defect in installation or apparatus.	<p>16. If the Executive Engineer shall find in any installation or apparatus any defect which in his opinion is likely to cause danger he may by notice in writing posted at the place where the installation or apparatus to which it relates is installed or served upon the licensee or owner thereof suspend the operation and use of such installation or apparatus until such defect is made good or removed and in such case the said installation or apparatus shall not be operated or used so long as the said notice of suspension remains unrevoked.</p>	
Obstruction or refusal.	<p>17. Any person who shall refuse admittance or reasonable information to the Executive Engineer or any person authorised by him or to any Police Officer engaged in carrying out the provisions of the Regulations or any order duly made thereunder or in doing any act hereby authorised shall be deemed to have committed a breach of these Regulations.</p>	
Notices, how to be sent.	<p>18. In all cases where notice has under these Regulations to be given to the Executive Engineer such notice shall be sent to the Public Works Department and addressed in cases where the supply of energy is involved to the Executive Engineer.</p>	
Re-connection of service by consumer.	<p>19. No owner or occupier of any premises whose connection with the main service has been cut off shall re-connect or attempt to re-connect such premises with such service and no person shall replace attempt to replace or cause or suffer to be replaced any main fuses but a report of any defect thereon should at once be sent to the Executive Engineer.</p>	
Interference with service.	<p>20. No person shall alter extend or in any way interfere with an installation once it has been tested and passed by the Executive Engineer unless he shall have first obtained the approval of the Executive Engineer so to do and such alteration extension or addition must not be used for the conveyance of energy until it has been tested and passed by the Executive Engineer.</p>	
Change of ownership or occupancy.	<p>21. Every person on becoming the owner or occupier of any premises which are connected with the main service shall give notice</p>	
	<p>to the Executive Engineer if he desires to make use of such connection.</p>	
	<p>22. Any consumer wishing to have the service cut off or removed from his premises shall give not less than seven days' notice in writing to the Executive Engineer.</p>	Discontinuance of service.
	<p>23. Any person finding any trace of damage to interference with or defect in any part of the service to premises owned or occupied by him and connected with the main service shall immediately give notice to the Executive Engineer.</p>	Notice of damage, etc. to service.
	<p>24. No person shall wilfully or negligently damage any public lamp main transformer house or any part of the electrical service.</p>	Damage to public lamp.
	<p>25. In the case of the outbreak of fire upon any premises connected with the main service notice thereof shall immediately be given by the occupier of such premises to the Police Station and also to the Public Works Department.</p>	Outbreak of fire.
	<p>26. The service connection will terminate in two or more main fuses supplied and fixed by the Government at the expense of the Government in a position to be fixed by the Executive Engineer. The wiring of the premises supplied shall be brought by the consumer at his own expense to these fuses which will be kept locked or sealed. Such fuses shall be maintained by the Government at its own expense; provided always</p> <p>(a) that in the event of a transformer being necessary a fire-proof chamber shall be built by the Government at its own expense at such a spot either within or without any consumer's premises as may be selected by the Executive Engineer as the most convenient and the Government may supply neighbouring premises through this chamber which shall be kept locked and under the control of the Government</p> <p>(b) that the said chamber shall be maintained by the Government at its own expense but the consumer upon whose premises such chamber may be situated shall be liable for any damage occurring thereto from any cause except ordinary wear and tear or the acts of the Government —</p> <p>(c) that the wiring of the premises supplied shall be brought by the Government as far as and shall be terminated in all cases at the fireproof chamber at the consumer's expense.</p>	Means of making connection with premises.
	<p>27. The meter shall be provided and fixed by the Government at its own expense, at a point to be determined by the Executive Engineer and as close to the main fuse as may be convenient and the consumer shall provide such connecting loop or loops as may be required by the Executive Engineer.</p>	Meter.
	<p>28. If the consumer has reason to suppose that the meter is out of order or is registering incorrectly, he shall immediately give notice to the Executive Engineer who upon request shall test such meter and for every such test a fee of five shillings shall be paid in advance by the consumer. A meter shall be considered to be correct unless it has an error of over five per centum fast or slow. In the event of the meter being found to have an error of more than five per centum the fee shall be refunded.</p>	Incorrect meter.
	<p>29. Should the meter at any time be out of order and register incorrectly the Government upon receiving notice thereof shall repair or replace such meter as soon as possible and the quantity of energy to be paid for by the consumer from the date of the meter ceasing to register correctly up to the time of its repair or replacement shall be estimated by the Executive Engineer upon the basis of the previous consumption of electrical energy in such premises or in the event of</p>	Replacement of incorrect meter.

such an estimate being impossible upon the basis of the subsequent consumption after such repair or replacement has been effected.

Consumer bound by reading of meter.

30. The consumer shall be bound absolutely by the reading of the meter for the purpose of calculating what money is due from him to the Government for energy supplied during any particular period and for the purpose of proving such meter-reading he shall be bound by the entry in the books of the Executive Engineer in which it is recorded. In the absence of evidence showing that either such entry has been incorrectly made or that the meter was at the time of such reading in default it shall not be necessary to produce the person who read the meter or the person who made the entry in order to prove the reading or entry.

Supply may be discontinued in certain cases.

31. (1) The Executive Engineer may without notice and without paying compensation and without prejudicing the right of Government to obtain payment for energy supplied or for any service rendered to the consumer, discontinue the supply to the consumer in any of the following cases :-

- (a) If within twenty-eight days after the date of demand the consumer fails to pay any sum or charge due under these Regulations or due for repairs or work executed or services or energy supplied by the Government relating to the installation or due under any agreement with the Government relating to the installation or under any directions or orders given in pursuance of these Regulations;
- (b) If, in the opinion of the Executive Engineer, the consumer -
  - (i) has injured or allowed to be injured any part of the service or the meter; or
  - (ii) has allowed any part of the apparatus connected with the supply of energy to his premises, for the good order of which he is responsible, to become defective; or
  - (iii) has used or allowed the energy to be used in such a manner as to interfere with the supply of energy to others; or
  - (iv) has contravened any of the provisions of these Regulations; or
  - (v) has tampered or interfered with or has permitted any tampering or interference with any part of the service under the Government control.

(2) In any of the above cases the consumer shall be liable for all damage caused to the Government and also for all the expense of the consequent discontinuance of his supply. In the event of the Government deciding to renew the connection and to re-commence the supply following the removal of any such defect or on payment of arrears or for any other cause all expenses of such re-connection shall be borne by the consumer.

Test.

32. Any test made by the Executive Engineer shall be accepted by the consumer as binding and final.

Penalty for contravention of Regulations.

33. (1) Any person contravening any of the provisions of regulations 19, 20, 22, or 23, or failing to comply with any notice thereunder shall be liable to a fine not exceeding fifty pounds in respect of each contravention, and in addition to a further fine not exceeding ten pounds in respect of each contravention for every day upon which such offence shall continue.

(2) Any person contravening any of the other provisions of these Regulations shall be liable to a penalty not exceeding ten pounds.

Liability of occupier.

34. Every occupier shall be liable for any contravention of these Regulations committed upon his premises during his occupancy

as though he were the person actually committing such contravention.

35. Every person committing a contravention of these Regulations shall in addition to the prescribed fine be liable to recompense the Government for any loss or damage suffered by it in consequence of such contravention.

Liability for loss or damage to Government.

Made by the Governor in Executive Council on the 8th day of April, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

## SCHEDULE

### TWO PART TARIFF.

Fixed charge per curtilage £1 per quarter.

Unit charge ... 3d.

### FLAT RATE.

9d. per unit for the first 200 units and 6d. for each unit thereafter in any one calendar year. (Minimum charge of 10/- per calendar year.)

NOTE: A supply under the provision of the Government's "Two Part Tariff" is given only upon the express condition that the consumer shall permit this method of charge to continue in force for a period of at least twelve calendar months and thereafter to continue until terminated by either the Government or the consumer giving to the other not less than three months notice in writing to that effect.

# FALKLAND ISLANDS.

## RESOLUTION

### The Customs (Amendment) Order (No. 1) 1951.

Whereas in accordance with Section 5B of the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, the Customs (Amendment) Order (No. 1) 1951 was submitted to the Legislative Council on the 24th day of April, 1951.

And Whereas the Legislative Council approved the said Order.

It Was Resolved by the Legislative Council that the Customs (Amendment) Order (No. 1) 1951, be confirmed with effect from the 8th of April, 1951, as follows :—

### Order by His Excellency the Governor in Council.

---

Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

MILES CLIFFORD,  
*Governor.*

No. 2 of 1951.

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, and with the advice and consent of the Executive Council, His Excellency is pleased to order and it is hereby ordered that—

1. This Order may be cited as the Customs (Amendment) Order (No. 1) 1951, and shall be read and construed as one with the Customs Order (No. 3) of 1948 (hereinafter referred to as the Principal Order). Short title.

2. Section 3 of the Principal Order is hereby amended by the insertion of the words and comma "hides and skins," between the words and comma "than oil," and the word "sixpence". Amendment of section 3 of the Principal Order.

Made by the Governor in Executive Council on the 8th day of April, 1951.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

Ref. 0466.

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Confirmed at a meeting of the Legislative Council held on the 24th day of April, 1951.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

# FALKLAND ISLANDS.

## RESOLUTION

### The Customs (Amendment) Order (No. 2) 1951.

**Whereas** in accordance with Section 5B of the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, the Customs (Amendment) Order (No. 2) 1951 was submitted to the Legislative Council on the 24th day of April, 1951.

**And Whereas** the Legislative Council approved the said Order.

**It Was Resolved** by the Legislative Council that the Customs (Amendment) Order (No. 2) 1951, be confirmed with effect from the 8th of April, as follows :—

### Order by His Excellency the Governor in Council.

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Under the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946.

MILES CLIFFORD,

*Governor.*

No. 3 of 1951.

In exercise of the powers vested in him by the Customs Ordinance, 1943, as amended by the Customs (Amendment) Ordinance, 1946, and with the advice and consent of the Executive Council, His Excellency is pleased to order and it is hereby ordered that—

1. This Order may be cited as the Customs (Amendment) Order (No. 2) 1951, and shall be read and construed as one with the Customs Order (No. 4) of 1948 (hereinafter referred to as the Principal Order). Short title.

2. Section 2 of the Principal Order is hereby amended in the following respects :— Amendment of section 2 of the Principal Order.

(a) by the deletion of the words and figures "From and after the first day of January 1949" and the substitution therefor of the words and figures "Commencing with the 1950/51 season".

(b) by adding the words and figures "but does not exceed 70d." immediately after the figures and letter "60d."

(c) by the insertion of the following at the end of the section :—

"when the average gross selling price per lb. of the whole Falkland Islands clip exceeds 70d. per lb. for each additional 10d. or part of 10d. increase in the gross selling price .... 0.5d. per lb."

Made by the Governor in Executive Council on the 8th day of April, 1951.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

Ref. 0466.

Confirmed at a meeting of the Legislative Council held on the 24th day of April, 1951.

L. W. ALDRIDGE,

*Clerk of the Legislative Council.*

**ORDINANCES**  
**of the**  
**COLONY**  
**of the**  
**FALKLAND ISLANDS**  
**enacted during the year**  
**1952**  
**together with the**  
**Rules, Regulations, etc., etc.,**  
**made during that year.**

CHAPTER 3

ORDINANCES.

# Table of Contents

## Colony.

- Ordinance No. 1 of 1952. ✓ Cinematograph Exhibitions Ordinance, 1952.  
2. ✓ British Nationality (Amendment) Ordinance, 1952.  
3. ✓ Old Age Pensions Ordinance, 1952.  
4. ✓ Appropriation (1951-52) Ordinance, 1952.

## Dependencies.

- Ordinance No. 1 of 1952. ✓ Application of Ordinances of the Colony (Amendment) Ordinance, 1952.  
2. ✓ Application of Colony Laws Ordinance, 1952.  
3. ✓ Criminal Justice of the Peace (Amendment) (Dependencies) Ordinance, 1952.  
4. ✓ Appropriation (Dependencies) (1951-52) Ordinance, 1952.  
5. ✓ Supplementary Appropriation (Dependencies) (1952) Ordinance, 1952.

Assented to in Her Majesty's name this 14th day of March, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 1



1952.

Colony of the Falkland Islands.

IN THE FIRST YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## An Ordinance

For the better regulation and control of Cinematograph and similar exhibitions, and for purposes connected therewith.

[1st April, 1952.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows—

Enacting Clause.

1. This Ordinance may be cited as the Cinematograph Exhibitions Ordinance, 1952. Short title.

2. In this Ordinance, unless the context otherwise requires— Interpretation.  
"Board" means a Board of Control appointed under section 4;  
"Exhibition" means a cinematograph exhibition, and includes any other similar exhibition;  
"Film" means a developed negative or positive cinematograph film and includes both a gramophone record or other form of sound reproduction complementary to such film and a developed negative or positive sound track;  
"Films of an educational character" means a film which falls within one or more of the following categories:—  
(a) Films intended for use in education of all grades;  
(b) Films intended for vocational training and guidance, including technical films relating to industry and films relating to scientific management;

- (c) Films dealing with scientific or technical research or designed to spread scientific knowledge;
- (d) Films dealing with health questions, physical training, social welfare or relief;
- (e) Films designed to promote and increase throughout the Commonwealth knowledge and understanding of the several countries and peoples:

"Ordinance" includes regulations.

Exhibitions not to be given except on licensed premises.

3. (1) No person shall conduct, present, or give, or allow to be conducted, presented, or given, any exhibition for the purpose of which inflammable films are used, except in premises licensed under licence granted by the prescribed authority for that purpose under this Ordinance, and in accordance with the provisions of such licence and with conditions and restrictions, if any, set forth therein.

(2) No licence shall be granted in respect of any premises unless the prescribed authority is satisfied that such premises are safe and otherwise suitable for the purposes of the proposed exhibition.

(3) The prescribed authority may –

- (a) refuse to grant any such licence; or
- (b) grant the same subject to such conditions and restrictions as the said authority may see fit to impose; and
- (c) may at any time vary or revoke any such licence, and in each case without being required to assign any reason for so doing.

Censorship of films.

4. (1) No person shall present or exhibit, or allow to be presented or exhibited, any film or other similar effect, and no person shall display or permit to be displayed any poster intended to advertise an exhibition, unless the same shall first have been approved and passed by the British Board of Film Censors or the Board of Control appointed under the next succeeding subsection.

(2) It shall be lawful for the Governor by order to appoint a Board of Control for the purpose of viewing, examining and censoring films intended for use in connection with an exhibition and for the purpose of carrying out the duties and functions specified in section 5, and for the purpose of viewing, examining and censoring posters intended to advertise exhibitions. The Board shall be constituted in such manner as the Governor shall direct, and shall by virtue of this enactment be vested with all legal powers necessary for the proper performance of its duties and functions.

(3) Whenever the Board shall pass and approve any film or poster, it shall signify its decision in the prescribed form, and shall also affix on the film itself an identification mark recording its decision. The Board may pass and approve part of a film or poster whilst disapproving another part thereof, and may give such directions in the matter and may so act as it shall think proper for the purpose of giving effect to its decision.

(4) Where the Board has refused to approve any film or part thereof, the Board may retain such film or excise and retain such part until its exportation or until it is otherwise disposed of in accordance with the direction of the Board.

Certification of educational films by the Board.

5. The Board shall, on the written application of any person desiring to import into the Colony any film which such person claims to be of an educational character or to export from the Colony any film produced in the Colony which such person claims to be of an educational character, and on payment of the prescribed fee by the applicant, examine such film and, if satisfied that it is of an educational character, shall certify the same as being a film of an educational character and shall affix on any film so certified an identification mark recording the certification;

Provided that this section shall not apply to British films of an educational character.

6. Any Police officer may at any time enter any premises in which an exhibition is being given or in which he has reason to believe that an exhibition is being or about to be given, with a view to seeing whether the provisions of this Ordinance and of any licence granted thereunder have been complied with, and generally also for the purpose of inspection and control.

Power of entry.

7. Any person who –

- (1) in any way, whether by act or omission, contravenes or fails to comply with any provisions of this Ordinance; or
- (2) in any way, whether by act or omission, disobeys or fails to comply with the lawful order of the prescribed authority, or of any officer charged with the execution of, or concerned in the enforcement of, any of the provisions of this Ordinance; or
- (3) in any way hinders or obstructs any such authority or officer,

Offences and penalties.

shall be guilty of an offence, and on summary conviction thereof shall be liable to a fine not exceeding fifty pounds, and, in the case of a continuing offence, to a further fine not exceeding two pounds in respect of each day during which the offence continue.

8. The restrictions set forth in this Ordinance shall not apply to an exhibition given in private premises to which the public are not admitted on payment or otherwise.

Ordinance not applicable to private exhibition.

9. (1) It shall be lawful for the Governor in Council to make regulations for giving effect to any of the provisions or purposes of this Ordinance, and in particular (but without derogating from the generality of the provisions last aforesaid) with respect to any of the following matters:—

Regulations.

- (a) The appointment of a person to be the prescribed authority for any purpose under this Ordinance;
- (b) The prescription of fees to be charged and paid under this Ordinance;
- (c) The prescription of forms to be used for any purpose under this Ordinance;
- (d) The procedure with respect to the application for, and to the grant of, licences under section 3, and the conditions and restrictions relating thereto;
- (e) The prescription of anything which under this Ordinance requires to be or may be prescribed; and
- (f) The prescription of the duties and powers of any person engaged or employed in the administration or enforcement of the provisions of this Ordinance.

(2) Regulations made under this section shall be published in the Gazette, and shall thereupon have the same effect as if enacted herein, either immediately or on and from such other date as may therein or in their regard be provided.

10. Notwithstanding the provisions of this Ordinance or any Regulations made thereunder the Licensing Authority may at any time permit:

Exhibition of films in schools etc.

- (a) the exhibition of non-inflammable cinematograph films in schools or other buildings, for educational purposes; or
- (b) the exhibition of cinematograph films in any building outside the limits of the town of Stanley.

11. The Cinematograph Ordinance 1944 is hereby repealed.

Repeal of Ordinance 8 of 1944.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 14th day of March, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 2



1952.

Colony of the Falkland Islands.

IN THE FIRST YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance  
To amend the British Nationality  
Ordinance, 1949.

[1st April, 1952.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited as the British Nationality (Amendment) Ordinance, 1952, and shall be read and construed as one with the British Nationality Ordinance, 1949, hereinafter referred to as the Principal Ordinance.

Short title.

2. In subsection (2) of Section 3 of the Principal Ordinance for the words "one pound" there shall be substituted the words "two pounds".

Amendment of sec-  
tion 3 of the principal  
Ordinance.

3. The Schedule to the Principal Ordinance is amended as follows :—

Amendment of  
Schedule to principal  
Ordinance.

(a) by the deletion of the figures "5. 0. 0." opposite the words "To a British protected person" and the substitution of the figures "7. 10. 0."

(b) by the deletion of the figures "10. 0. 0." opposite the words "To an alien" and the substitution of the figures "15. 0. 0.";

(c) by the addition thereto of the following :-

£ s. d.  
10. 0.

"Registration which may be effected in the Colony under the provisions of Section 6 of the British Nationality Act, 1948.

All fees in connection with matters to which Section 16, 19, and 25 of the British Nationality Act, 1948 relate, are payable to the Secretary of State for Home Affairs."

Ref. 1022.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 14th day of March, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 4



1952.

**Colony of the Falkland Islands.**

IN THE FIRST YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To provide for the service of the year  
1952-1953.**

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows — Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (1952-1953) Ordinance, 1952. Short Title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the year ending 31st March, 1953, a sum not exceeding Three hundred and thirty thousand, nine hundred and nineteen pounds which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1952-53. Appropriation of £330,919 for service of year 1952/53.

FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	3859	0	0
II.	Agriculture ... ..	3188	0	0
III.	Audit ... ..	746	0	0
IV.	Communications ... ..	18099	0	0
V.	Customs ... ..	1845	0	0
VI.	Education ... ..	11042	0	0
VII.	Medical ... ..	15730	0	0
VIII.	Meteorological ... ..	1034	0	0
IX.	Military ... ..	1163	0	0
X.	Miscellaneous ... ..	25493	0	0
XI.	Pensions ... ..	6800	0	0
XII.	Police and Prisons ... ..	3075	0	0
XIII.	Posts & Telegraphs ... ..	19735	0	0
XIV.	Public Works Department ... ..	18209	0	0
XV.	Public Works Recurrent ... ..	16961	0	0
XVI.	Secretariat & Treasury ... ..	10663	0	0
XVII.	Supreme Court ... ..	655	0	0
XVIII.	Extraordinary Expenditure ... ..	148600	0	0
	Total	£306897	0	0
XIX.	Colonial Development & Welfare ... ..	24022	0	0
	Total Expenditure	£330919	0	0

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

L. W. ALDRIDGE,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 14th day of March, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 1



1952.

## Falkland Islands Dependencies.

IN THE FIRST YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

## An Ordinance

To amend the Application of Ordinances  
of the Colony (Dependencies) Ordinance,  
1951.

[1st April, 1952]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands and the Dependencies thereof as follows :—

Enacting Clause.

1. This Ordinance may be cited as the Application of Ordinances of the Colony (Dependencies) (Amendment) Ordinance, 1952, and shall be read and construed as one with the Application of Ordinances of the Colony (Dependencies) Ordinance, 1951, (hereinafter called the Principal Ordinance).

Short title.

2. The Schedule to the Principal Ordinance shall be amended in the following respects :—

Amendment of the  
Schedule of the  
Principal Ordinance.

- by the substitution for the date "24th April, 1951" of the date "1st May, 1951" where it appears in the third column of the Schedule opposite the name Seal Fisheries (Amendment) Ordinance, No. 4 of 1951; and
- by the substitution for the date "24th April, 1951" of the date "1st December, 1951" where it appears in the third column of the Schedule opposite the name Exchange Control Ordinance, No. 5 of 1951.

Promulgated by the Governor on the 14th day of March, 1952.

C. CAMPBELL,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 3rd day of  
May, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 2



1952.

**Falkland Islands Dependencies.**

IN THE FIRST YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To apply certain Laws of the Colony to the Dependencies.** Title.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows — Enacting Clause.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance, 1952. Short title.

2. The Ordinances of the Colony specified in the first and second columns of the Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to have been in force in the Dependencies with effect from the respective dates set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

**SCHEDULE.**

17 of 1939	Export and Imports (Emergency Powers) Ordinance, 1939	9th December, 1939.
2 of 1952	British Nationality (Amendment) Ordinance, 1952	1st April, 1952.

Promulgated by the Governor on the 3rd day of May, 1952.

C. CAMPBELL  
*Colonial Secretary.*

Ref. 0188.

Assented to in Her Majesty's name this 13th day of  
May, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No 3.



1952.

**Falkland Islands Dependencies.**

IN THE FIRST YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To amend the Revised Edition of the  
Laws (Amendment) (Dependencies) Ordinance, 1951.

Title.

[30th December, 1950.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :—

Enacting Clause.

1. (1) This Ordinance may be cited as the Revised Edition of the Laws (Amendment) (Dependencies) Ordinance, 1952, and shall be read and construed as one with the Revised Edition of the Laws (Amendment) (Dependencies) Ordinance, 1951, (hereinafter called the principal Ordinance).

Short title.

(2) This Ordinance shall be deemed to have come into operation on the 30th December, 1950.

2. In section 7 of the principal Ordinance for the figures "1863" there shall be substituted the figures "1868".

Amendment of section 7 of the principal Ordinance.

Promulgated by the Governor on the 13th day of May, 1952.

C. CAMPBELL,  
*Colonial Secretary.*

Ref. 0681/II.

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FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in Her Majesty's name this 12th day of June, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 4

1952.

**Falkland Islands Dependencies.**

IN THE FIRST YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To provide for the service between the  
first day of July, 1952, and the thirtieth day  
of June, 1953.

[1st July, 1952.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands, and the Dependencies thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the  
Appropriation (Dependencies) (1952/1953) Ordinance, 1952.

Short title.

2. The Governor may cause to be issued out of the Public  
Revenue and other funds of the Dependencies and applied to the  
service of the period ending the 30th of June, 1953, a sum not  
exceeding Two hundred and Fifteen thousand Six hundred and  
Eighty Six pounds, which sum is granted and shall be appropriated  
for the purposes and to defray the charges of the several services  
expressed and particularly mentioned in the Schedule hereto which  
will come in course of payment during the period from the first day  
of July, 1952, to the thirtieth day of June, 1953.

Appropriation of  
£215,686 for service  
of the year ending  
30th June, 1953.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	34,032
2.	F.I.D.S., Rear Base ... ..	9,471
3.	F.I.D.S., Headquarters (Administration)	22,300
4.	F.I.D.S., Headquarters (Met. Service)	11,027
5.	F.I.D.S., Bases ... ..	61,335
6.	F.I.D.S., "John Biscoe" ... ..	77,521
	Total Expenditure ... £	215,686

Promulgated by the Governor on the 12th day of June, 1952.

C. CAMPBELL,  
*Colonial Secretary.*

Ref. 0284/J/V1.

Assented to in Her Majesty's name this 12th day of  
June, 1952.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 5

1952.



Falkland Islands Dependencies.

IN THE FIRST YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

To legalise certain payments made in the  
year One thousand Nine hundred and Forty-  
nine in excess of the Expenditure sanctioned  
by Ordinance No. 12 of 1948.

WHEREAS it is expedient to make further provision for the  
service of the Dependencies for the year 1949.

Preamble.

ENACTED by the Governor of the Colony of the Falkland  
Islands and its Dependencies, as follows :—

Enacting Clause.

1. This Ordinance may be cited for all purposes as the  
Supplementary Appropriation (Dependencies) (1949) Ordinance,  
1952.

Short title.

2. The sums of money set forth in the Schedule hereto  
having been expended for the service therein mentioned beyond the  
amounts granted for those services by the Ordinance providing for  
the service of the year One thousand Nine hundred and Forty-nine,  
the same are hereby declared to have been duly laid out and expend-  
ed for the service of the Dependencies in that year and are hereby  
approved, allowed and granted in addition to the sums mentioned  
for those services in the said Ordinance.

Appropriation of  
excess expenditure  
for the year 1949.

# SCHEDULE.

Head of Service.	Amount.		
	£	s.	d.
South Georgia ... ..	5,914	12	4
Falkland Islands Dependencies Survey	30,624	12	0
Falkland Islands Dependencies Survey Extraord'y	65,493	18	8
Total Expenditure . . . £	102,033	3	0

Promulgated by the Governor on the 12th day of June, 1952.

C. CAMPBELL,  
*Colonial Secretary.*

Ref. 0284/J/11.

PART II

RULES, REGULATIONS, ETC..

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Order No. 1 of 1952. <i>missing</i>	Double Taxation Relief (Taxes in Income) (Canada) Order, 1952.
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3 ✓	Exchange Control (Temporary Visitors Exemption) Order, 1952.
4 ✓	Exchange Control (Branches) Order 1952.
5 ✓	Exchange Control (Specified Foreign Currency) Order 1952
6 ✓	Post Office (Amendment) Order, 1952
Proclamation No. 1 of 1952.	Effective Date of Additional Instructions passed under the Royal Sign Manual and Signet.
2 ✓	Officer Administering the Government
3 ✓	Repeal of Proclamation No. 3 of 1951.
Regulations No. 1 of 1952	Fisheries Regulations, 1952.
2	Schools (Amendment) Regulations, 1952
3 ✓	Medical Fees (Amendment) Regulations, 1952
4	Cinematograph Exhibitions Regulations, 1952
5 ✓	Old Age Pensions Regulations, 1952
6 ✓	Road Traffic (Amendment) Regulations, 1952
Rules No. 1 of 1952. ✓ Unnumbered	Savings Bank (Amendment) Rules, 1952 Rules for the grant of Travelling and Subsistence Allowances to Officers attending Conferences while on leave in the United Kingdom.

Order by His Excellency the Governor in Council, made under the Income Tax Ordinance, 1939, as amended by the Income Tax (Amendment) Ordinance No. 8 of 1949.

MILES CLIFFORD,  
*Governor.*

No. 1 of 1952.

His Excellency the Governor in exercise of the powers vested in him by section 47A of the Income Tax Ordinance, 1939, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows:—

1. This order may be cited as the Double Taxation Relief (Taxes on Income) (Canada) Order, 1952, and shall be deemed to have come into force on the first day of January, 1951.
2. It is hereby declared —
  - (a) that the arrangements specified in the Agreement between the United Kingdom and the Government of Canada, set out in the Schedule to the Double Taxation Relief (Taxes on Income) (Canada) Order, 1946, affording relief from double taxation in relation to income tax and taxes of a similar character imposed by the laws of Canada, shall extend to the Colony; and
  - (b) that references to the "United Kingdom" in the Agreement shall be construed as references to the "Colony".

Made by the Governor in Executive Council at a meeting held on the 29th day of April, 1952.

J. BOUND,  
*Acting Clerk of the Executive Council.*

Ref. 0527/11.

## FALKLAND ISLANDS.

Order by His Honour the Officer Administering the Government, made under Section 37 of the Exchange Control Ordinance, 1951.

No. 2 of 1952.

COLIN CAMPBELL,  
*Officer Administering the Government.*

In exercise of the powers vested in him by the Exchange Control Ordinance, 1951, His Honour the Officer Administering the Government is pleased to order and it is hereby ordered as follows :—

1. This Order may be cited as the Exchange Control (Transitional Provisions) Order, 1952, and shall come into operation on the 1st day of August, 1952. Title and commencement.

2. The Defence (Finance) Regulations, 1947, are hereby revoked. Revocation of 5 of 1947.

3. Subject to the provisions of this Order any direction, permission or consent given or granted by the Governor, or on his behalf under any Regulations revoked by this Order which could have been so given or granted under a corresponding provision of the Exchange Control Ordinance, 1951, and which is not superseded by any order, direction, permission, consent or authority made, given or granted by the Governor or on his behalf, under that Ordinance, shall have effect as if it had been given or granted under the corresponding provision of that Ordinance.

4. (1) Any direction given by the Governor, or a person on his behalf under Regulation 3 of the Defence (Finance) Regulations, 1947, shall have effect as if it had been given under Section 41 of the Exchange Control Ordinance, 1951.

(2) A direction may be given by the Colonial Secretary under Section 41 of the Exchange Control Ordinance, 1951, in relation to a person who has left the scheduled territories before the 1st day of August, 1952, in any case where a direction could have been given in relation to an account of that person under Regulation 3 of the Defence (Finance) Regulations, 1947, if that Regulation had not been revoked by this Order.

Dated this 4th day of July, 1952.

*By Command,*

J. E. BRISCOE,

*Acting Colonial Secretary.*

Ref: 0078/D.

## FALKLAND ISLANDS.

Order by His Honour the Officer Administering the Government, made under Section 32 of the Exchange Control Ordinance, 1951.

COLIN CAMPBELL,

*Officer Administering the Government.*

No. 3 of 1952.

In exercise of the powers vested in him by the Exchange Control Ordinance, 1951, His Honour the Officer Administering the Government is pleased to order and it is hereby ordered as follows :-

1. This Order may be cited as the Exchange Control (Temporary Visitors Exemption) Order, 1952, and shall come into operation on the 1st day of August, 1952. Title and commencement.

2. There shall be exempted from the obligations imposed by the provisions of Section 3 of the Exchange Control Ordinance, 1951, any person in the Colony who is not resident in the Colony: Exemption of temporary visitors.

Provided that the Governor may at any time direct that the exemption conferred by this Order shall not apply to such person as may be specified in such direction.

Dated this 4th day of July, 1952.

*By Command,*

J. E. BRISCOE,

*Acting Colonial Secretary.*

Ref : 0078/D.

## FALKLAND ISLANDS.

Order by His Honour the Officer Administering the Government, made under Section 40 of the Exchange Control Ordinance, 1951.

COLIN CAMPBELL,

*Officer Administering the Government.*

No. 4 of 1952.

In exercise of the powers vested in him by the Exchange Control Ordinance, 1951, His Honour the Officer Administering the Government is pleased to order and it is hereby ordered as follows :—

1. This Order may be cited as the Exchange Control (Branches) Order, 1952, and shall come into operation on the 1st day of August, 1952. Title and commencement.

2. For the purposes of the Exchange Control Ordinance, 1951, any transaction with or by a branch of any business, whether carried on by a body corporate or otherwise, shall be treated in all respects as if the branch were a body corporate resident where the branch is situated. Residence of a branch of a business.

Dated this 4th day of July, 1952.

*By Command,*

J. E. BRISCOE,

*Acting Colonial Secretary.*

Ref : 0078/D.

## FALKLAND ISLANDS.

Order by His Honour the Officer Administering the Government, made under Section 3 of the Exchange Control Ordinance, 1951.

COLIN CAMPBELL,

*Officer Administering the Government.*

No. 5 of 1952.

In exercise of the powers vested in him by the Exchange Control Ordinance, 1951, His Honour the Officer Administering the Government is pleased to order and it is hereby ordered as follows :—

1. This Order may be cited as the Exchange Control (Specified Foreign Currency) Order, 1952, and shall come into operation on the 1st day of August, 1952. Title and commencement.
2. The foreign currency set out in the Schedule to this Order is hereby specified as foreign currency to which Section 3 of the Exchange Control Ordinance, 1951, applies. Foreign currency specified.

Dated this 4th day of July, 1952.

*By Command,*

J. E. BRISCOE,

*Acting Colonial Secretary.*

Ref: 0078/D.

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### SCHEDULE

Argentine Pesos.

Belgian Francs.

Brazilian Cruzeiros.

Canadian Dollars.

Congolese Francs.

Francs of the following territories, viz. :—

Metropolitan France (which includes Corsica and Algeria), the Saar Territory, Monaco, French West Africa, French Equatorial Africa, Madagascar and its dependencies, Reunion, French Guiana, Guadeloupe, Martinique, St. Pierre and Miquelon, New Caledonia, French Establishments in Oceania, Condominium of the New Hebrides, the Protectorates of Morocco and Tunisia, the French Trust Territories of Cameroon and Togo.

Francs of the French Somali Coast. (Djibouti Francs.)

Indo-Chinese Piastres.

Lebanese Pounds.

**FALKLAND ISLANDS.**

**The Post Office Ordinance, 1898.**

**Order by His Honour the Officer Administering the  
Government in Council.**

**COLIN CAMPBELL,**

No. 6 of 1952.

*Officer Administering the Government.*

In exercise of the powers vested in him by the Post Office Ordinance, 1898, and with the advice and consent of the Executive Council. His Honour the Officer Administering the Government is pleased to order and it is hereby ordered as follows :—

1. This Order may be cited as the Post Office (Amendment) Order, 1952, and shall be read as one with the Post Office Order, 1949, (hereinafter referred to as the principal Order), and all amendments thereto, and shall come into force on the 1st day of September, 1952.

Short title and commencement.

2. Paragraph (1) of section 2 of the principal Order is hereby amended by the deletion of the figures and words :—

Amendment of section 2 of the principal Order.

“2d. for an order not exceeding 1/-  
3d. „ „ „ „ 5/-  
4d. „ „ „ „ 21/- (maximum).”

and the substitution therefor of the figures and words :—

Values	Poundage
6d. and 1/-	3d.
1/6 to 5/- inclusive	4d.
6/- to 21/- inclusive	6d.
40/-	1/-.”

Made by the Officer Administering the Government in Executive Council at a meeting held on the 1st day of August, 1952.

**J. BOUND,**

*Acting Clerk of the Executive Council.*

Ref. 1083.

## FALKLAND ISLANDS.

No. 1.

### Proclamation

1952.

To appoint a date on which the Additional Instructions passed under the Royal Sign Manual and Signet issued to the Governor on the 27th day of November, 1951, shall come into effect.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, &c., &c.

MILES CLIFFORD — *By His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

[L.S.]

Under and by virtue of the powers vested in me by the Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of the Falkland Islands and Dependencies thereof dated the 27th day of November, 1951, I hereby proclaim that the first day of January, 1952, shall be the appointed day upon which the said Instructions shall come into effect.

**GOD SAVE THE KING.**

Given at Government House, Stanley, this 25th day of January, in the Year of Our Lord One thousand Nine hundred and Fifty-two.

*By His Excellency's Command,*

MICHAEL R. RAYMER,

*Colonial Secretary.*

# FALKLAND ISLANDS.

No. 2.

## Proclamation

1952.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas Queen, Defender of the Faith, &c., &c.

COLIN CAMPBELL — *By the Honourable COLIN CAMPBELL, ESQUIRE,  
Officer Administering the Government of the  
Colony of the Falkland Islands and its Depend-  
encies, &c., &c.*

[L.S.]

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, has this day left the Colony on leave of absence ;

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor;

NOW, THEREFORE, I, COLIN CAMPBELL, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

**GOD SAVE THE QUEEN.**

Given at Government House, Stanley, this 21st day of June, in the Year of Our Lord, One thousand Nine hundred and Fifty-two.

*By Command of the  
Officer Administering the Government,*

J. E. BRISCOE,  
*Acting Colonial Secretary.*

# FALKLAND ISLANDS.

No. 3.

## Proclamation

1952.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas Queen, Defender of the Faith, &c., &c.

COLIN CAMPBELL — *By His Honour COLIN CAMPBELL, ESQUIRE,  
Officer Administering the Government of the Colony  
of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by section 44 of the Live Stock Ordinance, 1901, it is provided that the Governor in Council may from time to time by proclamation, prohibit the importation of sheep, cattle or other animals from any place that may be named in such Proclamation, for such period as he may deem necessary for the purpose of preventing the introduction of any infectious disease.

AND WHEREAS information having been received that Newcastle Disease (Pneumo-encephalitis) was present among poultry in Chile, a prohibition on the importation of poultry and eggs was proclaimed by Proclamation No. 3 of 1951:

AND WHEREAS further information has now been received that Chile is reported free from Newcastle Disease;

NOW THEREFORE, by virtue of these powers vested in the Governor in Council he it ordered and proclaimed as follows:

Proclamation No. 3 of the twenty-third day of July in the year of Our Lord One thousand Nine hundred and Fifty-one is hereby repealed.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 24th day of September, in the Year of Our Lord, One thousand Nine hundred and Fifty-two.

*By Command of the  
Officer Administering the Government,  
J. E. BRISCOE,  
Acting Colonial Secretary.*

# Regulations made by the Governor in Council under the Fisheries Ordinance, 1944.

MILES CLIFFORD,  
*Governor.*

No. 1 of 1952.

By virtue of the powers vested in him by Section 3 of the Fisheries Ordinance, 1944, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations :-

Short title.

1. These Regulations may be cited as the Fisheries Regulations, 1952.

Interpretation.

2. In these Regulations -

"fresh waters" includes any lake, pond, river or stream;

"open season" means between the 31st day of August and the 1st day of April following;

"rod and line" means single rod and line;

"trout" means any fish of the salmon family known as trout, but does not include any fish of the family Aplochitonidae, commonly known as trout in the Colony;

"unclean" means that the trout is about to spawn, or has recently spawned and has not recovered from spawning.

Licences to fish for trout.

3. (1) The Secretary of the Angling and Shooting Club shall grant licences to fish for trout, with rod and line, during open season in the fresh waters specified in the Schedule to these Regulations.

(2) Any Farm Manager shall grant licences to fish for trout, with rod and line, during open season in the fresh waters situated within the area under his control, other than the fresh waters specified in the Schedule to these Regulations.

Provided that any licence so granted may be revoked if the conditions of the licence have not been observed.

Limitation of licences.

4. The Governor may limit the number of licences to be issued during any one season.

Limit of six trout per day.

5. No person shall take, or attempt to take more than six trout per day.

Prohibition on selling trout.

6. No person shall buy, sell, or expose for sale, or have in his possession for sale any trout, or part of any trout.

General protection of trout.

7. No person shall fish for, take, kill or attempt to take or kill any trout by any means, except by rod and line during open season, under a licence granted under Regulation 3 hereof.

Prohibition of using roe.

8. No person shall, for the purpose of fishing for trout -

(a) use any fish roe, or

(b) buy, sell, or expose for sale, or have in his possession any roe of trout.

9. (1) No person shall -

Unclean trout.

(a) knowingly take, kill, or injure, or attempt to take, kill or injure any trout which is unclean within the meaning of these regulations; or

Trout of less than ten inches in length.

(b) take, kill, or injure, or attempt to take, kill or injure any trout, less than ten inches in length, or

Prohibition on netting in estuaries.

(c) take or attempt to take trout with any net in any estuary.

(2) This regulation shall not apply to any person who takes a trout of less than ten inches in length accidentally and returns it to the water with the least possible injury.

10. No person shall wilfully disturb any spawn or spawning trout, or any bed, bank, or shallow on which any spawn or spawning trout may be. Disturbing fish spawning.

11. Fishing by any means above the bridge at the Naval Wireless Station in the stream known as Moody Brook and all or any of its tributaries is prohibited. Moody Brook Reserve.

12. A person authorised by the Governor shall not be liable to any penalty in respect of the contravention of any of the foregoing regulations if undertaken for the purpose of the artificial propagation of trout, or for some scientific purpose approved by him. Saving for acts for artificial propagation or scientific purposes.

13. The Fisheries Regulations, 1944, are hereby revoked. Revocation of Regulations No. 2 of 1944.

Made by the Governor in Executive Council on the 10th day of January, 1952.

L. W. ALDRIDGE,  
*Clerk of the Executive Council.*

# SCHEDULE

Schedule.

The Murrell River and all its tributaries.  
Mullet Creek Stream.  
The stream known as Cave Arroyo.  
The Mile Pond.  
The Round Pond.  
Turner's Stream.

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under Section 8 of the Education Ordinance, 1949.

No. 2 of 1952.

MILES CLIFFORD,

*Governor.*

1. These Regulations may be cited as the Schools (Amendment) Regulations, 1952, and shall be read as one with the Schools Regulations, 1949, hereinafter referred to as the principal Regulations.

Short title.

2. Regulation 9 of the principal Regulations is amended by renumbering sub-regulation (2) as sub-regulation (3) and by the addition of the following as sub-regulation (2) :—

Amendment of regulation 9 of the principal Regulations.

“(2) The accumulated weekly payments of 2/6 made during any one term, shall be refunded to the parents or guardian of any child whose average mark for the terminal exam is 60% or over.”

Made by the Governor in Executive Council on the 10th day of January, 1952.

L. W. ALDRIDGE,

*Clerk of the Executive Council.*

Ref. 24/44.

## FALKLAND ISLANDS.

### Regulations made under the King Edward Hospital Ordinance, 1916.

MILES CLIFFORD,  
*Governor.*

No. 3 of 1952.

His Excellency the Governor in exercise of the powers vested in him by section 8 of the King Edward Hospital Ordinance, 1916, is pleased, by and with the advice of the Executive Council to make the following regulations :-

1. These regulations may be cited as the Medical Fees (Amendment) Regulations, 1952, and shall be read as one with the Medical Fees Regulations, 1947, (hereinafter referred to as the principal Regulations) and all amendments thereto. Short title.

2. Schedule D to the principal Regulations is hereby amended as follows :- Amendment of Schedule D of the principal Regulations.

- (a) in subparagraph (a) of paragraph (2) for the figures "2/6" and "10/-" there shall be substituted the figures "5/-" and "15/-" respectively;
- (b) in subparagraph (a) of paragraph (5) for the figure "1/-" there shall be substituted the figure "2/6";
- (c) in subparagraph (b) of paragraph (5) for the figures and words "2/-, but in no case in excess of 30/-" there shall be substituted the figures "2/6";
- (d) in subparagraph (c) of paragraph (7) for the words and figures "up to 15/-" there shall be substituted the figures and word "8/- to 30/-"; and
- (e) in subparagraph (d) of paragraph (7) for the words and figures "per tooth, 1/- to 2/-" there shall be substituted the figures and words "8/- to £5. 5s., depending on the number of teeth to be added".

Made by the Governor in Executive Council at a meeting held on the 29th day of April, 1952.

J. BOUND,  
*Acting Clerk of the Executive Council.*

Ref. 0135.

# Regulations made by the Governor in Council under the Cinematograph Exhibitions Ordinance, 1952.

MILES CLIFFORD,  
*Governor.*

No 4 of 1952.

By virtue of the powers vested in him by section 9 of the Cinematograph Exhibitions Ordinance, 1952, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations :—

Short title.

1. These Regulations may be cited as the Cinematograph Exhibitions Regulations, 1952.

Free egress.

2. (1) No building shall be used for cinematograph exhibitions unless it be provided with an adequate number of exits clearly indicated and so placed and maintained as readily to afford the audience ample means of safe egress.

(2) The doors of all exits shall be so constructed and maintained as easily to open outwards on being pressed from within.

(3) The seating in the building shall be so arranged as not to interfere with free access to the exits.

(4) The gangways, and the passages leading to the exits, shall during the presence of the public in the building, be kept clear of obstructions. No person shall be allowed to stand or sit in any of the gangways intersecting the rows of seats, or in the space between the front row of seats and screen.

Staff in attendance.

3. (1) In order to secure the safety of the audience the licensee or some responsible person nominated by him in writing for the purpose shall be in charge during the whole time of any exhibition.

Provision for dealing with outbreak of fire.

4. Fire appliances suitable to the character of the building and adequate to deal with an outbreak of fire shall be provided and maintained in good working order.

Prohibition of smoking.

5. No smoking shall at any time be permitted in any part of the building in which films are stored, wound or repaired.

Inflammable articles.

6. No inflammable article shall unnecessarily be taken into or allowed to remain in the film room, or any part of the premises in which films are stored, wound, or repaired.

Requirements with respect to enclosure for projecting apparatus.

7. (a) The projecting apparatus shall be placed in an enclosure of substantial construction made of or lined internally with fire-resisting material and of sufficient dimensions to allow the operator to work freely.

(b) The entrance to the enclosure shall be suitably placed and fitted with a self-closing door which shall be kept closed during the exhibition.

(c) The openings in the front face of the enclosure shall be covered with glass and shall not be larger than is necessary for effective projection and observation. The openings shall not exceed two for each projecting apparatus. Each such opening shall be fitted with a screen of fire-resisting material, so that it closes with a close-fitting joint.

(d) The door of the enclosure and all openings shall be so constructed and maintained as to prevent, so far as possible, the escape of any smoke into the auditorium or any part of the building to which the public are admitted.

(e) The enclosure shall be in charge of a competent operator over 20 years of age, who shall be present in the enclosure during the whole time that the apparatus is in use.

(f) No unauthorised person shall be allowed into the enclosure.

8. (1) The Projecting apparatus and film boxes shall be of such design and be so placed, to the satisfaction of the prescribed authority, as to ensure the minimum of fire risk.

Construction of projecting apparatus and storage of films.

(2) All films when not being shown, re-wound or repaired, shall be suitably stored.

9. (1) A separate room shall be provided for the re-winding and repairing of films, which shall be constructed throughout of, or lined internally with, fire-resisting material.

Provision of room for rewinding and repairing films.

(2) If there is any communicating doorway, or other opening between the enclosure and the re-winding room it shall also be provided with a door or shutter of fire-resisting material.

10. The Chief Constable shall be the prescribed authority for issuing licences under section 3 of the Ordinance, and for the purposes of these Regulations.

Prescribed authority.

11. (1) Licences may be issued for one month, six months, or for one year, or as occasional licences.

Form and duration of licence.

(2) Licences shall be in the form set forth in the First Schedule to these Regulations or as near thereto as the circumstances permit.

First Schedule.

12. (1) No licence shall be transferred from one person to another without the permission of the prescribed authority.

Transfer of Licence.

(2) Such permission shall, if granted, be endorsed on the licence.

13. The Board of Control appointed by the Governor shall meet from time to time as the Chairman may arrange.

Meetings of the Board of Control.

14. (1) Applications for the examination of films or posters by the said Board shall be made to the Chairman not less than 6 clear days before it is proposed to exhibit such film or poster for examination by the Board; and such application shall be made in one of the forms set forth in the Second Schedule to these Regulations.

Application to Board for examination of films or posters and certification of films by the Board.

(2) The Chairman shall thereupon make the necessary arrangements; and the Board, on passing and approving the film or part thereof or the poster, shall affix an identification mark on the film or part of film or the poster as the case may be, and shall also issue a certificate of their passing and approval in one of the forms set forth in the Third Schedule to these Regulations.

Third Schedule.

15. (1) Three members of the Board, one of whom must be the Chairman or Vice-Chairman, shall form a quorum.

Quorum of Board.

(2) In the event of the opinions of the members of the Board being equally divided, the Chairman (or in his absence the Vice-Chairman) shall have a casting vote, in addition to his original vote.

16. The following fees shall be payable in respect of licences for Cinematograph Exhibitions :-

Fees.

	£	s.	d.
For a period of one month ....	1	1	0.
For a period of six months ....	5	0	0.
For a period of one year ....	10	0	0.
For an occasional licence ....	10	6	

Made by the Governor in Executive Council at a meeting held on the 29th day of April, 1952.

J. BOUND,  
*Acting Clerk of the Executive Council.*

Ref. 19/44.

# FALKLAND ISLANDS.

## Regulations made by the Governor in Council under the Old Age Pensions Ordinance, 1952.

No. 5 of 1952.

MILES CLIFFORD,  
*Governor.*

By virtue of the powers vested in him by section 25 of the Old Age Pensions Ordinance, 1952, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to make and hereby makes the following Regulations :—

1. These Regulations may be cited as the Old Age Pensions Regulations, 1952. Short title.

2. (1) In these Regulations, unless the context otherwise requires :— Interpretation.

“Claim” means a claim to a pension;

“Claimant” means a person by whom a claim has been made;

“Contributions” means contributions under the Ordinance;

“The Ordinance” means the Old Age Pensions Ordinance, 1952;

“Inspector” includes any person having the powers of an Inspector under the Ordinance;

“Pension” means a pension under the Ordinance;

“Pension card” means a card issued in accordance with these Regulations for the purpose of the payment of contributions by means of stamps affixed to the card;

“Pension order” means an order for the payment through the Post Office of a weekly sum by way of pension;

“Pensioner” means a person in receipt of a pension under the Ordinance;

“Stamp” means an adhesive Social Security Stamp;

“Termination of Employment” means the day upon which the employment actually comes to an end, whether in accordance with the terms of the contract or not, and whether or not the employment is to be resumed at a later date; and other expressions have the same meanings as in the Ordinance.

(2) The Interpretation and General Law Ordinance (Chapter 33) applies to the interpretation of these Regulations as it applies to the interpretation of an Ordinance.

3. The Board shall keep a register of all contributions and shall allot a registration number to each contributor. Register of contributors.

4. (1) Every person shall register with the Board within sixty days of becoming liable to contribute under the Ordinance and shall produce such evidence as may be required by the Board to determine the date of his birth. Registration of contributors.

(2) Registration under sub-section (1) of this section shall be in the Form 1 in the First Schedule. Form 1.

(3) Registration forms shall be supplied gratis by the Board or at any Post Office.

5. (1) Every contributor shall apply to the Postmaster for a Pension Card, and shall obtain such card, on such occasions and in such manner as the Board shall direct. Issue and custody of Pension Cards.

(2) A contributor shall be responsible for the custody of his card unless and until it is delivered or redelivered to an employer or to the Board or Postmaster or retained by an inspector in accordance with these Regulations.

(3) Every employer liable to pay contributions in respect of an employed person shall, immediately after the date of the employed

person's entry into the employment, obtain from him a pension card then current, and the employed person shall deliver or cause to be delivered his pension card to the employer accordingly; unless the pension card shall have been issued direct to the employer.

(4) The employer, on obtaining his pension card, shall become responsible for the safe custody thereof so long as the employment continues or until the card is returned to the employed person, or delivered to the Board, or retained by an inspector in accordance with these Regulations.

(5) The person for the time being responsible for the custody of a pension card shall produce it for inspection at any reasonable time and if so required shall deliver it to an inspector, who may, if he thinks fit, retain it. The inspector shall give a receipt for any pension card retained by him.

(6) Every contributor shall before the surrender of his pension card in pursuance of Regulation 5 (2) sign the card and insert therein his present address.

(7) Every employer having the custody of the pension card of an employed person shall permit that person to have access to such card for the purpose of signing it, and to inspect it once in any one month within or immediately before or after working hours.

(8) Where a pension card of a contributor is destroyed or lost or defaced the contributor shall apply to the Board for a new card :

Provided that where the card is in the custody of the employer at the time when it is destroyed, lost or defaced the employer shall forthwith report the fact to the Board and to the contributor.

6. (1) Subject as hereinafter provided, the employer shall on the termination of the employment forthwith return the pension card to the employed person; provided that where the employment is terminated by the employed person without notice to the employer the pension card shall be returned to the employed person, or, where this is impracticable, to the Board, within 14 days of the termination of the employment.

(2) Subject as aforesaid, where contributions cease to be payable by the employer in respect of an employed person for any period during which the employment still continues, but contributions are payable on behalf of him under Section 13 of the Ordinance, the employer shall, if so requested by the employed person, return the pension card to him, and the employer, upon his again becoming liable to pay contributions in respect of the employed person, shall forthwith obtain the pension card from him.

(3) If for any reason, other than its loss or destruction, the pension card is not returned to the employed person in accordance with paragraph (1) or (2) of this Regulation, the employer shall, as soon as may be, deliver the card to the Board; provided that nothing in this paragraph shall relieve the employer of his obligation to comply with paragraph (1).

(4) When contributions cease to be payable by or on behalf of or in respect of a contributor he shall forthwith deliver his then current pension card to the Board.

(5) On the death of a contributor the employer or any other person having possession or thereafter obtaining possession of such contributor's pension card shall forthwith deliver it to the Board.

7. (1) A pension card shall be issued without charge to a person properly applying therefor, and, when issued, shall remain the property of the Board.

(2) A pension card shall be in such form as the Board may decide and shall be current for twelve months, and shall within seven (30 if residing outside Stanley) days after the date upon which it ceases to be current be returned to the Board by the person respons-

ible for its custody, and a fresh pension card shall thereupon be issued without charge to the person so returning the card.

8. (1) Every contribution which is payable shall be paid by affixing a stamp to the pension card of the contributor in the space indicated for that purpose upon the card.

Stamping of Pension Cards.

(2) An employer who is liable to pay contributions in respect of or on behalf of an employed person shall at the time of paying to the employed person the wages payable in respect of the employment pay the contributions payable in respect of the period for which the wages are paid, and where the employer does not pay to the employed person wages or other pecuniary remuneration he shall pay the contributions on the first day of employment in each week.

(3) In addition to his obligation to comply with any other requirements of the Ordinance or of these Regulations it shall be the duty of the employer to pay all contributions due from him but still outstanding in respect of or on behalf of any employed person :—

(a) within 14 days of the termination of the employment where the employment is terminated by the employed person without any notice to the employer, and forthwith on the termination of the employment where it is terminated in any other manner; and

(b) within six days after the expiration of the period of currency of the pension card; and

(c) within forty-eight hours after being requested to do so by the employed person.

(4) (a) The Board may, if it thinks fit, and subject to such conditions as it may impose, approve any arrangements whereby contributions are paid at times, or in a manner, other than those prescribed by this Regulation.

(b) The provisions of these Regulations shall, subject to the provisions of the arrangements, apply to the persons affected by the arrangements, and any contravention of, or failure to comply with, any requirement of the arrangements shall be deemed to be a contravention of or a failure to comply with these Regulations.

(5) A contributor who is liable to pay contributions as a self-employed person shall pay those contributions not later than the last day in the week in respect of which the contribution is due.

(6) A person shall, immediately after affixing a stamp to any pension card, cancel the stamp by writing or stamping with a die with indelible ink across the face of the stamp the date upon which it is affixed.

9. (1) Subject to and in accordance with the provisions of this Regulation an employer shall be entitled to recover from an employed person the amount of any contribution paid or to be paid by him on behalf of that person; provided that the amount of any contribution not yet paid shall not be recoverable except under and in accordance with paragraphs (2) and (3) of this Regulation.

Recovery by employers of contributions paid on behalf of employed persons.

(2) Where the employed person receives wages or other pecuniary remuneration from the employer the amount of any contribution paid or to be paid by the employer on behalf of the employed person, notwithstanding the provisions of any contract to the contrary, shall be recoverable by means of deductions from the wages of that person or from any other remuneration due from the employer to that person and not otherwise; provided that no such deduction may be made of any contribution not yet paid except where such contribution is not payable until after the date when the said wages or remuneration are paid.

(3) Where the employed person is employed on seasonal work in the sealing or whaling industries and his wages or other

Disposal of pension card on termination of employment.

Issue and Currency of pension cards.

	<p>pecuniary remuneration are customarily paid at the end of the season or otherwise than at regular intervals, it shall be lawful for the employer to recover from such payment or payments the amount of the contributions paid or to be paid by the employer on behalf of the employed person in respect of the period of his said employment.</p> <p>(4) Where the employed person does not receive any wages or other pecuniary remuneration from the employer but receives such remuneration from some other person, the amount of any contributions paid by the employer on behalf of the employed person shall (without prejudice to any other means of recovery) be recoverable from the employed person as a civil debt if proceedings for the purpose are instituted within three months of the date upon which the contribution was payable.</p> <p>(5) Where the employed person does not receive any wages or other pecuniary remuneration either from his employer or from any other person, the employer shall be liable to pay the contributions payable both by himself and by the employed person, and shall not be entitled to recover any part thereof from the employed person.</p>	
Employment by two or more employers.	<p>10. (1) Where an employed person is employed by two or more employers in any week, the first employer employing him in that week shall be treated as his employer for the purposes of the provisions of the Ordinance relating to contributions.</p> <p>(2) Where an employed person is employed by two or more employers in any week and no one of those employers is the first person employing him in that week, then that one of the employers who first makes a money payment to the employed person in respect of his employment in that week shall be deemed to be the employer of that person for the purposes of the provisions of the Ordinance relating to contributions.</p>	
Making a Claim to a Pension.	<p>11. (1) Every person who claims that he is, or will within the next succeeding four months become, entitled to a pension must fill up a form of claim and send it to the Board. Such claim shall be according to Form 2 in the First Schedule.</p> <p>(2) Forms of claim shall be supplied gratis by the Board or at any Post Office.</p>	Form 2.
Register of Claims.	<p>12. (1) The Board shall keep a register of all claims, and on receiving any claim shall cause it to be entered in the register, and all claims shall be numbered consecutively in the order in which they are entered in the register.</p> <p>(2) There shall also be entered in the register particulars of every decision of the Board and of the Governor in reference to any claim entered in the register.</p>	
Investigation of Claims.	<p>13. (1) As soon as may be after receiving any claim the Board shall proceed to investigate the claim for the purpose of ascertaining whether the claimant is, or will within the next four months become, entitled to a pension: provided that:—</p> <p>(a) where a claim previously made by the claimant has been disallowed and the claimant does not satisfy the Board that there is <i>prima facie</i> reason to believe that the ground on which the former claim was disallowed is no longer in operation; or</p> <p>(b) where a claim on the face of it discloses that the claimant does not fulfil the statutory conditions; the Board shall not be bound to investigate the claim.</p> <p>(2) Subject to the instructions set out in the Second Schedule the Board shall investigate the claim in such manner as it thinks best fitted for the purpose and shall have regard to any such evidence or information as in its opinion is sufficient and is the best evidence which it is reasonably possible to obtain.</p>	
	<p>14. (1) Not less than seven (30 if residing outside Stanley) clear days before the day of any meeting of the Board at which any claims are to be considered the Board shall send to the claimants notice of the meeting.</p> <p>(2) The Board may adjourn the consideration of any claim for the purpose of further investigation and shall give or send to the claimant notice of the day fixed for the further consideration of the claim.</p> <p>(3) The claimant shall be entitled to attend and be heard at any meeting of the Board for the consideration of his claim.</p> <p>(4) The Board shall, as soon as may be, give its decision on every claim determined by it, and shall forthwith give notice thereof to the claimant, and shall cause to be entered in the register particulars thereof including the date from which the pension, if allowed, is, or will become, payable.</p>	<p>Procedure in connection with Claims. Form 3.</p> <p>Form 3A.</p> <p>Forms 4 and 4A.</p>
	<p>15. (1) Any claimant desiring to appeal to the Governor against a decision of the Board shall send to the Governor and to the Board within seven days after the date of the decision, or of the receipt of notice thereof by him, whichever shall be the later, a notice of appeal which may be according to the Forms 5 and 6 in the First Schedule: Provided that the Governor may entertain an appeal notwithstanding that the applicant has not given notice thereof within the time limited, if he considers that the appellant has reasonable excuse for his failure.</p> <p>(2) The Governor may make such inquiry as he may think necessary to enable him to come to a proper decision.</p> <p>(3) Notice of every decision of the Governor shall be sent to the Board and to the appellant.</p>	<p>Appeals.</p> <p>Forms 5 &amp; 6.</p> <p>Forms 7 &amp; 8.</p>
	<p>16. (1) Pensions shall be paid weekly in advance upon Fridays by means of pension orders payable in each case to the pensioner at the Post Office, and upon his furnishing such evidence of identity and such other particulars as may be required.</p> <p>(2) When a claim has been allowed the Board shall issue to the claimant through the Post Office a book of pension orders, and a fresh book shall be issued upon the expiration of the previous book.</p> <p>(3) A book of pension orders shall remain the property of the Board.</p> <p>(4) Any person having a book of pension orders or any unpaid pension order shall, on the termination of the pension to which such book or order relates, or when required by the Board, deliver such book or order to the Postmaster and obtain his receipt for it, or to such other person as it shall direct.</p> <p>(5) Notwithstanding anything contained in the foregoing provisions of this Regulation the Board may in any particular case or class of cases arrange for the payment of a pension otherwise than weekly in advance, or otherwise than by pension orders payable to the pensioner.</p>	Payment of Pensions.
	<p>17. (1) Pending the final decision upon a claim the Board may in any case issue to the claimant a book of pension orders.</p> <p>(2) In any such case, if the claim is finally disallowed, the Board shall notify the Postmaster and shall require the claimant to deliver the book of pension orders to such person as it shall direct.</p>	Provisional grant of Pension.
	<p>18. (1) The right to any sum payable by way of pension shall be extinguished where payment thereof is not obtained within three months from the date upon which that sum was receivable: provided that in any case where there was good cause for the failure to obtain payment the said period shall be extended to six months.</p>	Loss of right to sum payable by way of pension.

(2) For the purposes of this Regulation a sum payable by way of pension is receivable on the date upon which the order is payable.

Persons unable to act.

Forms 9 to 12.

19. (1) Where any pensioner or any person alleged to be entitled to a pension is unable to act and no committee has been appointed by the Court, the Board, upon application being made to it, may appoint a person to exercise on behalf of the person unable to act any right to which such person may be entitled under the Ordinance and to receive any sums payable to him : Provided that :—

- (a) any such appointment shall terminate upon the appointment of a Committee by the Court; and
- (b) the Board may at any time revoke any appointment made under this Regulation; and
- (c) any person appointed under this Regulation may resign his office on giving the Board one month's notice in writing of his intention to do so.

(2) Anything required by these Regulations to be done by or to any such person unable to act may be done by or to the committee, if any, or by the person appointed under this Regulation, and the receipt of any person so appointed shall be a good discharge for any payment under the Ordinance.

Death of Contributor under the age of 65.

20. (1) Subject to the provisions of paragraph (2) of this Regulation any sum which is repayable under Section 11 (2) of the Ordinance may be paid by the Board to the Official Administrator for distribution to or amongst persons claiming as personal representatives, legatees, next of kin, or creditors of the deceased.

(2) The provisions of the foregoing paragraph shall not apply unless application for the repayment of any such sum is made to the Board within six months from the date of the deceased's death or such longer period as the Board may allow in any particular case.

Returns by Registrar General.

21. The Registrar General shall as soon as may be after the 1st January, 1st April, 1st July and 1st October in each year send to the Board a return of all deaths of persons of the age of 65 years or upwards which have been registered in the three months preceding the date of the return.

The Board and procedure at meetings.

22. (1) The term of office of a member of the Board (other than the Treasurer) shall be two years and any member may be re-appointed : Provided that :—

- (a) a member may resign by sending to the Governor notice of his desire to do so; and
- (b) the Governor may at any time remove any member of the Board (other than the Treasurer) and appoint another person to be a member in his place; and
- (c) if a member (other than the Treasurer) is absent from meetings for more than six months consecutively except in case of illness or for some reason approved by the Governor, his office shall become vacant.

(2) Upon a vacancy occurring the Governor shall appoint another person to fill the vacancy.

(3) The quorum at meetings of the Board shall be two of whom the Treasurer must be one.

(4) Every question shall be determined by a majority of the votes of the members present and voting on the question, and, in case of an equal division of votes, the Chairman shall have a second or casting vote.

(5) The proceedings of the Board shall not be invalidated by any vacancy in their number.

23. The amount of the lump sum required to be paid under section 10 of the Ordinance may be paid by instalments of not less than £10 and such payments shall be made to the Treasurer for the account of the Board. The payment of such instalments shall be recorded in the name of the contributor.

Payment of contributions under section 10.

24. Applications for the repayment of contributions under section 11 of the Ordinance shall be made to the Board on Form 13 or Form 14 in the First Schedule as may be appropriate.

Repayment of contributions. Forms 13 & 14.

25. (1) No person shall assign or charge, or agree to assign or charge, any pension card, and any sale, transfer or assignment of, or any charge on, a pension card shall be void.

Pension cards not to be assigned, defaced, etc.

(2) No person shall deface or destroy any pension card, or, save as authorised by the Board, alter, amend or erase anything therein contained (other than to amend the address of the pensioner).

(3) For the purposes of this Regulation, a person who removes or erases from any pension card a stamp which has been affixed thereto shall be deemed to have defaced that card.

26. Any notice or application required to be given or made to any person for the purpose of these Regulations shall be in writing and may be sent by post addressed to that person at his ordinary address, or, in the case of the Board, addressed to the Board of Management (Old Age Pensions), at the Secretariat, Stanley.

Notices.

27. If any person contravenes or fails to comply with any requirement of these Regulations he shall for each offence be liable on summary conviction in the case of a contravention of or failure to comply with Regulations 8 (2), 8 (3) and 8 (6) to a penalty not exceeding £20, and in the case of a contravention of or failure to comply with any other Regulation to a penalty not exceeding £5.

Penalties.

Made by the Governor in Executive Council at a meeting held on the 2nd day of June, 1952.

J. BOUND,

*Acting Clerk of the Executive Council.*

Ref. 0323/A.

## FIRST SCHEDULE

The Old Age Pensions Ordinance

FORM 1.

### REGISTRATION FORM

SURNAME (Block Letters) .....  
CHRISTIAN NAME(S) (in full) .....  
Full Address .....  
.....  
Age and Date of Birth .....  
Place of Birth .....  
If not Born in the Colony, state date of first entry into the Colony .....  
Name and Address of Employer .....  
.....  
Date..... Signature.....

*NOTE: If possible your Birth Certificate should accompany this form. The Certificate will be returned to you after inspection by the Board.*

#### FOR OFFICIAL USE

Number in Register .....  
Notification Dispatched .....

The Old Age Pensions Ordinance

FORM 2.

### CLAIM TO PENSION

*NOTE: A claim may be made for the provisional allowance of a pension before the date on which the claimant will become actually entitled to receive the pension if allowed, but not more than four months before that date.*

*NOTE: "If for the purpose of obtaining or continuing an old age pension under this Ordinance, either for himself or any other person, or for the purpose of obtaining or continuing an old age pension under this Ordinance for himself or for any other person at a higher rate than that appropriate to the case, any person knowingly makes any false statement or false representation he shall be liable on summary conviction to imprisonment for a term not exceeding six months, with hard labour" (Old Age Pensions Ordinance, section 21.)*

1. Full name of claimant.....
2. Registered Number of Claimant (or of husband if claimant is a widow).....
3. Home address.....
4. Occupation.....
5. Sex.....
6. Are you single or married? or a widower or a widow?
7. Age..... Date of Birth.....
8. Have you previously made a claim for a pension?.....  
If so, state the date on which the claim was made, and with what result.....
9. Do you claim that you are now entitled to a pension, or that you will become so entitled at a future date?.....

*NOTE: You will subsequently have to furnish any further particulars which the Board may require, in order to satisfy itself you are entitled to a pension.*

I have clearly understood the above questions, and to the best of my knowledge and belief all the statements made by me in this claim are correct, and so far as I know I am not disqualified for receiving a pension (or, in the case of a claim for the provisional allowance of a pension by a person who is at the time disqualified for receiving a pension, I shall not be disqualified for receiving a pension on the..... day of.....).

Under the Old Age Pensions Ordinance, a person is by law disqualified for receiving a pension in the following cases:—

1. While he is in prison under a sentence of imprisonment without the option of a fine, or under sentence of penal servitude.

2. While he is being maintained under the Mental Treatment Ordinance, or while he is being maintained in any place as a criminal lunatic.

If my claim is allowed I desire that my pension should be payable at the Post Office at.....

Signature (or Mark) of Claimant .....

Witness to signature or (where claimant is unable to write) to mark, of claimant.....

Address of Witness.....

Date.....

I certify that the applicant in this case has been granted a pension (v. Register No.....).

Signature .....

*Chairman.*

Date.....

The Old Age Pensions Ordinance

FORM 3.

Regulation 14 (1).

### Notice of Meeting for consideration of Claim

No. in Register..... Name of Claimant.....

To the above-named Claimant.

You are hereby informed that a meeting of the Board of Management for the consideration of your claim will be held at ..... on the..... day of ..... at ..... o'clock.

If you have any reason to urge in support of your claim, you are entitled to attend and be heard at the meeting. Unless you then attend, or communicate with me further before the meeting, the Board will proceed to decide your claim upon the evidence before it.

*Chairman.*

Date.....

The Old Age Pensions Ordinance

FORM 3A.

Regulation 14 (2).

### Notice of Adjourned Consideration of Claim

No. in Register..... Name of Claimant.....

To the above-named Claimant.

You are hereby informed that the consideration of your claim has been adjourned and that a meeting for the further consideration of it will be held at ..... on the ..... day of ..... at ..... o'clock.

You are entitled to attend and be heard at the meeting if you so desire.

*Chairman.*

Date .....

## Form of Notice to Claimant

Regulation 14 (4).

## Notice of Decision of Board of Management allowing Claim

No. in Register..... Name of Claimant.....

To the above-named Claimant.

You are hereby informed that by their decision dated the ..... day of ..... the Board has allowed your claim to a pension and that you are (or will be) entitled to a pension at the weekly rate of ..... shillings, the first payment in respect of which will be due as from Monday the ..... day ..... inclusive.

The pension will be payable at the Post Office at ..... by pension orders.

The pension will continue so long only as you fulfil the statutory conditions and are not subject to any disqualification.

.....  
*Chairman of Board.*

Date.....

## Form of Notice to Claimant

Regulation 14 (4)

## Notice of Decision of Board of Management Disallowing Claim

No. in Register.....

To ..... A. B. .... of .....

You are hereby informed that by its decision dated the ..... day of ..... the Board of Management has disallowed your claim to a pension on the grounds that (state the grounds).

Should you desire to appeal against this decision you must send notice of appeal to the Governor, not later than seven days after the receipt of this notice and at the same time send to me notification that you have so appealed. A form of notice of appeal and a form of notification may be obtained on application to me.

.....  
*Chairman of Board.*

Date.....

## Notice of Appeal

No. in Register..... Name of Claimant (or Pensioner) .....

To His Excellency the Governor.

I, the undersigned, hereby appeal against the decision of the Board of Management given the ..... day of ..... 19....., being a decision that (state the decision).

(Signature of Appellant) .....

(Address of Appellant) .....

NOTE: An appeal must be made within seven days of the date of receipt of notice of the decision to be appealed against, or if no notice is required to be given to the Appellant, within seven days of the date of the decision.

## Notification to Board of Management of Appeal having been made.

No. in Register..... Name of Claimant (or Pensioner) .....

To the Board of Management.

I hereby give you notice that I have appealed to His Excellency the Governor against your decision given the ..... day of ..... 19....., being a decision that (state the decision).

I am of opinion that the decision was wrong for the following reasons (state the reasons):

(Signature of Appellant) .....

(Address of Appellant) .....

Date .....

Regulation 15 (3).

## Notice of the decision of the Governor.

No. in Register..... Name of Claimant (or Pensioner) .....

To the Board of Management.

You are hereby informed that the decision of His Excellency the Governor upon the claim of the above-named claimant (or pensioner) (or the application made for the revocation of the provisional allowance of the claim of the above-named claimant) in respect of which an appeal was made by ..... against your decision thereon given on the ..... day of ..... is as follows (state the decision).

You are forthwith to communicate this decision to the Claimant (or Pensioner).

(Signed) .....

Date ..... *Colonial Secretary.*

Regulation 15 (3).

## Notification by Board of Management of decision of the Governor.

No. in Register..... Name of Claimant (or Pensioner) .....

To the above-named Claimant (or Pensioner).

You are hereby informed that the decision of His Excellency the Governor upon your claim (or the application for the revocation of the provisional allowance of your claim) in respect of which an appeal was made by ..... against the decision of the Board thereon, given on the ..... day of ..... is as follows (state the decision).

(Signature of Chairman)

Date .....

Application to Board of Management for appointment of Person to Act on Behalf of Incapacitated Person.

Person Suffering from Mental or other Incapacity.

Name of Incapacitated Person.....

Address of Incapacitated Person.....

To the Board of Management.

The above-named person being by reason of mental or other incapacity unable to act, I hereby request that (I) (the person named below) may be appointed to exercise on behalf of the said incapacitated person any right to which (he) (she) may be entitled under the Old Age Pensions Ordinance, and to receive on (his) (her) behalf and for (his) (her) benefit any sums which may become payable to (him) (her) by way of an old age pension.

No committee or quasi-committee of (his) (her) estate has been appointed.

Name in full of Person proposed to be appointed

(if other than Applicant).....

Full Postal Address.....

Profession or Occupation .....

Name in full of Applicant .....

Full Postal Address.....

Profession or Occupation.....

Date.....

Notice of Meeting for consideration of Application.

Person suffering from Mental or Other Incapacity.

Name of incapacitated Person .....

Address of Incapacitated Person.....

To .....

of .....

You are hereby informed that a meeting of the Board of Management will be held at ..... on ..... the ..... day of ..... 19 ..... at ..... o'clock, to consider your application for the appointment of a person to exercise on behalf of the above-named incapacitated person any right to which (he) (she) may be entitled under the Old Age Pensions Ordinance, and to receive on (his) (her) behalf and for (his) (her) benefit any sums which may be payable to (him) (her) by way of an old age pension.

Your attendance at the meeting is requested.

Date .....

.....  
(Signature of Chairman)

Notice of Appointment

(N.B. This Notice should be carefully preserved.)

Person Suffering from Mental or other Incapacity.

Name of Incapacitated Person.....

Address of Incapacitated Person.....

To.....

of.....

You are hereby informed that the Board of Management has appointed you to exercise on behalf of the above-named Incapacitated Person any right to which (he) (she) may be entitled under the Old Age Pensions Ordinance, and to receive on (his) (her) behalf and for (his) (her) benefit any sums which may be payable to (him) (her) by way of an old age pension.

The appointment takes effect as from the.....19....., and is subject to revocation at any time by the Board.

If, at any time, you should desire to resign your office, you may do so by giving to the Board one month's notice of your intention to resign.

.....  
(Signature of Chairman of Board)

Date.....

Notice of Revocation of Appointment of Person acting on behalf of Incapacitated Person.

Person suffering from Mental or other Incapacity.

Name of Incapacitated Person.....

Address of Incapacitated Person.....

To.....

of.....

You are hereby informed that the Board of Management has revoked the appointment enabling you to exercise on behalf of the above-named incapacitated person any right to which (he) (she) may be entitled under the Old Age Pensions Ordinance, and to receive on (his) (her) behalf any sums which may be payable to (him) (her) by way of an old age pension.

The revocation of the appointment takes effect as from the .....19.....

Date.....

.....  
Signature of Chairman.

## Application by contributor for refund of contributions.

To the Board of Management.

Name of Contributor.....

Registered Number of Contributor.....

Address.....

Occupation.....

Age..... Date of Birth.....

1. I, the above named contributor, state that I have paid contributions under the Ordinance since the ..... 19..... as appears by the pension cards issued to me and delivered to the Board in accordance with Regulation 7 (2) *for* by the payment of a lump sum under section 10 of the Ordinance.
2. During the said period I have been employed by (give names of employers with dates) *or* I have been a self-employed person.
3. I am about to leave the Colony permanently.
4. I therefore apply for the refund of the contributions paid by me amounting to £

Signed.....  
Date .....

## Application for refund of contributions on death of contributor.

To the Board of Management.

Name of Contributor .....

Registered Number of Contributor .....

Address .....

Occupation .....

Age ..... Date of Birth .....

1. The above-named A. B. paid contributions under the Ordinance from ..... till ..... as appears by the pension cards issued to him and delivered to the Board in accordance with regulation 5 (2). *for* by payment of a lump sum under section 10 of the Ordinance.
2. The said A. B. was employed by :—
  1. .... from ..... to .....
  2. .... from ..... to .....*for* the said A. B. was a self-employed person.
3. The said A. B. died on the ..... aged ..... years.
4. I am the personal representative *for* a legatee, one of the next-of-kin, a creditor/ of the said A. B.
5. I therefore apply for the refund of the contributions paid by the said A. B. amounting to £

Name in full of applicant .....

Address..... Date .....

Occupation ..... Signed .....

## SECOND SCHEDULE

## Instructions as to investigation of Claims and Questions.

(1) For the purpose of determining the age of any person, regard may be had to any of the following, viz :—

Certificate of birth;

Certificate of baptism;

Certificate of service in any of the forces of the Crown;

Certificate of membership of any friendly or provident society or trade union;

Certificate of marriage;

Any other evidence which appears sufficient for the purpose.

## FALKLAND ISLANDS.

Regulations made by the Officer Administering the Government under the Road Traffic Ordinance, 1948.

COLIN CAMPBELL,

No. 6 of 1952.

*Officer Administering the Government.*

His Honour the Officer Administering the Government in exercise of the powers vested in him by Section 18 of the Road Traffic Ordinance, 1948, is pleased, by and with the advice of the Executive Council, to make the following Regulations —

1. These Regulations may be cited as the Road Traffic (Amendment) Regulations, 1952, and shall be read as one with the Road Traffic Regulations, 1948, (hereinafter referred to as the principal Regulations).

Title.

2. The principal Regulations are hereby amended by the insertion therein of the following new Regulation immediately after Regulation 15 —

Insertion of new Regulation 15A in the principal Regulations.

Pedal  
cycles.

15A. Any person in charge of a pedal cycle on a road shall comply with every road sign erected by the Government or Stanley Town Council and with any signal by a Police Officer in uniform.

Made by the Officer Administering the Government in Executive Council at a meeting held on the 1st day of August, 1952.

J. BOUND,

*Acting Clerk of the Executive Council.*

Ref. 0705.

## The Savings Bank Ordinance, 1936.

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### Rules made by the Governor in Council under Section 14 of the Savings Bank Ordinance, No. 7 of 1936.

MILES CLIFFORD,  
*Governor.*

No. 1 of 1952.

His Excellency the Governor in exercise of the powers vested in him by section 14 of the Savings Bank Ordinance, 1936, is pleased, by and with the advice of the Executive Council to make the following Rules :—

1. (1) These Rules may be cited as the Savings Bank (Amendment) Rules, 1952, and shall be read as one with the Savings Bank Rules, 1936, (hereinafter referred to as the principal Rules) and all amendments thereto.

Short title and  
commencement.

(2) These Rules shall come into operation on the 1st of July, 1952.

2. Rule 8 of the principal Rules is hereby amended by the deletion of the figure “£7,500” and the substitution therefor of the figure “£5,000”.

Amendment of Rule 8  
of the principal Rules.

Made by the Governor in Executive Council at a meeting held on the 29th day of April, 1952.

J. BOUND,  
*Acting Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### Rules for the grant of Travelling and Subsistence Allowances to Officers attending conferences while on leave in the United Kingdom.

His Honour the Officer Administering the Government has been pleased to make the following Rules for the grant of Travelling and Subsistence Allowances to Officers in the public service attending Conferences in the United Kingdom while on leave :

1. Officers attending Conferences in the United Kingdom while on leave will be granted allowances, at the following rates, for each night or day necessarily spent away from their usual places of residence :

#### *Subsistence Allowances*

- (a) £1. 10s. 0d. for each night spent in London.
- (b) £1. 5s. 0d. for each night spent elsewhere in the United Kingdom.

In addition railway fares will be refunded on the following scale :

- (a) First Class in the case of Officers with a commencing salary at not less than £720.
- (b) Third Class in the case of other Officers.

2. In the event of an Officer residing within easy reach of the venue of the Conference, subsistence allowance at the rate of 7s. 6d. a day will be granted to cover his out-of-pocket expenses. In addition his necessary travelling expenses will be refunded.

3. The Rules for the Grant of Travelling and Subsistence Allowances to Officers attending Conferences while on leave in the United Kingdom made on the 12th of May, 1936, are hereby repealed.

Colonial Secretary's Office,

Stanley, Falkland Islands.

1st October, 1952.

**ORDINANCES**  
**of the**  
**COLONY**  
**of the**  
**FALKLAND ISLANDS**  
**enacted during the year**  
**1953**  
**together with the**  
**Rules, Regulations, etc., etc.,**  
**made during that year.**

PART I

ORDINANCES.

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4	Seal Fishery (Amendment) Ordinance, 1953.
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## Dependencies.

Ordinance No. 1 of 1953	Appropriation (Dependencies) (1953/1954) Ordinance, 1953.
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Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]



No. 1

1953.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

## An Ordinance To amend the Licensing Ordinance.

[1st April, 1953]

Title.

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows:—

Enacting clause.

1. This Ordinance may be cited as the Licensing (Amendment) Ordinance, 1953, and shall be read as one with the Licensing Ordinance (hereinafter referred to as the principal Ordinance).

Short title.

2. In paragraph (c) of section 29 of the principal Ordinance the words "in Stanley" shall be deleted.

Amendment of section 29 of the principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 1092.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 2



1953.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

**An Ordinance  
To amend the Land Ordinance.**

[1st April, 1953]

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Land (Amendment) Ordinance, 1953, and shall be read as one with the Land Ordinance (hereinafter referred to as the principal Ordinance).

2. Section 18 of the principal Ordinance is hereby repealed.

3. In section 22 of the principal Ordinance the words "subject, in the case of a lease to a person whose land does not adjoin the reserve, to the sanction of the Secretary of State" shall be deleted.

4. In section 23 of the principal Ordinance the words "with the approval of the Secretary of State" shall be deleted.

Title.

Date of commencement.

Enacting clause.

Short title.

Repeal of section 18 of principal Ordinance.

Amendment of section 22 of the principal Ordinance.

Amendment of section 23 of the principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 0720.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 3



1953.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

**An Ordinance**

**To repeal the Merchandise Marks Ord-** Title.  
**inance.**

[1st April, 1953]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Merchandise Marks (Repeal) Ordinance, 1953. Short title.

2. The Merchandise Marks Ordinance is hereby repealed. Repeal.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 1098.

Assented to in Her Majesty's name this 19th day of  
March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 4



1953.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

**An Ordinance**

**To amend the Seal Fisheries Ordinance.**

Title.

[1st April, 1953]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland  
Islands, with the advice and consent of the Legislative Council  
thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Seal Fishery (Amend-  
ment) Ordinance, 1953. and shall be read as one with the Seal  
Fishery Ordinance (hereinafter referred to as the principal Ordina-  
nce).

Short title.

2. In section 2 of the principal Ordinance the definition of  
the expression "Seal" shall be deleted and the following new defini-  
tion shall be inserted :—

Amendment of section  
2 of the principal  
Ordinance.

" "Seal" means any Eared Seal or Hair (or True) Seal  
other than a Leopard Seal, including a Fur Seal, a Sea Lion, an  
Elephant Seal, or any other animal of the seal kind that may  
visit the Colony or the Dependencies, and shall be deemed to  
include a Sea Otter."

This printed impression has been carefully compared by me  
with the Bill which has passed the Legislative Council, and is found  
by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 0958/B.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 5



1953.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

**An Ordinance**

**To amend the British Nationality Ordinance.** Title.

[1st April, 1953]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited as the British Nationality (Amendment) Ordinance, 1953, and shall be read and construed as one with the British Nationality Ordinance, (hereinafter referred to as the principal Ordinance.)

Short title.

2. The Schedule to the principal Ordinance is hereby repealed and replaced by the following Schedule :—

Repeal and replacement of Schedule to the principal Ordinance.

SCHEDULE  
TABLE OF FEES

Matter in which fee may be taken.	Amount of fee.		
	£	s.	d.
Registration of a minor as a citizen under Section 7 of the British Nationality Act, 1948 :			
If the minor is a British subject or citizen of Eire or if application for his registration was made at the same time as an application by one of his parents for a certificate of naturalisation: or	1	0.	0.
If the minor is the child of a British born woman who has been married to an alien or British protected person and who has custody of the child.			
In other cases —			
If the minor is a British protected person	5	0.	0.
If the minor is an alien	10	0.	0.
Grant of a certificate of naturalisation —			
To a British protected person	10	0.	0.
To an alien	20	0.	0.
Grant of a certificate of citizenship in case of doubt	10	0.	0.
Witnessing the signing of an application or declaration mentioned in Regulation 17 of the British Nationality Regulations, 1948.	2.	6.	
Administering the oath of allegiance	2.	6.	
Registration of a declaration of intention to resume British nationality or of renunciation of citizenship.	1	0.	0.
Registration which may be effected in the Colony under the provisions of Section 6 of the British Nationality Act, 1948.	10.	0.	
Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made by or under the British Nationality Act, 1948.	10.	0.	
All fees in connection with matters to which Sections 16, 19 and 25 of the British Nationality Act, 1948, relate, are payable to the Secretary of State for Home Affairs.			

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 1022.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 6



1953.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

An Ordinance  
To amend the Legislative Council (Elections) Ordinance.

[1st April, 1953]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Legislative Council (Elections) (Amendment) Ordinance, 1953, and shall be read and construed as one with the Legislative Council (Elections) Ordinance, (hereinafter called the principal Ordinance).

Short title.

2. The first proviso to section 6 of the principal Ordinance is hereby amended by the deletion of the words "four months" and the substitution therefor of the words "nine months in thirty-six".

Amendment of section 6 of the principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 0068/A.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 7



1953.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

**An Ordinance**

**To amend the Road Traffic Ordinance.**

[1st April, 1953]

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance, 1953, and shall be read and construed as one with the Road Traffic Ordinance (hereinafter called the principal Ordinance).

2. The following new section shall be inserted in the principal Ordinance immediately after section 13 :—

Restriction on carriage of persons on pedal cycles.

13A. (1) It shall not be lawful for more than one person over the age of eight years to be carried on a road on a pedal cycle not propelled by mechanical power unless it is constructed or adapted for the carriage of more than one person.

(2) If any person is carried on such a pedal cycle in contravention of the provisions of the foregoing subsection, each of the persons carried shall be liable in the case of a first conviction to a fine not exceeding £5, and in the case of a second or subsequent conviction to a fine not exceeding £10.

(3) In this section references to a person carried on a pedal cycle shall include references to a person riding the pedal cycle."

Title.

Date of commencement.

Enacting clause.

Short title.

Insertion of a new section 13A in the principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 132/42.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 8



1953.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

### An Ordinance

To legalise certain payments made in the period 1st January 1951 to 31st March 1952 in excess of the Expenditure sanctioned by Ordinance No. 4 of 1952.

Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st January 1951 to 31st March 1952.

Preamble.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1951/52) Ordinance, 1953.

Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st January 1951 to 31st March 1952, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that period, and are hereby approved, allowed and granted in addition to the sums mentioned for those services in the said Ordinance.

Appropriation of excess expenditure for the period 1st January 1951 to 31st March 1952.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
I.	The Governor ... ..	76	11	1
II.	Agriculture ... ..	563	0	1
III.	Audit ... ..	197	2	11
IV.	Communications ... ..	1373	6	0
V.	Customs ... ..	402	5	5
VII.	Medical ... ..	2911	2	5
X.	Miscellaneous ... ..	14498	18	4
XII.	Police & Prisons ... ..	132	1	6
XIII.	Posts & Telegraphs ... ..	1688	1	3
XIV.	Public Works Department ... ..	3833	9	2
XV.	Public Works Recurrent ... ..	4270	17	1
XVI.	Secretariat & Treasury ... ..	1478	9	9
XVII.	Supreme Court ... ..	75	8	10
XVIII.	Extraordinary Expenditure ... ..	140806	19	10
		172307	13	8
XIX.	Colonial Development & Welfare ... ..	1788	16	5
Total Expenditure		£ 174096	10	1

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 0284/IV.

Assented to in Her Majesty's name this 19th day of March, 1953.

COLIN CAMPBELL,  
*Officer Administering the Government.*

[L.S.]

No. 9



1953.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
COLIN CAMPBELL, ESQUIRE,  
*Officer Administering the Government.*

An Ordinance

To provide for the service of the year 1953-1954. Title.

ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :-- Enacting clause.

1. This Ordinance may be cited for all purposes as the Appropriation (1953-1954) Ordinance, 1953. Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the year ending 31st March, 1954, a sum not exceeding Two hundred and fifty-two thousand four hundred and fifty-one pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1953-1954. Appropriation of £252,451 for service of year 1953/54.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor	3949	0	0
II.	Agriculture	3722	0	0
III.	Audit	911	0	0
IV.	Customs	1691	0	0
V.	Education	11060	0	0
VI.	Harbour & Aviation	18979	0	0
VII.	Medical	16682	0	0
VIII.	Meteorological	1284	0	0
IX.	Military	948	0	0
X.	Miscellaneous	20629	0	0
XI.	Pensions	7575	0	0
XII.	Police and Prisons	3227	0	0
XIII.	Posts & Telegraphs	21906	0	0
XIV.	Public Works Department	15483	0	0
XV.	Public Works Recurrent	17311	0	0
XVI.	Secretariat & Treasury	11415	0	0
XVII.	Supreme Court	919	0	0
XVIII.	Extraordinary Expenditure	60560	0	0
Total		£218251	0	0
XIX.	Colonial Development & Welfare	34200	0	0
Total Expenditure		£252451	0	0

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Acting Clerk of the Legislative Council.*

Ref. 0284/VI.

Assented to in Her Majesty's name this 18th day of June, 1953.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 1

1953.

Falkland Islands Dependencies.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To provide for the service between the first day of July, 1953, and the thirtieth day of June, 1954.

[1st July, 1953.]

Date of commence-  
ment.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1953/1954) Ordinance, 1953.

Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1954, a sum not exceeding Two hundred and Sixty Three thousand Eight hundred and Twenty-two pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1953, to the thirtieth day of June, 1954.

Appropriation of  
£263,822 for service  
of the year ending  
30th June, 1954.

# SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	53,040
2.	F.I.D.S. Rear Base	3,987
3.	F.I.D.S. Headquarters (Administration)	16,159
4.	F.I.D.S. Headquarters (Meteorological Service)	10,405
5.	F.I.D.S. Bases	62,580
6.	F.I.D.S. "John Biscoe"	111,769
7.	F.I.D.S. Scientific Bureau	5,882
	Total Expenditure	£ 263,822

Promulgated by the Governor on the 18th day of June, 1953.

COLIN CAMPBELL,  
*Colonial Secretary.*

## PART II

### RULES, REGULATIONS, ETC..

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FALKLAND ISLANDS.

NOTIFICATION.

MILES CLIFFORD,  
*Governor.*

In virtue of the powers in him vested by Section 2 (1) (a) of the Pensions Ordinance, and otherwise, the Governor, with the advice and consent of the Executive Council, is pleased hereby to declare to be pensionable the undermentioned office in the Public Service of the Colony and Dependencies :—

DEPENDENCIES.

FALKLAND ISLANDS DEPENDENCIES SURVEY ... Assistant Secretary.

Government House,  
Stanley, Falkland Islands.  
4th December, 1953.

## FALKLAND ISLANDS.

### Order by His Honour the Officer Administering the Government in Council.

COLIN CAMPBELL,

*Officer Administering the Government.*

No. 1 of 1953.

His Honour the Officer Administering the Government in exercise of the powers vested in him by section 6 of the Consular Conventions Ordinance, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Consular Conventions (Kingdom of Sweden) Order, 1952, and shall be deemed to have come into force on the 24th day of September, 1952.

2. Sections 2, 3, 4, and 5 of the Consular Conventions Ordinance shall apply to the Kingdom of Sweden.

Made by the Officer Administering the Government in Executive Council at a meeting held on the 26th day of March, 1953.

J. BOUND,

*Acting Clerk of the Executive Council.*

Ref. 1475.

FALKLAND ISLANDS.

Order by His Honour the Officer Administering the  
Government in Council.

COLIN CAMPBELL,

*Officer Administering the Government.*

No. 2 of 1953.

His Honour the Officer Administering the Government in exercise of the powers vested in him by section 6 of the Consular Conventions Ordinance, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Consular Conventions (United States of America) Order, 1953, and shall be deemed to have come into force on 7th the day of September, 1952.

2. Section 3 of the Consular Conventions Ordinance shall apply to the United States of America.

Made by the Officer Administering the Government in Executive Council at a meeting held on the 26th day of March, 1953.

J. Bound,

*Acting Clerk of the Executive Council.*

Ref. 0918.

FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

No. 3 of 1953.

MILES CLIFFORD,  
*Governor.*

In exercise of the powers vested in him by the Post Office Ordinance, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered as follows :—

1. This Order may be cited as the Post Office Order, 1953.

Short title.
2. From and after the 1st day of July, 1953, the following rules, rates of postage and fees shall be in force :—

Rules, rates of postage and fees.
- (a) On inland postal packets the rate shall be 1d. per ounce or part of an ounce. On postal packets sent from any place within the Colony and its Dependencies to the United Kingdom or to any part of the British Commonwealth the rate shall be two and a half pennies per ounce or part of an ounce. To other parts of the world the rate shall be 5d. for the first ounce and 3d. for each additional ounce or part of an ounce.

Rates of postage, letters.
- (b) On post cards and letter cards to the United Kingdom or to any part of the British Commonwealth the rate shall be 1d.; reply cards 2d. To other parts of the world the rate shall be 3d.; reply post cards 6d.

Post cards and letter cards.
- (c) To the United Kingdom or any part of the British Commonwealth :—  
Newspapers, private papers, and books per 2 ozs. — ½d.  
Commercial papers (with minimum of 3d.) per 2 ozs.— ½d.  
Patterns and samples (with minimum of 1d.) per 2ozs. ½d.  
Blind literature, per 2 lb. — ½d.  
The inland rate shall be 1d. for the first 4 ozs. and ½d. for each additional 2 ozs. or part thereof up to 2 lb.

Books and newspapers.
- (d) To all countries other than those under (c) :—  
Newspapers, private papers, and books, per first 2 ozs. — 2d., each additional 2 ozs. — 1d.  
Commercial papers (minimum 5d. up to 8 ozs.) each additional 2 ozs. — 1d.  
Patterns and samples, per first 2 ozs. — 2d., each additional 2 ozs. — 1d.  
Blind literature, per 2lb. — ½d.
- (e) To all parts of the world :—  
On packets not exceeding 2 lb. weight and dimensions not exceeding 18" by 8" by 4" or if in roll form 18" in length by 6" in diameter the rate shall be 2d. for each 2 ozs. or part thereof with a minimum charge of 10d. The charge for clearance in case of dutiable goods shall be 6d. per packet.

Small packets.
- (f) On insured boxes which shall not exceed 2 lb. in weight or 12" by 8" by 4" in dimension the rate shall be 4d. for each 2 ozs. or part thereof with a minimum charge of 1/8d.

Insured boxes.
- (g) Parcel Post rates :—  
To the United Kingdom —

Parcel Post.
- |                |     |     |     |      |
|----------------|-----|-----|-----|------|
| Not over 3 lb. | ... | ... | ... | 3/6  |
| " " 7 "        | ... | ... | ... | 6/6  |
| " " 11 "       | ... | ... | ... | 9/3  |
| " " 22 "       | ... | ... | ... | 15/6 |

Inland Parcel Post rates —

Not over 2 lb.	...	...	9d.
" " 5 "	...	...	1/-
" " 8 "	...	...	1/3
" " 11 "	...	...	1/6
" " 22 "	...	...	3/-

Cash on delivery service.

- (h) There shall be a charge of 4d. for each parcel delivered in Stanley and the United Kingdom. There shall also be a special fee calculated on the trade charge at the rate of 4½d. for the first £ of the trade charge and 2½d. for each succeeding £ or part thereof of the trade charge up to a maximum amount of £40 trade charge. This fee will also be charged in the United Kingdom on parcels for delivery in Stanley.

Insurance.

- (i) The fee shall be 9d. for each £12 of declared value or part thereof with a maximum declared value of £50.

Registration.

- (k) The fees for registration shall be :—  
To all parts of the world (including inland) ... 3d.  
Advice of delivery of registered or insured articles, applied for at time of posting ... 5d.  
Inquiry for a postal packet, and advice of delivery of registered articles applied for after posting ... 6d.

Compensation.

- (l) The maximum limit of compensation for the loss of a registered article is £2. 18s. 0d. Registration in the International Service does not give any title to compensation for loss or damage of the contents of any registered letter or packet as distinct from the loss of the entire packet. Under an exceptional arrangement, however, with the General Post Office, London, compensation may, as an act of grace, be paid up to a maximum of £2. 18s. 0d. in cases where the contents of a registered letter or packet, posted to an address in the United Kingdom, are lost.

International and foreign money orders.

- (m) The rate of poundage on International and foreign money orders shall be 6d. for each £ or part thereof of the first £3 of the order and 3d. for each additional £ or part thereof up to a maximum amount of £40 on each order. The fee for an Advice of payment is 3d.

British Postal Orders.

- (n) The rate of poundage on British Postal Orders shall be :—

Values	Poundage
6d. and 1/-	3d.
1/6 to 5/- inclusive	4d.
6/- to 21/- inclusive	6d.
40/-	1/-

The value of a Postal Order may be increased by affixing Falkland Islands postage stamps, in number not more than the number of spaces provided on the face of the order, to an amount not exceeding 5d. (excluding fractions of a penny) on Postal Orders of denominations up to and including 5/- and to an amount not exceeding 11d. on Postal Orders of higher value. Stamps perforated with initials or marks, or embossed or impressed stamps cut out of envelopes, postcards, etc. will not be accepted for this purpose.

Air letters.

- (o) Air Letters will only be accepted when written on the authorised form and addressed to the United Kingdom or any part of the British Commonwealth. The fee, including postage rate, shall be 6d. If two or more postage stamps are affixed to, or an enclosure is placed in the letter, it will be forwarded by surface mail.

- (p) Postal matter for onward transmission by air from Montevideo to any destination for which air mail services may be available shall be accepted at Stanley, Fox Bay and South Georgia post offices. Air Mail.

The fees for air mail matter shall be the sterling equivalent at the current rate of exchange of those from time to time in force from Montevideo to the nearest 1d. in addition to the rates of postage provided for in paragraph 2 of this Order.

3. The Post Office Order, 1949, (as set out in Chapter 52, Laws of the Falkland Islands, Volume II), and all amendments thereto, are hereby rescinded. Recissions.

Made by the Governor in Executive Council at a meeting held on the 11th day of June, 1953.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 1083.

## FALKLAND ISLANDS.

### Order by His Excellency the Governor in Council.

MILES CLIFFORD.

*Governor.*

No. 4 of 1953.

His Excellency the Governor, in exercise of the powers vested in him by Section 6 of the Consular Conventions Ordinance, is pleased by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Consular Conventions (Kingdom of Sweden) (Amendment) Order, 1953, and shall be read as one with Order-in-Council No. 1 of 1953. Short title.

2. Section 1 of Order-in-Council No. 1 of 1953 is amended by the deletion of the figures "1952" in line 2 and the substitution therefor of the figures "1953". Amendment of Section 1.

Made by the Governor in Executive Council at a meeting held on the 11th day of June, 1953.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 1475.

FALKLAND ISLANDS.

Order by His Excellency the Governor in Council, made  
under the Wild Animals and Birds Protection Ordinance.

No. 5 of 1953.

MILES CLIFFORD,  
*Governor.*

His Excellency the Governor in exercise of the powers vested in him by section 7 of the Wild Animals and Birds Protection Ordinance, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Wild Animals and Birds Protection Order, 1953.
2. The bird "Cinnamon Kestrel" shall be added to Schedule I of the Wild Animals and Birds Protection Ordinance.

Made by the Governor in Executive Council at a meeting held on the 11th day of June, 1953.

J. Bound,  
*Clerk of the Executive Council.*

Ref. 1099.

## FALKLAND ISLANDS.

Order by His Excellency the Governor in Council, made under Section 3 (1) of the Exchange Control Ordinance, 1951.

MILES CLIFFORD,  
*Governor.*

No. 6 of 1953.

In exercise of the powers conferred upon the Governor by subsection (1) of Section 3 of the Exchange Control Ordinance, 1951, His Excellency has been pleased to order as follows :—

1. This order may be cited as the Exchange Control (Specified Foreign Currency) (Amendment) Order, 1953, and shall be read as one with the Exchange Control (Specified Foreign Currency) Order, 1952, hereinafter referred to as the Principal Order.

Title.

No. 5 of 1952.

2. The schedule to the Principal Order is hereby amended by the addition thereto of the following foreign currency :—

Amendment of  
Schedule to principal  
Order.

Luxembourg Francs.  
Guilders of the Netherlands, Surinam and the  
Netherlands Antilles.  
Panamanian Dollars.  
Philippine Pesos.  
Pondicherry Rupees.  
Portuguese Escudos.  
Swiss Francs.  
Syrian Pounds.  
United States Dollars.  
Uruguayan Pesos.

Dated this 21st day of September, 1953.

*By Command,*  
C. CAMPBELL,  
*Colonial Secretary.*

Ref. 10078/D/II.

FALKLAND ISLANDS.

Order by His Excellency the Governor in Council.

No. 7 of 1953.

MILES CLIFFORD,  
*Governor.*

By virtue of the powers vested in him by section 90 of the Income Tax Ordinance, and with the advice and consent of the Executive Council, His Excellency the Governor is pleased to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Income Tax Order, 1953. Short title.
2. When any person has made a lump sum payment under section 10 of the Old Age Pensions Ordinance, 1952, there shall be remitted to him in respect of such payment the full amount of Income Tax thereon notwithstanding the limitation contained in the proviso to section 17 of the Income Tax Ordinance. Remission of Income Tax in certain cases.

Made by the Governor in Executive Council at a meeting held on the twenty-fourth day of September, 1953.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0747.

# FALKLAND ISLANDS.

No. 1.

## Proclamation

1953.

To appoint a date on which the Revised Edition of the Laws of the Falkland Islands (Volumes 1 and 2) shall come into force.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas Queen, Defender of the Faith, &c., &c.

COLIN CAMPBELL — *By His Honour COLIN CAMPBELL, ESQUIRE,  
Officer Administering the Government of the Colony  
of the Falkland Islands and its Dependencies.*  
[L.S.]

In exercise of the powers conferred upon me by the Revised Edition of the Laws Ordinances 1943 and 1950 I hereby order that the Revised Edition of the Laws of the Colony prepared under the authority of the aforesaid Ordinances shall come into force on the 12th of March, 1953.

**GOD SAVE THE QUEEN.**

Given at Government House, this 12th day of March, 1953.

*By His Honour's Command,*

J. E. BRISCOE,

*Acting Colonial Secretary.*

Ref. 0681/II.

## FALKLAND ISLANDS.

No. 2.

### Proclamation

1953

To appoint a date on which the Revised Edition of the Laws of the Falkland Islands Dependencies (Volumes 1 and 2) shall come into force.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas Queen, Defender of the Faith, &c., &c.

COLIN CAMPBELL — *By His Honour COLIN CAMPBELL, Esquire,  
Officer Administering the Government of the Colony  
of the Falkland Islands and its Dependencies.*  
[L.S.]

In exercise of the powers conferred upon me by the Revised Edition of the Laws Ordinances 1943 and 1950 I hereby order that the Revised Edition of the Laws of the Dependencies prepared under the authority of the aforesaid Ordinances shall come into force on the 12th of March, 1953.

**GOD SAVE THE QUEEN.**

Given at Government House, this 12th day of March, 1953.

*By His Honour's Command,*

J. E. BRISCOE,

*Acting Colonial Secretary.*

Ref. 0681/II.

## FALKLAND ISLANDS.

No. 3.

### Proclamation

1953

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

MILES CLIFFORD — *By His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral thereof.*

[L.S.]

WHEREAS there has been passed in the Parliament of the United Kingdom the Royal Titles Act, 1953, which Act recites that it is expedient that the Style and Titles at present appertaining to the Crown should be altered so as to reflect more clearly the existing constitutional relations of the Members of the Commonwealth.

AND WHEREAS by the said act the assent of the Parliament of the United Kingdom was given to the adoption by Her Majesty, for use in relation to the United Kingdom and all other Territories for whose foreign relations Her Majesty's Government is responsible, of such Styles and Titles as Her Majesty may think fit.

NOW, THEREFORE, I, SIR MILES CLIFFORD, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby appoint and declare that Her Majesty's Style and Titles shall henceforth be accepted, taken and used as the same are set forth in manner and form following, that is to say, the same shall be expressed in the English tongue by these words :—

“ELIZABETH II, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith”.

And in the Latin tongue by these words :—

“ELIZABETH II, DEI GRATIA BRITANNIARUM REGNORUMQUE SUORUM CETERORUM REGINA, CONSORTIONIS POPULORUM PRINCEPS, FIDEI DEFENSOR”.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 12th day of June, in the Year of our Lord One thousand Nine hundred and Fifty-three.

*By His Excellency's Command,*

C. CAMPBELL,

*Colonial Secretary.*

## The Efficiency Decoration.

### Regulations made by the Governor under Royal Warrant dated the 17th November, 1952.

*Governor.*

In pursuance of the Royal Warrant dated the 17th of November, 1952, and with the gracious approval of Her Majesty the Queen signified through the Right Honourable the Secretary of State for the Colonies, His Excellency the Governor is pleased to make and hereby makes the following Regulations :

1. These Regulations may be cited as the Efficiency Decoration Regulations, 1953.
2. The Efficiency Decoration and Clasps are awarded to an officer for long and meritorious service of proved capacity in Her Majesty's Authorised Auxiliary Military Forces of the Commonwealth \* (or their Reserves) and are governed by the Royal Warrant dated the 17th of November, 1952. †
3. (i) Commissioned officers of the Falkland Islands Defence Force or its Reserve who on or after the 23rd of September, 1930, have completed the requisite period of qualifying service as hereinafter defined shall be eligible for the Decoration and Clasps.  
(ii) In cases where qualifying service terminated prior to the 3rd of September, 1939, an officer must have completed 20 years efficient service in accordance with Regulations then in force.  
(iii) In cases where qualifying service terminated on or after the 3rd of September, 1939, an officer must have completed 12 years voluntary continuous efficient service as defined in these Regulations.  
(iv) An officer who has been awarded the Decoration and who completes a further six years continuous efficient qualifying service as defined in these Regulations shall be awarded the Clasp Decoration to be attached to the ribbon by which the Decoration is suspended and for every further period of six years qualifying service under similar conditions an additional Clasp shall be awarded.  
(v) An officer who has completed 11 years continuous service on or after the 3rd of September, 1939, and whose service is terminated on account of disability of a permanent nature such disability being directly attributable to his service may be considered for the award of the Decoration.
4. The subsidiary title of the Decoration awarded to officers who complete the requisite period of qualifying service in the aforesaid Force of the Falkland Islands shall be "Falkland Islands", and the words "Falkland Islands" shall be inscribed on the bar brooch of the Decoration so awarded.
5. An officer on whom the Decoration is conferred is entitled to the addition after his name of the letters "E.D."
6. Qualifying service is defined and shall be reckoned as follows :—

#### A. ‡ Commissioned Service.

Commissioned Service as described below shall be regarded as qualifying service,

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\* The term "Her Majesty's Authorised Auxiliary Military Forces of the Commonwealth" means for the purposes of the Efficiency Decoration the Territorial Army, Royal Navy Volunteer Reserve and the Royal Auxiliary Air Force in the United Kingdom and Her Majesty's similar forces including volunteer forces in other territories of the Commonwealth to which attach similar obligations for training in peace; it excludes the Army Reserve and suchlike forces. The word "Commonwealth" includes any territories under Her Majesty's protection.

† See Army Order No. 136 of 1952.

‡ Commissioned service in West Africa before 3rd of September, 1939, will reckon as twofold qualifying service but any period spent on leave therefrom will reckon only as single qualifying service.

provided that none of it has been counted as qualifying service for the grant of any other Long Service Decoration, Long Service, Good Conduct or Efficiency Medal or Clasp :-

- (i) on the active list of the Falkland Islands Defence Force such service having been certified as efficient each year by the Officer Commanding the Force in accordance with the Regulations governing service in such Force.
- (ii) Service in the Reserve to the Falkland Islands Defence Force but only such commissioned service as may have been rendered while that Reserve performed annual training equivalent to that normally carried out by its parent force provided the Officer concerned also performed such training, and that such service has been certified each year as efficient as defined in the Regulations of such Force.
- (iii) Service in Her Majesty's other Auxiliary Military Forces of the Commonwealth including their Reserves and associated Cadet or Officers' Training Corps, such service in every case having been qualifying service in accordance with the Regulations under the Royal Warrant of the 17th of November, 1952, and applicable to the Force(s) in which or with whose Reserves or associated Cadet or Officers' Training Corps the service was rendered.

#### B. Other Rank and Cadet Service.

Half of any time during which an officer may have served, after attaining the age of 17 years on the active list :-

- (i) in the ranks of any of the aforesaid forces of the Falkland Islands or in any of Her Majesty's Auxiliary Military Forces of the Commonwealth (including their Reserves); or
- (ii) in the ranks of a Cadet Corps, or as a cadet in the Officers' Training Corps: provided that as a cadet he was required to undergo supervised military training and to attain annually a certain standard of military efficiency.

#### C. War Service.

- (i) An officer who was serving in the Falkland Islands Defence Force or its Reserve on the 2nd of September, 1939, and who was embodied or called out for service on or after that date will reckon as double his service between the date on which he was embodied or called out and the date on which he was released from embodiment. (No service subsequent to the 7th of April, 1949, may count as double qualifying service). A period of two months or more efficient embodied service between the 2nd of September, 1939, and the 7th of April, 1949, occurring in any calendar year reckoned from the 1st of January will be allowed to count as the equivalent of efficient service for that year.
- (ii) Commissioned service during the period the 4th of August, 1914, to the 31st of December, 1921, and/or the 2nd of September, 1939, to the 7th of April, 1949, (inclusive) in the Royal Navy, the Regular Army, the Royal Air Force or any other permanent Force of the Commonwealth, provided that the officer was granted such commission between the 4th of August, 1914, and the 11th of November, 1918, and/or between the 2nd of September, 1939, and the 15th of August, 1945, (inclusive) and subsequently was commissioned into the Falkland Islands Defence Force within six months of disembodiment will count as single qualifying service.
- (iii) An officer who was serving in the ranks of any of Her Majesty's Auxiliary Military Forces on the 2nd of September, 1939, and was embodied or called out for service on or after that date and was subsequently commissioned in any such force may reckon his embodied service in the ranks as single qualifying service.
- (iv) Any period during which an officer of the Falkland Islands Defence Force was relegated to unemployment between the 2nd of September, 1939, and the 7th of April, 1949, otherwise than at his own request, or for redundancy or inefficiency will count as single qualifying service.
- (v) Service in the ranks of the Royal Navy, the Regular Army, the Royal Air Force or any other Permanent Force of the Commonwealth during the period from the 4th of August, 1914, to the 31st of December, 1921, and/or

from the 2nd of September, 1939, to the 1st of November, 1947, (inclusive) provided that the individual was commissioned into the Falkland Islands Defence Force within six months of disembodiment shall count as half qualifying service.

#### D. Continuity of Service.

Service qualifying for the Decoration must be continuous except :-

- (i) that service in different Auxiliary Military Forces not of the same territory of the Commonwealth shall be deemed to be continuous if any break in service occurring between service in one such force and another does not exceed twelve months;
- (ii) that service in the Falkland Islands Defence Force shall be deemed to be continuous if any break in service is not due to the individual's own request or to his own fault and does not exceed 12 months;
- (iii) that the periods when the individual is resident in a foreign country or any territory of the Commonwealth where there are no Auxiliary Military forces shall not be deemed to constitute a break in service provided that he rejoins such a force within six months of his arrival in a Commonwealth territory where such a force exists;
- (iv) that service in the Royal Navy, the Regular Army, the Royal Air Force or any other Permanent Force forming part of Her Majesty's Forces in any part of the Commonwealth or in the Reserves of such forces or in the Reserves of any of Her Majesty's Auxiliary Military Forces in any part of the Commonwealth although inadmissible as qualifying service (save in the circumstances hereinbefore described) will not be reckoned as breaking continuity of service.

7. Applications for the Decoration should be made in writing by the Commanding Officer of the Falkland Islands Defence Force (or its Reserve) in which the officer recommended for the Decoration is or was serving when he completed the period of qualifying service, and should be supported by a statement of the officer's service in Form A appended to these Regulations. Commanding Officers will forward their recommendations through the usual channel of correspondence to the Governor, accompanied in each case by a statement certifying that the officer recommended holds (or has held) a Commission in the Falkland Islands Defence Force (or its Reserve), that he has completed the qualifying period of meritorious service, that he is an efficient and thoroughly capable officer of proved capacity, and that he is in every way deserving of the Efficiency Decoration.

Applications for Clasps should be dealt with in a similar manner.

#### Grant of Decoration.

8. The Decoration will be awarded on the authority of the Governor and a notification of its award will be published in the Gazette. A register of awards of the Decoration will be kept at the Headquarters of the Falkland Islands Defence Force.

#### Loss and Replacement.

9. When the Decoration has been lost and it is desired to replace it a declaration must be made before a magistrate stating the circumstances under which the loss occurred, and the rank, name and Corps of the officer to whom the Decoration belonged. This declaration will be forwarded to the Governor through the usual channel of correspondence in the case of an officer who is still serving and direct in the case of an officer who has retired. If the explanation as to loss is considered satisfactory the Decoration will be replaced on repayment being made by the officer to cover the cost of the Decoration.

#### Forfeiture and Restoration.

10. A recipient of the Decoration who is convicted of a criminal offence by a Military Court or by the Civil Power, or who is dismissed or removed from his Corps or Regiment for misconduct shall forfeit the Decoration unless the Governor shall otherwise direct.

A Decoration forfeited under the preceding Regulations may be restored by the Governor at his discretion.

A notice of forfeiture or of restoration shall in every case be published in the Gazette.

Colonial Secretary's Office,  
Stanley, Falkland Islands.  
28th January, 1953.



**ORDINANCES**  
**of the**  
**COLONY**  
**of the**  
**FALKLAND ISLANDS**  
**enacted during the year**  
**1954**

**together with the**  
**Rules, Regulations, etc., etc.,**  
**made during that year.**

# PART I.

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## ORDINANCES.

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Printed at the Government Printing Office, Stanley, Falkland Islands.

PRICE 5/-.

To be purchased from the Colonial Secretary, Stanley, and from the Crown Agents for  
Oversea Governments and Administrations, 4 Millbank, London, S.W. 1.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 1

1954.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To amend the Interpretation and  
General Law Ordinance. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :— Enacting clause.

1. This Ordinance may be cited as the Interpretation and General Law (Amendment) Ordinance, 1954, and shall be read and construed as one with the Interpretation and General Law Ordinance. Short title.

2. The Interpretation and General Law Ordinance shall be amended by the renumbering of Section 11 (1) as Section 11 (1) (a), and the addition of the following Clause as Section 11 (1) (b) — Amendment.

“When any person, who has been substantively appointed under the power in that behalf contained in any Ordinance to carry out the duties imposed by such Ordinance, is on leave of absence pending relinquishment of his office, it shall be lawful for another person to be appointed substantively to the same Office, and, where that office is a pensionable office, the service of such last mentioned person shall be pensionable service in that office as from the date upon which he is so appointed.”

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 31/44.

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FALKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in Her Majesty's name this 16th day of  
January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 2



1954.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR MILES CLIFFORD, K.B.E., C.M.G., F.D.,  
*Governor.*

An Ordinance  
To amend the Public Health Ordinance. Title.

ENACTED by the Legislature of the Colony of the Falkland  
Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Public Health  
(Amendment) Ordinance, 1954, and shall be read as one with the  
Public Health Ordinance, hereinafter referred to as the principal  
Ordinance. Short title.  
Cap. 54.

2. In the marginal note to section 21 of the principal  
Ordinance for the figures "20" there shall be substituted the figures  
"21". Amendment of the mar-  
ginal note to section 21 of  
the principal Ordinance.

3. In section 22 of the principal Ordinance for the word  
"three" there shall be substituted the word "six". Amendment of section  
22 of the principal Ord-  
inance.

4. In section 23 of the principal Ordinance the words and  
comma "and if he sees fit take from such child lymph for the  
performance of other vaccinations," shall be deleted. Amendment of section  
23 of the principal Ord-  
inance.

This printed impression has been carefully compared by me  
with the Bill which has passed the Legislative Council, and is found  
by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1087.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 3



1954.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To amend the Exchange Control Ordinance, 1951. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Exchange Control (Amendment) Ordinance, 1954, and shall be read and construed as one with the Exchange Control Ordinance, 1951 (hereinafter called the principal Ordinance). Short title.

2. In paragraph (a) of subsection (4) of section 2 of the principal Ordinance for the word "to" where it first occurs therein, there shall be substituted the word "or". Amendment of section 2 of the principal Ordinance.

3. In subsection (2) of Section 4 of the principal Ordinance for the word "banker" there shall be substituted the word "officer". Amendment of section 4 of the principal Ordinance.

4. There shall be inserted immediately after section 33 of of the principal Ordinance the following new section 33A :— Insertion of new section 33A in the principal Ordinance.

"Power to  
restrict  
orders."

33A. Where the Governor is satisfied that, owing to a change of the external or internal position of any country or State, action is being or is likely to be taken to the detriment of the economic position of the Colony, he may give general or special directions prohibiting, either absolutely or to such extent as may be specified in the directions, the carrying out, except with permission granted by or on behalf of the Governor, of any order given by or on behalf of —

- (a) the country, State or Sovereign thereof or any person resident therein, or
- (b) any body or corporation which is incorporated under the law of that country or State or is under the control of that country, State or the Sovereign thereof or any person resident therein,

in so far as the order –

- (i) requires the person to whom the order is given to make any payment or to part with any gold or securities, or
- (ii) requires any change to be made in the person to whose credit any sum of money is to stand or to whose order any gold or securities are to be held."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0078/D/II.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 4



1954.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance

To make better provision for the constitution, organisation and discipline of the Local Armed Force in the Colony.

[1st January, 1954]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows:—

Enacting clause.

1. This Ordinance may be cited as the Defence Force Ordinance, 1954.

Short title.

2. In this Ordinance and in any Regulations or Rules made thereunder unless the context otherwise requires –

Interpretation.

"Appointments" includes accoutrements and equipment of every kind other than clothing.

"Commandant" means the Officer for the time being in command of the Defence Force.

"Efficiency" or "efficient" means the standard of efficiency fixed by the Governor in Council by Regulations under this Ordinance.

"Officer" means a person holding the Governor's commission as an Officer in the Force.

"Regulations" and "Standing Orders" and "Rules" mean respectively regulations and standing orders and rules made under the provisions of this Ordinance.

"Superior Officer", when used in relation to a member of the Force, includes a warrant officer and a non-commissioned officer.

"Unit" means unit forming part of the Force.

"Member" means a person commissioned or enrolled as a member of the Force.

	<p>"The Force" means the Defence Force established by this Ordinance, or any unit thereof.</p> <p>"The Army Act" means the Army Act, 1881 (44 and 45 Vic. C. 58) and includes all Acts amending or substituted for the same and also all Articles of War in force thereunder.</p> <p>"Queen's Regulations" means Her Majesty's Regulations and Orders in force for the time being for Her Majesty's Regular Forces.</p>	
Establishment of Defence Force.	<p>3. (1) ESTABLISHMENT AND ORGANISATION.</p> <p>There shall be raised and maintained a Defence Force for service in the Colony and its Dependencies, which shall consist of such units as the Governor may from time to time determine, and each such unit shall be designated by such title, and shall consist of such establishment, as the Governor shall direct.</p>	
Application to existing Force.	<p>(2) The provisions of this Ordinance shall apply to all persons who at the date of the commencement thereof are serving on the Active List or have been posted to the Retired List as officers or members in the Defence Force established under the Defence Force Ordinance (Chapter 19), and all such persons shall be deemed to have been appointed under this Ordinance with the rank held by them respectively in such Defence Force at the date aforesaid.</p>	
Constitution of Force.	<p>4. (1) It shall be lawful for the Governor on behalf of Her Majesty to accept the services of any male person desiring to join the Force and offering his services to Her Majesty.</p> <p>(2) Nothing herein contained shall be deemed to render it obligatory upon the Governor to accept the services of any person.</p> <p>(3) The Governor may appoint such honorary members as he may deem fit.</p>	
Constitution and disbandment of units.	<p>5. The Governor –</p> <p>(1) may constitute any unit; and</p> <p>(2) may disband any unit constituted under this Ordinance and cause any of the members thereof to be transferred to another unit; and</p> <p>(3) may continue under this Ordinance any unit which previously existed under the Ordinance repealed by this Ordinance.</p>	
Entry on Muster Roll.	<p>6. (1) The name of every person whose services have been accepted by the Governor as a member of the Force shall be entered by the Commandant on the Muster Roll of the Force which shall be kept by him.</p>	
Oath.	<p>(2) Every person whose services have been accepted as above shall upon admission to the Force take the oath or make the declaration set forth in the Schedule to this Ordinance, to be administered by a Magistrate or Justice of the Peace or by an Officer of the Force.</p>	
Command.	<p>7. The Force shall be under the supreme command of the Governor, and under the command of the Commandant, who shall be responsible to the Governor for the instruction, training and discipline of the Force, and for all Government moneys, stores and property committed to his charge.</p>	
Officers.	<p>8. (1) The Officers of the Force shall be commissioned by the Governor, and any such commission shall not be deemed to be vacated by the death, transfer, or retirement from office of the Governor by whom it was issued.</p>	
Commandant.	<p>(2) The Governor shall appoint one of such officers to be the Commandant of the Force, and may remove him from his command and appoint some other officer to be Commandant in his place.</p>	
Local rank of Commandant.	<p>(3) The Commandant shall be granted such local rank as</p>	
	<p>(4) Officers commissioned under sub-section (1) of this section shall be appointed to ranks in the Force. The titles of ranks of officers in the Force will be the same as those of officers in Her Majesty's Regular Forces.</p> <p>Officers of the Force when serving with, attached to, or acting in combination with Her Majesty's Regular Forces will take rank and precedence below officers of corresponding rank in Her Majesty's Regular Forces.</p> <p>(5) The power of command to be exercised by officers of the Force will extend over all officers lower in rank or junior in seniority in their unit and over all other ranks in the Force. It will also extend over such officers of any other unit in the Force lower in rank or junior in seniority as may be attached for duty to, or specially placed under the command of officers of a unit or formation.</p> <p>(6) The duties of officers of the Force shall be the same as those prescribed in the Queen's Regulations so far as the same can be made applicable and as laid down in Regulations made under this Ordinance.</p> <p>9. The Governor may cancel the commission of any officer at any time: provided that such commission shall not be cancelled unless the holder thereof has been notified in writing of any complaint or charge made, and of the action proposed to be taken against him, and has been called upon to show cause in relation thereto.</p> <p>10. The appointment and promotion of warrant officers and non-commissioned officers shall be vested in the Commandant.</p> <p>11. Every member shall be liable to undergo such training as may from time to time be prescribed.</p> <p>12. (1) Members, other than officers, shall wear such uniform as the Governor shall direct, which shall be supplied to them on their enrolment and renewed at the public expense as the Commandant shall decide.</p> <p>(2) Officers shall provide and maintain at their own expense such uniform as the Governor shall direct: provided that the Governor may grant an allowance to an officer in respect thereof.</p> <p>13. (1) All arms, ammunition, musical instruments, clothing, appointments and necessities issued on loan to any member of the Force shall be and remain the property of the Government and shall be produced, exhibited and delivered to the Commandant or to any person authorised by him to inspect or receive the same.</p> <p>(2) Every member shall pay to the Commandant the cost of repairing or replacing any rifle or appointments damaged, destroyed or lost by such member.</p> <p>14. Subject as hereinafter mentioned any member may, except when on active service, and except when the sections relating to compulsory service under this Ordinance are in force, quit the Force on complying with the following conditions:—</p> <p>(i) he shall give the Commandant one month's notice in writing of his intention to quit the Force: provided that the Commandant may in his discretion dispense with such notice;</p> <p>(ii) he shall deliver up in good order (fair wear and tear only excepted) all arms, clothing and appointments being public property or property of the Force issued to him; and</p> <p>(iii) he shall pay all money due or becoming due by him under the rules of the Force either before or at the time or by reason of his quitting the Force;</p> <p>and thereupon he shall be struck off the muster roll of the Force by the Commandant.</p>	<p>Rank and precedence of officers.</p> <p>Officers' powers of command.</p> <p>Duties of officers.</p> <p>Cancellation of Commission.</p> <p>Warrant Officers and Non-commissioned Officers.</p> <p>Liability for service and training.</p> <p>Uniform.</p> <p>Officers Uniforms.</p> <p>Arms and equipment etc. remain property.</p> <p>Cost of repairs.</p> <p>Right of member to quit Force.</p>

## The Retired List.

Retired List.

15. (1) Any member who has been returned with efficiency for at least eighteen years or has been returned with efficiency for at least twelve years and has attained the age of forty-one years

- (a) may at any time thereafter on application in writing to the Commandant be posted to the Retired List and his name shall thereupon be removed from the Active List,
- (b) may at any time thereafter for any reason which the Commandant may deem sufficient, subject to the approval of the Governor, be posted to the Retired List and his name shall thereupon be removed from the Active List.

(2) Any member who

- (a) has been returned with efficiency for at least five years and has been certified by a Medical Officer to be debarred from further service with the Force by reason of physical disability, not being the result of his own misconduct, or
- (b) while on service with the Force, suffers a disability, not being the result of his own misconduct, and has been certified by a Medical Officer to be debarred in consequence from further service with the Force,

shall be posted to the Retired List and his name removed from the Active List.

(3) Previous service in the Royal Navy, the Regular Army, the Royal Air Force or any other permanent or auxiliary Military Force of the Commonwealth may be taken into consideration for the purpose of sub-sections (1) and (2) of this section.

(4) Every member on the Retired List may, at any military function or on any occasion when uniform is permitted to be worn, and with the approval of the Commandant, wear the uniform and badges of the substantive rank held by him at the time when he was posted to the Retired List. He shall wear the letters "R.L." below the badge of the Force worn on the shoulder straps.

(5) Any member on the Retired List may enjoy the privileges of the Defence Force Clubs as though he were an active member of the Force.

(6) Notwithstanding anything contained in this section any member who was posted to the Reserve Section of the Force under the provisions of the Defence Force Ordinance, 1920, as amended by the Defence Force (Amendment) Ordinance, 1938, may at the discretion of the Commandant be posted to the Retired List.

## Active Service.

Governor may call out Force.

16. (1) The Governor may by Proclamation call out the Force or any unit or part thereof for active service, whenever it appears to him advisable to do so by reason of the existence of a state of war, or of any hostile invasion (or apprehended danger thereof), or in the event of any internal emergency threatening the security of life or property to quell which the available civil force is deemed by him inadequate.

Members to attend call.

(2) Every member so called out shall attend in obedience to the call and shall assemble at such place and perform such services as may be directed by the Governor.

Member called out deemed on active service.

(3) Every member so called out shall for the purposes of this Ordinance be deemed to be on active service. If any such member, not incapacitated by infirmity for service, refuses or neglects so to assemble as required by the Governor he shall be deemed to be a deserter.

(4) The period of such service shall continue so long as the Governor shall consider necessary, and shall end only by order of the Governor.

Period of active service.

(5) Nothing in this Ordinance shall render any member liable to serve or proceed on duty beyond the limits of the Colony or its Dependencies without his consent.

Liable to serve in Colony and its Dependencies.

17. The Commandant may, when the Force or any part thereof is called out for active service, impress motor vehicles, horses, carts, riding and driving gear and boats and their accessories, or any articles as the service may require.

Impressment of motor vehicles etc.

## Compulsory Service.

18. (1) In the event of the Defence Force being called out for active service as hereinbefore provided, and the Governor considering it expedient that the numerical strength of the Force should be increased, he may by Proclamation call upon and require every male person over the age of eighteen and under the age of fifty-one years resident in the Colony, not being a member of the Force or exempt under the next succeeding section, to join and serve with the Force so called out, and every such person shall be required to assemble at such place and perform such service as may be directed by the Governor and shall be subject to the provisions of this Ordinance and shall serve as a member of the Force accordingly.

Application of compulsory service.

(2) Every person who, having been called out for service under the preceding sub-section, shall without lawful excuse fail to assemble at the time and place required or to perform such service as he shall have been from time to time directed to perform, shall be deemed to be a deserter.

19. The Governor in Council may exempt any person or class of persons from service in the Force.

Exemption from service.

## Immunities.

20. (1) No action shall lie against any member of the Force, nor shall he be subject to any penalty or punishment, for any act or thing done by him in the execution of his duty as a member of the Force: provided that the act or thing was done in pursuance of a lawful command given to him by the Governor or a Magistrate or his superior officer or in defence of his post or person, or otherwise in the lawful performance of his duty.

Immunities of members.

(2) No action shall be brought against any person for anything done by him under this Ordinance unless the same shall be commenced within three months after the act complained of was committed, nor unless notice in writing of such action shall have been given at least one month before such action was commenced.

(3) No plaintiff in an action brought against any person in respect of any act performed under this Ordinance shall succeed unless he prove that such act was done maliciously, or without reasonable cause, or that it was carried out with gross negligence.

(4) Nothing in this Ordinance contained shall exempt any person from being prosecuted, tried and convicted before the ordinary tribunals of the Colony for any felony misdemeanour or offence against any law for the time being in force in the Colony: provided that no person shall be punished twice for the same offence.

21. (1) A member other than an officer shall, when he is on parade, or undergoing training, or wearing uniform, or performing any duty under this Ordinance, be deemed to have committed an offence if he, when he is not subject to the Army Act, does any of the following acts, namely -

Offences.

- (i) strikes, or uses or offers violence to, or uses threatening or insubordinate language to, or behaves with

- contempt to, his superior officer; or
- (ii) disobeys any standing order of, or lawful command given by, his superior officer; or
  - (iii) is drunk; or
  - (iv) being a warrant officer or a non-commissioned officer, strikes or ill-treats any person subject to military law or to this Ordinance who is his subordinate in rank or position; or
  - (v) strikes, or uses or offers violence, to any person whether subject to military law or not in whose military custody he is placed, and whether such person is or is not his superior officer; or
  - (vi) resists an escort whose duty it is to arrest him or detain him in military custody; or
  - (vii) being under arrest or detention or otherwise in lawful military custody escapes or attempts to escape; or
  - (viii) falsely personates any other person at any parade or on any occasion when such other person is required by this Ordinance or by Regulations made thereunder to do any act or attend at any place.
- (2) A member, other than an officer, whether he is on parade or not, shall be deemed to have committed an offence if he, when he is not subject to the Army Act, does any of the following acts, namely –
- (i) without sufficient cause fails to appear at the place of parade at the time fixed or to attend at any place in his capacity as a member of the Force when duly required so to attend, or when on parade without sufficient cause quits the ranks; or
  - (ii) when in charge of any property belonging to Government or to the Force makes away with, or is concerned in making away with, or wilfully injures, any such property; or
  - (iii) by culpable neglect loses, or causes injury to any such property as is mentioned in sub-paragraph (ii); or
  - (iv) when it is his official duty to make a declaration respecting any matter, makes a declaration respecting such matter which he either knows or believes to be false or does not believe to be true; or
  - (v) knowingly makes against any person subject to military law or to this Ordinance an accusation which he either knows or believes to be false or does not believe to be true; or
  - (vi) fails to return in good order the arms, ammunition, uniform and appointments issued to him when required to return them; or
  - (vii) fails to attend before the Commandant when called on to do so; or
  - (viii) is guilty of any act, conduct, disorder or neglect to the prejudice of good order and military discipline.
- (3) An officer in uniform, whether or not doing duty as an officer, shall be deemed to have committed an offence and shall be liable to be dealt with for such offence if –
- (i) he is drunk,
  - (ii) he is guilty of conduct unbecoming the character of an officer and a gentleman.

Punishments  
Powers of Commandant.

22. (1) Subject to the provisions hereinafter contained the Commandant may impose the following punishments upon members of the Force – admonition, reprimand, severe reprimand, fine, reduction in rank, expulsion from the Force.

(2) Any member of the Force, other than an officer, who commits an offence under section 21 may be ordered by the Commandant to pay a fine not exceeding £15, or, if he is a warrant officer or a non-commissioned officer, to be reduced in rank.

Fines.

(3) A fine not exceeding £3 may be imposed by the Commandant after a summary trial by him.

(4) A fine exceeding £3 shall not be imposed by the Commandant unless the offence shall first have been investigated, and the person charged therewith found guilty, by a Court of Inquiry.

(5) An appeal to the Governor shall lie in every case where the fine imposed exceeds £3 or reduction in rank is ordered.

Appeal.

23. (1) The Commandant may, subject to such appeal to the Governor as is hereinafter mentioned, discharge from the Force any member thereof, and strike him off the strength, either for disobedience to orders by such member while on duty with the Force, or for neglect of duty or misconduct by him as a member of the Force, or for other sufficient cause, the existence and sufficiency of such cause to be judged by the Commandant or, in case of an appeal, by the Governor.

Expulsion from Force.

(2) Any member who feels aggrieved by such discharge may appeal to the Governor at any time within fourteen days after such discharge and the Governor may cancel or confirm such discharge or give such other directions with reference thereto as to him may seem just and proper, and his determination shall be binding on all persons.

Appeal to Governor.

(3) The Commandant may honourably discharge from the Force any member who is about to leave the Colony, or who has failed to be returned with efficiency during any one year through no fault of his own.

Honourable discharge.

(4) A member who is discharged from the Force shall be liable to deliver up in good order, fair wear and tear only excepted, all arms, ammunition, uniform and appointments, being public property or the property of the Force, issued to him, and to pay all moneys due or becoming due by him under this Ordinance or under the regulations, either before or at the time or by reason of his discharge.

Liability after discharge.

24. (1) If any member of the Force when he is on parade, or undergoing training, or wearing uniform, or on duty with the Force or any unit thereof, disobeys any lawful order of any officer under whose command he then is, or is guilty of misconduct, the officer then in command of the Force, or any superior officer under whose command the Force or such unit thereof then is, may order the offender, if an officer, into arrest, and if not an officer, into the custody of any member of the Force: provided that the offender shall not be kept in such arrest or custody longer than during the time that the Force or such unit thereof as aforesaid shall remain on duty. For the purposes of this provision any such member while going to or returning from any place of exercise, drill, or assembly shall be deemed to be on duty so long as he continues to wear uniform.

Arrest for breach of discipline.

(2) Every such arrest shall be forthwith reported to the Commandant or such other officer as may be prescribed in that behalf by the Regulations.

Arrest to be reported.

25. (1) The Army Act, shall, as to the provisions therein contained respecting discipline, apply to all members of the Force when –

Discipline on Active Service.

- (a) attached to or otherwise acting as part of any of Her Majesty's Regular Forces; or

(b) called out for full time or part time active service subject to the following modifications – the words “the Force” shall be read therein for the words “Regular Forces”, the words “member of the Force” for the words “officer or soldier”, and the word “Governor” for the words “Her Majesty” and “Secretary of State”. Provided that no sentence of a Court Martial on a member of the Force shall be executed until the findings and sentence have been confirmed by the Governor.

(2) Notwithstanding the provisions contained in the preceding sub-section no officer or member of the Force shall be liable to be punished for any offence both under the provisions of this Ordinance and under the provisions of the Army Act.

(3) Nothing in this section contained shall be deemed to limit or derogate from the power given by section one hundred and seventy-seven of the Army Act to the General Officer Commanding Her Majesty's Forces with which the Force is serving of making such exceptions or modifications as in the same section are referred to.

#### Financial.

26. It shall be lawful for the Colonial Treasurer, subject to the Regulations and on the warrant of the Governor, to pay annually out of the Revenue of the Colony to the Commandant for the purposes of the Force capitation grants, not exceeding the following rates :-

For every Member of the Force qualifying in any year as efficient :-

- (a) in drilling the sum of thirty shillings (30/-);
- (b) in both drilling and musketry the sum of two pounds (£2).

27. Whenever any member shall be called out under this Ordinance on active service away from his place of residence he shall be entitled to receive, if willing to do so, his travelling expenses from and to such residence, and it shall be lawful for the Governor to fix the rate and amount of such expenses.

28. Every member called out under this Ordinance on active service shall receive from the Government such pay and allowances, quartering and billeting as the Governor shall from time to time direct, and while in receipt of such will not be entitled to claim pay from his employer, except at such times and under such conditions as are hereinafter specified.

29. Every member who, when called out under this Ordinance on active service, shall leave a wife, or a wife and family, shall during the period of absence on such active service be entitled to relief for his wife and family, and it shall be lawful for the Governor to fix the amount of such relief consideration being given to the amount of the pay and allowances granted to the member himself under the preceding section.

30. Every member of the Force who shall have received wounds or injuries when called out under this Ordinance on active service, and the widows and families of all such members who may have been killed or have died within twelve months after having been wounded of wounds received during such active service, or have died within twelve months from illness directly traceable to fatigue or exposure incident to such active service, shall be entitled to such pensions or gratuities as shall be fixed by the Governor in Council.

31. (1) Any person may apply in writing to the Commandant for the temporary release from military duty of some member or members of the Force; such application shall be referred by the Commandant to the Colonial Secretary and, if endorsed by

him to the effect that such release is required for the performance of some work of immediate importance, the Commandant may thereupon release from military duty such member or members for such period or periods respectively as he shall think fit.

(2) During the period for which a member is so released from military duty no payment shall be made by the Government to or in respect of him under section 27 or 28 hereof, but the applicant shall be responsible for paying him full wages at the current rate for the work upon which he is employed, or, if he is an employee of the applicant, at the contract rate subsisting between them.

32. (1) All moneys subscribed by or for the use of the Force or any club of the Force, and all effects and other property belonging to the Force or any club of the Force, and the exclusive right to sue for and recover current subscriptions, arrears of subscriptions and other moneys due to the Force or to any club of the Force, shall vest in the Commandant for the time being and his successors in office, with power for him and them to bring actions, to make contracts and conveyances and to do all other lawful things in respect of or relating to the same; and any civil or criminal proceedings taken by virtue of this section by the Commandant shall not be discontinued or abated by his death, resignation or removal from office, but may be carried on by and in the name of his successor.

(2) Notwithstanding anything contained in the preceding sub-section it shall not be lawful for the Commandant to transfer any money or property of one club of the Force to another club thereof or to dispose of the same, unless he shall first have given written notice of his intention so to do and of his reasons therefor to the committee of such club, and to the Governor, and shall have obtained the consent in writing of the Governor.

#### Social Clubs.

33. Any social club or clubs of the Force may be formed with the approval of the Governor; and every such club shall be managed by a committee to be elected annually by the members of the club. The Commandant shall *ex-officio* be the chairman and the Adjutant shall *ex-officio* be a member of every such committee and the Commandant may nominate a club member, who need not be a member of the committee, to be chairman in his absence.

34. The committee of each social club may from time to time make, amend and revoke the rules for the management and maintenance by annual subscription or otherwise of such club. Provided that such rules and any alteration thereof by the Committee shall be subject to confirmation by a General Meeting of the club and shall not have effect unless and until they have received the approval of the Governor; and provided also that the Governor shall have overriding powers to make, amend and revoke any such rules. Rules so made and approved shall be binding on all members of the club.

35. The provisions of sections 33 and 34 shall apply to all existing social clubs of the Force.

#### Courts of Inquiry.

36. (1) The Governor may at any time convene a Court of Inquiry, composed of officers or other persons, or of both, to inquire into any matter relative to the Force or to any part thereof, or to any officer or other member of the Force, and to record the facts and circumstances ascertained in such inquiry and, if required, to report upon the same for his information.

(2) The Commandant may at any time convene a Court of Inquiry composed of officers to inquire into any matter relative to any unit, or to any warrant officer, non-commissioned officer or private thereof, and to record the facts and circumstances ascertained

Funds and property vested in Commandant.

Social Clubs.

Rules of clubs.

Application of sections 33 and 34 to existing clubs.

Governor may convene Court of Inquiry.

Commandant may convene Court of Inquiry.

Capitation grant.

Travelling expenses of members.

Pay and allowances on active service.

Relief to families of members called out on active service.

Pensions to members disabled on service and to widows and families of those killed on service.

Employer to pay members temporarily released from Military Duty.

on such inquiry and, if required, to report on the same for his information and assistance.

Power of Court of Inquiry.

37. Every Court of Inquiry shall have power to bring any member of the Force before it either by summons or if necessary by warrant of apprehension directed to any Police Officer or Constable.

Non-attendance of witness and contempt of Court.

38. If any person summoned or ordered to attend as a witness before a Court of Inquiry, after payment or tender of the reasonable expenses of his attendance :-

- (a) makes default in attending or in being in attendance; or
- (b) refuses to take an oath or affirmation which the Court of Inquiry requires him to take; or
- (c) refuses to produce any document in his power or control which the Court of Inquiry lawfully requires him to produce; or
- (d) refuses to answer any question which the Court of Inquiry lawfully requires him to answer; or
- (e) is guilty of any contempt of the Court of Inquiry by causing any interruption or disturbance in its proceedings or otherwise

the President of the Court of Inquiry may certify the default, refusal or contempt under his hand to a Judge or Magistrate having power to deal with or punish persons guilty of like acts or omissions in his Court, and such Judge or Magistrate may thereupon inquire into the same and, if the person is found guilty, deal with or punish him in like manner as if such default, refusal or contempt had been made or committed before him or in relation to his Court.

#### Offences.

Assaulting etc. member of Force.

39. If any person assaults or resists, or aids or abets any person in assaulting or resisting, any member of the Force in the discharge of his duty, he shall be punishable on summary conviction with a fine not exceeding one hundred pounds or with imprisonment for any term not exceeding six months.

Obstructing or molesting member.

40. If any person wilfully obstructs or molests any officer or member of the Force while on duty, he shall on the prosecution of the Commandant be liable on summary conviction to a penalty not exceeding five pounds, and may be arrested or given into custody by the senior officer, warrant officer or non-commissioned officer present at the time of the commission of such act and conveyed and handed over to the custody of the Police.

Wilful damage to guns, butts, etc.

41. If any person wilfully commits any damage to any gun, cannon, butt or target, hut, shed, emplacement, magazine or other property lawfully used by Her Majesty's Regular Forces or the Force or without the leave of the Commandant searches for bullets in or otherwise disturbs the soil of or near any such gun, cannon, butt or target, hut, shed, emplacement or magazine, he shall on the prosecution of the Commandant be liable on summary conviction to a penalty not exceeding twenty pounds for every such offence and such penalty shall be in addition to his civil liability to make good the damage.

Wrongful retention or disposal of arms etc.

42. (1) If any person without lawful authority makes away with, lends, sells, pawns, wrongfully destroys or damages or negligently loses anything issued to a member of the Force or refuses or neglects when lawfully required, to produce, exhibit or deliver on demand anything which he is liable under this Ordinance or the Rules or Regulations made thereunder to produce exhibit or deliver, the value thereof shall be recoverable from him summarily by the Commandant or any officer authorised by him and he shall also, for every such offence, be liable on summary conviction to a fine not exceeding five pounds.

(2) Whoever knowingly buys or takes in exchange or in pawn from any member of the Force or person acting on his behalf or solicits or entices any member of the Force to sell or pawn or knowingly assists or acts for any member of the Force in selling or pawning or has in his possession or keeping without satisfactorily accounting for the same any arms, ammunition, appointments, uniform, musical instruments or necessaries, being public property or the property of the Force, shall be liable on summary conviction to a fine not exceeding five pounds for every such offence.

43. If any employer or person by threats or otherwise wilfully prevents or endeavours to prevent any one from becoming or from serving as a member of the Force, the Commandant may institute proceedings against such employer or person and such employer or person shall be liable on summary conviction, if the offence be committed in peace time, to a fine not exceeding twenty five pounds and, if committed at any time during which the Force or any part thereof is on active service, to a fine not exceeding one hundred pounds for each such offence or repeated offence.

Preventing persons from joining Force.

#### Procedure.

44. In all proceedings under this Ordinance before a Court the Commandant may appear by any officer of the Force authorised by him in that behalf by writing under his hand.

Appearance by Commandant.

45. All fines imposed or moneys recoverable under section 13 (2), 14, 22, 23 and 32 of this Ordinance or under the Regulations, and not paid within ten days, may be recovered summarily as a civil debt by the Commandant or any officer of the Force authorised by him.

Recovery and application of fines.

#### Regulations.

46. (1) The Governor in Council may from time to time make regulations for all or any of the matters following :-

Regulations.

- (i) the administration and discipline of the Force;
- (ii) the appointment, promotion, transfer, leave, resignation and discharge from service of officers;
- (iii) the enrolment, transfer, leave, promotion, reduction, discharge, and dismissal of warrant officers, non-commissioned officers and men, and the disbandment of any unit;
- (iv) the composition and proceedings of Courts of Inquiry;
- (v) the exemption of officers and members from carrying out the full course of training for any year;
- (vi) the issue and care of arms, uniforms and appointments;
- (vii) drill, training, the provision and use of targets, butts and shooting ranges;
- (viii) fixing standards of efficiency;
- (ix) the payment of capitation grants, and the amount thereof

and generally for giving further and better effect to the provisions of this Ordinance.

(2) Such regulations may provide for the punishment of any infraction thereof by a fine not exceeding £3, which may be imposed by the Commandant.

#### Repeal.

47. The Defence Force Ordinance, Chapter 19 of the Revised Edition of the Laws is hereby repealed: provided that all Rules, Regulations and Standing Orders made under the said Ordinance and existing and in force prior to the coming into operation of this

Repeal.

Ordinance shall apply to the Force established under this Ordinance and shall remain in operation until altered, amended, or rescinded by any Rules, Regulations or Standing Orders made in pursuance of the powers given by this Ordinance.

## SCHEDULE.

x as the case may be.

I do sincerely promise and swear (x or "solemnly, sincerely, and truly declare") that I will be faithful <sup>(a)</sup> and bear true allegiance) to Her Majesty Queen Elizabeth II Her Heirs and Successors according to Law, and that I will faithfully serve Her Majesty in the Defence Force of the Colony of the Falkland Islands and its Dependencies for the defence of the same against Her Majesty's enemies and for the security of life or property, and in accordance with the Law under which I serve —

<sup>(b)</sup> So help me God.

(a) Omit when not a British Subject.  
(b) Omit in case of declaration.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0838/D/11.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 5



1954.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

### An Ordinance Road Traffic (Temporary Amendment) Title. Ordinance.

[1st January, 1954]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause

1. This Ordinance may be cited as the Road Traffic (Temporary Amendment) Ordinance, 1954, and shall continue in force until such date as shall be notified by the Governor by Proclamation and shall then expire.

Short title.

2. So long as this Ordinance continues in force the provisions of section 4 of the Road Traffic Ordinance (Chapter 60) shall not have effect.

Suspension of section 4 of Chapter 60.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0705/A.

Assented to in Her Majesty's name this 16th day of  
January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 6



1954.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To amend the Live Stock Ordinance.**

Title.

ENACTED by the Legislature of the Colony of the Falkland  
Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Live Stock (Amend-  
ment) Ordinance, 1954, and shall be read as one with the Live Stock  
Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 40.

2. For the first proviso to subsection (1) of section 11 of the  
principal Ordinance there shall be substituted the following proviso :—

Amendment of section  
11 (1) of the principal  
Ordinance.

“Provided that for purposes previously approved in writing  
by the inspector, the inspector may advance or extend, for  
not more than 30 days, the period during which sheep must  
be dipped :”

3. For Form 4 in the Schedule to the principal Ordinance  
there shall be substituted the Form 4 set out in the Schedule to this  
Ordinance.

Substitution of new form  
4 in Schedule to the  
principal Ordinance.

# SCHEDULE.

## FALKLAND ISLANDS.

LIVE STOCK ORDINANCE  
Form 4. (Section 40.)

### Annual Return for the year ending 31st May, 19.....

Station..... Owner.....  
Brand for Horses and Cattle ..... Ear mark for Sheep .....

#### Sheep.

Number of sheep on 31st May.

Rams.	Breeding Ewes.	Other Ewes.		Wethers.	Lambs.	Total.
		Cast.	Maiden.			

#### Lambs.

	Ram	Ewe	Wether	Total	Percentage
Number at first marking					
Number marked during year					of Breeding Ewes.
Number dipped					of Lambs marked.

Sheep disposed of during year.				Stock acquired during year.			
LOCAL SALES				Type of Stock.	Country of origin or Station where bought.	Sex.	Total.
Breeding	...	...	...				
Mutton	...	...	...				
Freezer	...	...	...				
Boiling down	...	...	...				
Other purposes	...	...	...				
Exported	...	...	...				
Killed on Station for skins	...	...	...				
" " " " mutton	...	...	...				
Boiled down on Station	...	...	...				
Total	...	...	...				

#### Shearing.

Number of Sheep shorn between 1st June, 19..... and 31st May, 19.....

Hoggets ..... Other Sheep ..... Total .....

#### Wool Clip.

Average per sheep shorn (excluding Camp Wool) ..... nett lbs.

Total wool baled ..... nett lbs.

#### Labour on 31st May

Shepherds.	Navvies.	Other Hands.	Total.	Boys under 18 included in total.

#### Total population on 31st May.

Male.	Female.	Total.

Number of Houses on Station including Cookhouse..... Number vacant.....

Annual Rainfall in inches on Station where records are kept .....inches.

#### Horses.

Stallions.	Brood Mares.	Foals.	Yearlings & 2 years old.	All other.	Total.

#### Cattle.

Bulls.	Cows.	Calves.	Yearlings & 2 years old.	All other Oxen.	Total.

#### Swine.

Boars.	Breeding Sows & Gilts.	All under 6 months.	Total.

#### Poultry.

Hens.	Cocks.	Pullets.	Total.

Geese ..... Ducks ..... Turkeys .....

NOTE. All privately owned horses, cattle, swine, and poultry on the Station to be included in these returns.

Land under cultivation ..... acres.

Area sown (a) Oats ..... acres.

(b) Grass ..... acres.

(c) Other crops ..... acres.

Area mown for Grass Hay ..... acres.

I solemnly declare that the foregoing is to the best of my knowledge and belief a correct and accurate statement.

Signature of Manager.

NOTE. This return must be made to the Agricultural Officer on or before 30th June in each year.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
Clerk of the Legislative Council.

Ref. 1093.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 7



1954.

**Colony of the Falkland Islands.**

IN THE SECOND YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance**

**To further amend the Stanley Town Council Ordinance.** Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Stanley Town Council (Amendment) Ordinance, 1954, and shall be read and construed as one with the Stanley Town Council Ordinance (hereinafter referred to as the principal Ordinance). Short title.

2. Paragraph 2 of the First Schedule to the principal Ordinance is hereby amended in the following respects :— Amendment of Schedule to the principal Ordinance.

- (a) by the deletion of all words commencing with the words "on the West" where they first appear and ending with the words "Murray Heights" and by the substitution therefor of the words —

"on the West by a line commencing on the upper limit of the foreshore at approximately nine hundred yards West of the West side of Sullivan House Jetty and running in a Southerly direction for approximately one hundred and sixty yards to the North-West Corner of Stanley Race Course"

- (b) by the deletion of the words "on the South by the line of the second fence from the point where the Western

Boundary of the West Ward meet it" and by the substitution therefor of the words -

"on the South by a line commencing at the point where the Western Boundary of the West Ward meets the Stanley Race Course and running in an Easterly direction following the Northern Boundary of the Stanley Race Course for approximately seven hundred and fifty yards, thence in a Southerly direction for approximately one hundred and fifteen yards to the fence which runs East and West on the North face of the Murray Heights".

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0039/III.

Assented to in Her Majesty's name this 6th day of March, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 8

1954.

**Colony of the Falkland Islands.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

**An Ordinance  
To Amend the Customs Ordinance.**

Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Customs (Amendment) Ordinance, 1954, and shall be read as one with the Customs Ordinance, hereinafter referred to as the principal Ordinance.

Short title.  
Cap. 16.

2. In section 2 of the principal Ordinance there shall be inserted immediately after the definition "Proper Officer" the following definition -

Amendment of Section 2  
of the principal  
Ordinance.

" "Scheduled territories" means the territories specified in the Schedule to this Ordinance, so, however, that the Governor may at any time by Order-in-Council amend the said Schedule, either by the addition or exclusion of territories or otherwise;"

3. For subsection (1) of section 9 of the principal Ordinance there shall be substituted the following section :—

Repeal and replacement  
of section 9 (1) of the  
principal Ordinance.

"Preferential  
and general  
tariffs.

9. (1) Any order or resolution made or passed in accordance with section 5, may impose different rates of import duty upon goods which are shown to the satisfaction of the Collector to have been (1) consigned from any of the scheduled territories and (2) either (a) to be the produce of the scheduled territories, or (b) to have been manufactured in the scheduled territories (such duties to be distinguished in the order or resolution as duties imposed under the

Preferential Tariff), and upon goods not shown to the satisfaction of the Collector to have been so consigned and produced or manufactured (such duties to be distinguished as duties imposed under the General Tariff)".

Amendment of section 9  
(2) of the principal  
Ordinance.

4. Subsection (2) of section 9 of the principal Ordinance is amended by the deletion of the word "British".

Amendment of section 36  
of the principal  
Ordinance.

5. (1) In paragraph (a) of section 36 of the principal Ordinance—

(a) for the word "Ordinance" there shall be substituted the word and figures "Act, 1887,";

(b) for the words "British Commonwealth" there shall be substituted the words "scheduled territories".

(2) For paragraph (d) of section 36 of the principal Ordinance there shall be substituted the following paragraph:—

"(b) Clocks and watches or any other article of metal impressed with any mark or stamp representing or in imitation of any legal assay mark, or stamp, of a scheduled territory, or purporting by any mark or appearance to be of the manufacture of any scheduled territory, such clocks, watches or other articles not being of the manufacture of such scheduled territory".

Addition of schedule to  
the principal Ordinance.

6. The following Schedule shall be added to the principal Ordinance.

#### "SCHEDULE

1. The United Kingdom of Great Britain and Northern Ireland.
2. The dependent territories of the United Kingdom of Great Britain and Northern Ireland.
3. Canada.
4. The Commonwealth of Australia.
5. The dependent territories of the Commonwealth of Australia.
6. New Zealand.
7. The dependent territories of New Zealand.
8. The Union of South Africa including South-West Africa.
9. India.
10. Pakistan.
11. Ceylon.
12. The Federation of Rhodesia and Nyasaland.
13. The Irish Republic.
14. Burma."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0465/C.

FAKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in Her Majesty's name this 6th day of March, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]



No. 9

1954.

Colony of the Falkland Islands.

IN THE THIRD YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

#### An Ordinance

To legalise certain payments made in the year 1952-53 in excess of the Expenditure sanctioned by Ordinance No. 4 of 1952. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1952-53. Preamble.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows:— Enacting clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1952-53) Ordinance, 1954. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the year 1952-53, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the year 1952/53.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
IV.	Communications ... ..	2138	3	5
V.	Customs ... ..	9368	9	7
XII.	Police & Prisons ... ..	56	19	10
XIV.	Public Works Department ... ..	182	5	9
XV.	Public Works Recurrent ... ..	5964	13	10
XVI.	Secretariat & Treasury ... ..	1561	17	3
XVII.	Supreme Court ... ..	63	2	0
Total Expenditure		£ 19335	11	8

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 6th day of March, 1954.

MILES CLIFFORD,  
*Governor.*

[L.S.]

No. 10



1954.

Colony of the Falkland Islands.

IN THE THIRD YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,  
*Governor.*

An Ordinance

To provide for the service of the year 1954-55. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited for all purposes as the Appropriation (1954-55) Ordinance, 1954. Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the year ending 31st March, 1955, a sum not exceeding Two hundred and eighty-four thousand six hundred and forty-eight pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1954-55. Appropriation of £284,648 for service of the year 1954/55.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	4564	0	0
II.	Agriculture ... ..	4184	0	0
III.	Audit ... ..	949	0	0
IV.	Customs ... ..	1625	0	0
V.	Education ... ..	10761	0	0
VI.	Harbour & Aviation ... ..	18803	0	0
VII.	Medical ... ..	23135	0	0
VIII.	Meteorological ... ..	1334	0	0
IX.	Military ... ..	888	0	0
X.	Miscellaneous ... ..	24885	0	0
XI.	Pensions ... ..	6408	0	0
XII.	Police and Prisons ... ..	3428	0	0
XIII.	Posts & Telegraphs ... ..	22067	0	0
XIV.	Public Works Department ... ..	17869	0	0
XV.	Public Works Recurrent ... ..	18474	0	0
XVI.	Secretariat & Treasury ... ..	10980	0	0
XVII.	Supreme Court ... ..	804	0	0
XVIII.	Extraordinary Expenditure ... ..	82770	0	0
	Total	£253928	0	0
XIX.	Colonial Development & Welfare ... ..	30720	0	0
	Total Expenditure	£284648	0	0

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 11



1954.

Colony of the Falkland Islands.

IN THE THIRD YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

An Ordinance  
To amend the Land Ordinance.

[1st November, 1954]

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. This Ordinance may be cited as the Land (Amendment) Ordinance, 1954, and shall be read as one with the Land Ordinance, hereinafter referred to as the principal Ordinance.

2. Part III of the principal Ordinance is hereby amended by the insertion of the following new section 18 :—

18. Subject to the Provisions of this Ordinance the Governor in Council may dispose of Crown lands by lease and may also dispose of Crown lands, other than lands forming part of a reserve, by grant in fee simple."

3. Section 19 of the principal Ordinance is hereby repealed.

4. Subsection (1) of section 23 of the principal Ordinance is hereby amended as follows :—

- (a) by deleting the words from "country land" to "sub-urban land or" and the words "town land exceed the term of sixty years";
- (b) by substituting a full stop for the semi-colon immediately following the words "three years".

5. Section 24 of the principal Ordinance is hereby repealed.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,  
*Acting Clerk of the Legislative Council.*

Ref. 0720.

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 12



1954.

**Colony of the Falkland Islands.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance  
To Amend the Pensions Ordinance.**

[1st November, 1954.]

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance, 1954, and shall be read as one with the Pensions Ordinance, hereinafter referred to as the principal Ordinance.

2. Section 16 of the principal Ordinance is hereby repealed and replaced as follows :—

“Gratuity where an officer dies in the service after retirement.”

16. (1) (a) Where an officer holding a pensionable office who is not on probation or agreement, or an officer holding a non-pensionable office to which he has been transferred from a pensionable office in which he has been confirmed, dies while in the service of the Colony, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity of an amount not exceeding either his annual pensionable emoluments, or his commuted pension gratuity if any, whichever is the greater.

(b) For the purposes of this sub-section —

(i) “annual pensionable emoluments” means the emoluments which would be taken for the purpose of computing any pension or gratuity granted to the officer if he had retired at the date of his death in the circumstances described in paragraph (v) of section 6 of this Ordinance;

Title.

Date of commencement.

Enacting clause.

Short title.  
Cap. 49.

Replacement of section 16 of the principal Ordinance.

(ii) "commuted pension gratuity" means the gratuity, if any, which might have been granted to the officer under Regulation 22 of the Pensions Regulations if his public service had been wholly in the Colony and if he had retired at the date of his death in the circumstances described in paragraph (v) of section 6 of this Ordinance and had elected to receive a gratuity and reduced pension.

(2) Where any such officer to whom a pension, gratuity or other allowance has been granted under this Ordinance dies after retirement from the service of the Colony, and the sums paid or payable to him at his death on account of any pension, gratuity or other allowance in respect of any public service are less than the amount of the annual pensionable emoluments enjoyed by him at the date of his retirement, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity equal to the deficiency.

(3) The provisions of this section shall not apply in the case of the death of any officer where benefits corresponding to the benefits which may be granted under this section are payable under the Colonial Superannuation Scheme in respect of such death."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,  
*Acting Clerk of the Legislative Council.*

Ref. 0829.

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]



No. 13

1954.

**Colony of the Falkland Islands.**

IN THE THIRD YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

### An Ordinance

To apply certain specified Acts of Parliament to the Colony.

[ 1st November, 1954 ]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Application of Enactments Ordinance, 1954.

Short title.

2. The enactments specified in the Schedule to this Ordinance are applied to the Colony to the extent and with the modifications mentioned in the Schedule, and with the further modifications that any reference in any of the said enactments to "the date of the passing of this Act" or "the commencement of this Act", or any similar expression, shall be construed as a reference to the date of this Ordinance, any reference to "the Crown" shall be construed as a reference to "the Government", any reference to the "High Court" shall be construed as a reference to the "Supreme Court" and any reference to the "Attorney General" or "Solicitor General" shall be construed as a reference to the "Colonial Secretary".

Application of certain Acts of Parliament.

## SCHEDULE.

<i>Enactment.</i>	<i>Extent of Application.</i>
1. Licensing Act, 1902, 2 Ed. 7, c. 28.	Sections 1 and 5.
2. Extradition Act, 1906, 6 Ed. 7, c. 15.	The whole Act.
3. Prevention of Corruption Act, 1906, 6 Ed. 7, c. 34.	The whole Act, except Sections 2 (1), 2 (4), 2 (5) and 3. In section 2 (6) "the Supreme Court" is substituted for "Quarter Sessions".
4. Probation of Offenders Act, 1907, 7 Ed. 7, c. 17.	The whole Act, except Sections 8 and 9. For Section 3 there shall be substituted the following:— "Probation officers. 3 (1) There may be appointed as probation officer or officers such person or persons of either sex as the Governor may determine, and a probation officer when acting under a probation order shall be subject to the control of the court by which the order was made. (2) The person named in any probation order may, if the court considers it expedient on account of the place of residence of the offender, or for any other special reason, be a person who has not been appointed to be a probation officer. (3) A probation officer may be paid such salary as the Governor may determine, and, if not so paid by salary, may receive such remuneration for acting under a probation order as the Governor thinks fit, and may, in either case, be allowed by the said court his reasonable out-of-pocket expenses, such salary and expenses to be paid out of the general revenue of the Colony. (4) A person named in a probation order not being a probation officer may be paid such remuneration and out-of-pocket expenses as the Governor may direct. (5) The person named in a probation order may at any time be relieved of his duties, and, in any such case, or in case of the death of the person so named, another person may be substituted by the court by which the order was made. References to "the Secretary of State" shall be construed as references to "the Governor in Council".
5. Fatal Accidents (Damages) Act, 1908, 8 Ed. 7, c. 7.	The whole Act.
6. Punishment of Incest Act, 1908, 8 Ed. 7, c. 45.	The whole Act, except Sections 6 and 7.
7. Law of Distress (Am.) Act, 1908, 8 Ed. 7, c. 53.	The whole Act, except Sections 7 and 10.
8. Oaths Act, 1909, 9 Ed. 7, c. 39.	The whole Act, except Section 4.
9. Perjury Act, 1911, 1 & 2 G. 5, c. 6.	The whole Act, except Section 18. References to "England" shall be construed where applicable as references to "the Colony" and "Ordinance" shall be substituted for "Act of Parliament" or "Act". In Section 8 the word "Colony" shall be substituted for the words "United Kingdom" and the words "county or" shall be deleted.
10. Criminal Law Amendment Act, 1912, 2 & 3 G. 5, c. 20.	The whole Act, except Sections 3, 4 (2), 4 (3), 5 (4), 6, 7 (3) and 8.
11. Prisoners (Temporary Discharge for Ill-health) Act, 1913, 3 & 4 G. 5, c. 4.	The whole Act, except Section 3. References to "the Secretary of State" shall be construed as references to "the Governor".
12. Bankruptcy & Deeds of Arrangement Act, 1913, 3 & 4 G. 5, c. 34.	Section 15.
13. Affiliation Orders Act, 1914, 4 & 5 G. 5, c. 6.	The whole Act, except Sections 1 (4), 1 (5), 6 (1), and 8. For Section 1 (1) there shall be substituted:— "The Registrar of the Supreme Court shall carry out the duties of collecting officer under this Ordinance". In Section 6 (2) the "Governor in Council" shall be substituted for the "Lord Chancellor".
14. Deeds of Arrangement Act, 1914, 4 & 5 G. 5, c. 47.	The whole Act, except Sections 4, 6 (c), 10, 18, 26 (2), 27, 28, 31 (1), 31 (2), 31 (3), 32 (2), 32 (3). References to "the Registrar of Bills of Sale" and to "the Board of Trade" shall be construed as references to "the Registrar of the Supreme Court".

<i>Enactment.</i>	<i>Extent of Application.</i>
15. Criminal Justice Administration Act, 1914, 4 & 5 G. 5, c. 58.	Sections 28 (2), 28 (3), 38, 39 (1), 40 (1) (a), 40 (1) (c), 41. References to "the Lord Chancellor" shall be construed as references to "the Governor in Council".
16. Bankruptcy Act, 1914, 4 & 5 G. 5, c. 59.	The whole Act, except Sections 12, 33 (1) (d), 33 (1) (e), 70, 71, 75, 89 (1), 89 (6), 90, 91, 96 (2), 96 (3), 96 (4), 96 (5), 97, 99, 100, 102, 103, 107 (1), 107 (2), 107 (3), 108 (2), 108 (3), 121, 122, 123 (1), 136 (second paragraph), 144, 153 (2), 163, 165, and Schedules III and V; "the Colony" shall be substituted for the words "England" (except in Section 140), and "the United Kingdom", and "the Chief Constable" for "Sheriff". References to "the Board of Trade", "the President of the Board of Trade", "the Treasury" and "the Speaker of the House of Commons" shall be construed as references to "the Governor"; references to "the Lord Chancellor" as references to "the Governor in Council"; references to "the House of Commons" or "Parliament" as references to "the Legislative Council"; references to "the London Gazette" as references to "the Gazette"; references to "the Bank of England" as references to "the Treasury of the Colony"; references to "the Postmaster General" as references to "the Superintendent of Posts and Telegraphs"; references to "the Workmen's Compensation Act" as references to "the Workmen's Compensation Ordinance", and the reference to "the National Insurance Act" as a reference to "the Old Age Pensions Ordinance". In Section 7 (1) for the words "an official receiver shall be thereby constituted receiver" there shall be substituted the words "the Registrar of the Supreme Court shall be thereby constituted official receiver". For Section 89 (2) there shall be substituted the following:— "Every trustee in bankruptcy shall, in such manner and at such times as the Governor directs, pay the money received by him into the Government Savings Bank to the credit of "the Bankruptcy Estates Account" and the Treasurer shall furnish him with a certificate of receipt of the money so paid". For Section 98 there shall be substituted the following:— "A bankruptcy petition shall be presented to the Supreme Court". In Section 140 the words from "or in the Court of Chancery" to "by the judge of the court" shall be omitted and the word "England" shall be inserted before the word "Scotland".
17. Indictments Act, 1915, 5 & 6 G. 5, c. 90.	The whole Act, except Sections 2, 9 (1), 9 (2) and 9 (4).
18. Evidence (Amendment) Act, 1915, 5 & 6 G. 5, c. 94.	Sections 5 and 6.
19. Larceny Act, 1916, 6 & 7 G. 5, c. 50.	The whole Act, except Sections 38, 40 (5), 48 and the Schedule. "the Colony" is substituted for the word "England" wherever it occurs.
20. Prevention of Corruption Act, 1916, 6 & 7 G. 5, c. 64.	The whole Act.
21. Bills of Exchange (Time of Noting) Act, 1917, 7 & 8 G. 5, c. 48.	The whole Act.
22. Animals (Anaesthetics) Act, 1919, 9 & 10 G. 5, c. 54.	The whole Act, except Section 6. "the Governor" is substituted for "the Board of Agriculture and Fisheries".
23. Married Women (Maintenance) Act, 1920, 10 & 11 G. 5, c. 63.	The whole Act.
24. Gaming Act, 1922, 12 & 13 G. 5, c. 19.	The whole Act.
25. Criminal Law Amendment Act, 1922, 12 & 13 G. 5, c. 56.	The whole Act, except Sections 4 and 5.
26. Bastardy Act, 1923, 13 & 14 G. 5, c. 23.	The whole Act, except Sections 1, 3 and 5.
27. Administration of Estates Act, 1925, 15 G. 5, c. 23.	The whole Act, except Sections 4, 10–14, 16, 18–20, 26 (1), 26 (2), 26 (5), 26 (6), 30, 55 (1) (xxv), 58 (2), 58 (3). References to "the Probate Judge" shall be construed as references to "the Judge". The words "the administrator appointed under Section 8 of the Administration of Estates Ordinance (Chapter 1)" shall be substituted for the words "the Administrator under a special administration in Sec-

# Enactment.

# Extent of Application.

28. Guardianship of Infants Act, 1925.  
15 & 16 G. 5, c. 45.

29. Supreme Court of Judicature (Consolidation) Act, 1925.  
15 & 16 G. 5, c. 49.

30. Summary Jurisdiction (Separation and Maintenance) Act, 1925.  
15 & 16 G. 5, c. 51.

31. Criminal Justice Act, 1925.  
15 & 16 G. 5, c. 86.

32. Adoption of Children Act, 1926.  
16 & 17 G. 5, c. 29.

33. Legitimacy Act, 1926.  
16 & 17 G. 5, c. 60.

34. Administration of Justice Act, 1928.  
18 & 19 G. 5, c. 26.

35. Criminal Law Amendment Act, 1928.  
18 & 19 G. 5, c. 42.

36. Age of Marriage Act, 1929.  
19 & 20 G. 5, c. 36.

37. Extradition Act, 1932.  
22 & 23 G. 5, c. 39.

38. Children and Young Persons Act,  
23 & 24 G. 5, c. 12.

39. Protection of Animals (Cruelty to Dogs) Act, 1933.  
23 & 24 G. 5, c. 17.

40. Administration of Justice (Miscellaneous Provisions) Act, 1933. 23 & 24 G. 5, c. 36.

tion 18 (2)", and for the words "a special Administrator" in Section 18 (3). There shall be substituted for the definitions of "the Court" [Section 55 (1) (iv)] and "Lunatic" [Section 55 (1) (viii)] the following - "the Court" means "the Supreme Court" and "Lunatic" means a person of unsound mind as defined by the Mental Treatment Ordinance (Chapter 46).

The whole Act, except Section 10. References to "the Lord Chancellor" shall be construed as references to "the Governor in Council".

Sections 155, 159 - 166, 167 (7), 185, 186, 187 and Section 188 except sub-section (4).

The whole Act. Reference to "the Dangerous Drugs Acts" shall be construed as reference to the Dangerous Drugs Ordinance (Chapter 18).

Sections 12 (4) second paragraph, 12 (6), 28, 35, 36, 37, 38, 39, 47. In Section 37 (2) the words "out of the Public Revenues of the Colony in pursuance of any Ordinance" shall be substituted for the words "out of the Consolidation Fund of the United Kingdom in pursuance of any Act."

Sections 5 (3), 5 (4) and 10.

The whole Act, except Sections 2 (2), 6 (2) and 9 (4). References to "England and Wales" or "England or Wales" shall be construed as references to "the Colony".

Section 16.

The whole Act.

The whole Act.

The whole Act.

Sections 2, 11, 14, 15, 16, 17, 34 (1), 34 (4), 36, 37, 38, 40, 41, 42, 43, 44, 50, 51, 53, 55 (1), 55 (2), 55 (3), 55 (4), 55 (5) (a), 57, 61 (1) (a) & (b), 62 (1), 62 (3), 64, 66 (1), 66 (2), 69, 70 (1), 71, 72 (1), 72 (2), 72 (4), 72 (5), 75, 85 (1) (b), 85 (3), 86 (1), 86 (2), 87 (1), 87 (3), 87 (4) (a), 87 (5), 88 (1), 88 (2) (a) - (c), 88 (3), 88 (4), 89 (1), 91, 99, 100, 102 (1) (a) - (d), 102 (2), 107, 109 (1) and the First Schedule.

References to the "Secretary of State" shall be construed as references to the "Governor". In Section 55 "the Supreme Court" is substituted for "a court of quarter sessions". In Section 62 the words "by a local authority, constable or authorised person", shall be omitted. In Section 64 the words "shall not be made unless the local authority within whose area he is resident agree" shall be omitted. In Section 85 (1) the words "in any other case," shall be omitted. In Section 85 (3) the words "or with whom he has been boarded out by a local authority" shall be omitted. In Section 86 the words "not being a local authority" shall be omitted. In Section 88 (2) (a) the words "or by section thirty of the Criminal Justice Administration Act, 1914" shall be omitted. In Sections 91 and 102 references to the "quarter sessions" shall be construed as references to "the Supreme Court". In Section 102 (2) the words "fifty-six, ninety," shall be omitted. In Section 107 (1) the interpretations "Intoxicating liquor", "Metropolitan police court area", "Police authority", "Poor law authority" and "Prescribed" shall be omitted. In the First Schedule the words "three, four," and "or twenty-three" shall be omitted.

The whole Act. In Section 3 the words "the expression 'Dog Licence' means a licence under the Dogs Ordinance (Chapter 21) and the expression 'keep' has the same meaning as in the Dog Licences Act, 1867" shall be substituted for the words "the expression 'Dog Licence' means a licence under the Dog Licences Act, 1867, and the expression 'keep' has the same meaning as in that Act."

Section 7.

# Enactment.

41. Arbitration Act, 1934.  
24 & 25 G. 5, c. 14.

42. Law Reform (Miscellaneous Provisions) Act, 1934.  
24 & 25 G. 5, c. 41.

43. Vagrancy Act, 1935.  
25 & 26 G. 5, c. 20.

44. Law Reform (Married Women and Tortfeasors) Act, 1935.  
25 & 26 G. 5, c. 30.

45. Coinage Offences Act, 1936.  
26 G. 5, & 1 Ed. 8, c. 16.

46. Evidence Act, 1938. 1 & 2 G. 6, c. 28.

47. Administration of Justice (Miscellaneous Provisions) Act, 1938. 1 & 2 G. 6, c. 63.

48. Limitation Act, 1939.  
2 & 3 G. 6, c. 21.

49. Law Reform (Frustrated Contracts) Act, 1943. 6 & 7 G. 6, c. 40.

50. Law Reform (Contributory Negligence) Act, 1945. 8 & 9 G. 6, c. 28.

51. Treason Act, 1945. 8 & 9 G. 6, c. 44.

52. Coinage Act, 1946. 9 & 10 G. 6, c. 74.

53. Crown Proceedings Act, 1947.  
10 & 11 G. 6, c. 44.

54. Attempted Rape Act, 1948.  
11 & 12 G. 6, c. 19.

55. Law Reform (Personal Injuries) Act, 1948. 11 & 12 G. 6, c. 41.

# Extent of Application.

The whole Act.

The whole Act, except Sections 1 (7) and 3 (2).

The whole Act, except Section 1 (2).

The whole Act, except Sections 5 (2) and 7. For the words "the first day of January, nineteen hundred and thirty-six", wherever they occur, there shall be substituted "the date of the commencement of this Ordinance", and for the words "the thirty-first day of December, nineteen hundred and forty-five" there shall be substituted "the day before the date of the commencement of this Ordinance."

The whole Act, except Sections 4 (3), 4 (4), 10, 15, 16.

The whole Act, except Section 5.

Sections 7, 8, 9, 10 (1). In Section 10 (1) the words "The Governor in Council may make Rules of Court" shall be substituted for the words "Rules of Court shall be made" to "Supreme Court of Judicature (Consolidation) Act, 1925."

The whole Act, except Sections 14, 30 (3). In Section 31 (3) references to the "Mental Treatment Act, 1930" and "the Mental Deficiency Acts, 1913-1938" shall be construed as references to the "Mental Treatment Ordinance (Chapter 46)".

The whole Act.

The whole Act, except Sections 2, 5 and 6.

The whole Act.

The whole Act.

The whole Act, except Sections 10, 12, 19, 20, 23 (3), 23 (4), 34, 38 (3), 41 to 53 (both inclusive). References to "the Crown", wherever that expression occurs, except in the expression "prerogative of the Crown", shall be construed as references to the Government; references to "the United Kingdom" as references to "the Colony"; references to "the Exchequer" as references to "the Treasury of the Colony", and references to "the Admiralty" or "a Secretary of State" or "the Treasury" or "a Minister of the Crown" as references to "the Colonial Secretary".

In subsection (6) of Section 2 the words "out of the general revenue of the Colony" shall be substituted for the words from "the Consolidated Fund of the United Kingdom" to "for the purposes of this sub-section". For Section 15 there shall be substituted the following section :-

"Arbitration. 15. (1) Subject to the provisions of this Act any Civil proceedings by or against the Government, other than proceedings under Section 14, shall at the option of the other party to such proceedings be determined by arbitration, and references to "the Court" shall, in such case, be construed as references to the arbitrators and umpire (if any).

(2) The provisions of the Arbitration Acts, 1889 to 1934, shall apply to any such proceedings."

In Section 17 "the Government Printer" shall be substituted for "His Majesty's Stationery Office". In Section 18 the words "on the head of that Department" shall be substituted for the words from "on the Solicitor, if any" to the end of the Section. In Section 37 (1) for the words "out of money provided by Parliament" there shall be substituted the words "out of the general revenue of the Colony".

The whole Act. In Section 1 the words "the Colony" shall be substituted for the words "England or Wales".

The whole Act, except Sections 2 (4), 2 (6) (a), 2 (6) (b), 5, 6 (2).

*Enactment.*

56. Criminal Justice Act, 1948.  
11 & 12 G. 6, c. 58.

*Extent of Application.*

Sections 1, 3-8, 11 [except the words following "good Behaviour of the offender" in subsection (1)], 12, 13, 14 (1), 14 (2) (b), 14 (3), 14 (4), 14 (5), 15 (4), 15 (5), 15 (6), 16, 17 (2), 19, 37 (1) (c), 37 (6), 39 (1), 39 (3), 39 (5), 41 (1), 41 (3), 41 (4), 41 (5), 43, 44 (1), 44 (4), 44 (7), 69, 79, 80.  
References to "Great Britain" shall be construed as references to "the Colony"; references to "Court of Assize", "Court of Quarter Sessions" and "Central Criminal Court" as references to the "Supreme Court"; references to "the clerk of assize" as references to "the Registrar of the Supreme Court", and references to the Lunacy and Mental Treatment Act, the Lunacy Act, and the Mental Deficiency Act as references to the Mental Treatment Ordinance.  
References to "the Secretary of State" shall be construed as reference to "the Governor". In subsection (2) of Section 3 there shall be substituted for the words from "A probation order" to the words "and the offender shall" the words "A probationer shall", and the words following the words "a probation officer" shall be omitted.

57. Marriage Act, 1949.  
12 & 13 G. 6, c. 76.  
58. Married Women (Maintenance) Act,  
1949. 12 & 13 G. 6, c. 99.  
59. Law Reform (Miscellaneous  
Provisions) Act, 1949.  
12 & 13 G. 6, c. 100.  
60. Adoption of Children Act, 1950.  
14 G. 6, c. 26.

Sections 1 & 2, Schedule 1.

The whole Act.

Sections 1, 4-7, 9. References to "England" shall be construed as references to "the Colony".

The whole Act, except in Section 4 (2) the words in parenthesis; and Sections 4 (4), 9, 15, 19, 20 and Parts II and III. References to "England" or "the United Kingdom" shall be construed as references to "the Colony"; references to "the Lord Chancellor" as reference to "the Governor in Council"; and the references to the Births and Deaths Registration Acts as a reference to the Registration Ordinance. In Section 2 (6) (b) the words "the Chief Constable" shall be substituted for the words from "the welfare authority" to "resident". In Section 8 (6) the words "the County Court" shall be omitted. For Section 40 (6) there shall be substituted the following subsection:-

"(6) For the purposes of this section the licensing authority shall be the Magistrate".

61. Criminal Law (Amendment) Act,  
1951. 14 & 15 G. 6, c. 36.  
62. Guardianship and Maintenance of  
Infants Act, 1951.  
14 & 15 G. 6, c. 56.  
63. Magistrates' Courts Act, 1952.  
15 & 16 G. 6, & 1 E. 2, c. 55.

The whole Act, except Sections 2 (2) and 2 (3).

Section 2.

The whole Act except Sections 1 (2), 2 (2), 3, 9, 10, 11, 12, 19 (7) (b), 26 (5), 26 (2), 26 (6), 28, 44, 51 (2), 72, 84 (5), 98 (1), 98 (3), 98 (5), 103, 107 (2), 107 (4), 107 (5), 107 (6), 112, 113, 116, 117, 118, 119, 120, 121, 123, 129, Fourth Schedule. The words "for any county or borough", in the expression "justice of the peace for any county or borough" or "Magistrates' court for a county or borough", and similar expressions shall be omitted wherever they occur. References to "England", or "England or Wales", or "the United Kingdom", shall be construed as references to "the Colony"; references to "Quarter Sessions" as references to "the Supreme Court", references to "the clerk of the peace" as references to "the Registrar of the Supreme Court", and references to "the Secretary of State" as references to "the Governor".

In subsection (1) of Section 1 after the words "committed an offence" there shall be added the words "within the Colony", and the words "in any of the events mentioned in subsection (2) of this section" shall be omitted. In subsection (4) of Section 1 for the words "by virtue of paragraph (c) of subsection (2) of this section" there shall be substituted the words "if the person charged resides or is, or is believed to reside or be, within the Colony".

In subsection (1) of Section 2 for the words "within the county or borough" there shall be substituted the words "within the Colony". In subsection (3) of Section 2 the words following the words "is brought before the court" shall be omitted.

In subsection (1) of Section 5 the words "of assize or quarter sessions" shall be omitted.

*Enactment.*

*Extent of Application.*

In subsection (1) of Section 7 after the words "commit him for trial" there shall be added the words "before the Supreme Court".

In subsection (3) of Section 18 the proviso shall be omitted.

In subsection (1) of Section 38 and in subsection (1) of Section 40 for the words "a police officer not below the rank of inspector" there shall be substituted the words "the Chief Constable".

In subsection (2) of Section 38 the words following the words "a magistrates' court" shall be omitted.

In Section 43 the words "acting for any petty sessions area" and "acting for that area" shall be omitted.

In paragraph (b) of subsection (2) of Section 50 a semi-colon shall be substituted for the full-stop and the following words shall be added - "or (c) a sum recoverable under the civil jurisdiction of the court under the provisions of the Administration of Justice Ordinance as amended by the Administration of Justice (Amendment) Ordinance, 1953".

In subsection (3) of Section 51 the words "acting for the same petty sessions area" shall be omitted.

In subsection (1) of Section 52 for the words from "the clerk of the court" to the end of the subsection there shall be substituted the words "the Registrar of the Supreme Court."

In subsections (1) and (3) of Section 54 after the words "eighteen hundred and seventy-nine," there shall be added the words "or under the Administration of Justice Ordinance as amended by the Administration of Justice (Amendment) Ordinance, 1953."

In subsection (1) of Section 64 after the words "conviction or order of a magistrates' court" there shall be inserted the words "other than an order made in exercise of its civil jurisdiction under the Administration of Justice Ordinance as amended by the Administration of Justice (Amendment) Ordinance, 1953."

In subsection (3) of Section 74 the words "acting for the petty sessions area for which the court acts" shall be omitted.

In Section 79 the words from "then (a) if the person" to "(b) in any other case" and the words "clerk or other" shall be omitted.

In subsections (1) and (4) of Section 84 and subsection (1) of Section 85 for the words "the clerk of the magistrates' court" and "the clerk of the court against whose decision the appeal is to be brought" there shall be substituted the words "the Registrar of the Supreme Court".

In subsection (2) of Section 89 the words "twenty-eight or" shall be omitted.

In subsection (1) of Section 92 the words from "if the complainant alleges" to "entered into before a magistrates' court for that county or borough" shall be omitted.

In subsection (2) of Section 102 the words "acting within his police area" shall be omitted.

In subsection (5) of Section 109 for the words "moneys provided by Parliament" there shall be substituted the words "the general revenue of the Colony".

In subsection (1) of Section 114 for the words "A clerk of a magistrates' court" there shall be substituted the words "the Registrar of the Supreme Court" and for paragraph (f) of the said subsection there shall be substituted "(f) the balance to the general revenue of the Colony".

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,

*Acting Clerk of the Legislative Council.*

Ref. 1460.

FAULKLAND ISLANDS :

Printed at the Government Printing Office by H. H. Sedgwick.

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 14



1954.

**Colony of the Falkland Islands.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

**Further to amend the Income Tax Ordinance.** Title.

[1st January, 1955]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :— Enacting clause.

1. (1) This Ordinance may be cited as the Income Tax (Amendment) Ordinance, 1954, and shall be read as one with the Income Tax Ordinance hereinafter referred to as the principal Ordinance. Short title and commencement.  
Cap. 32.

(2) The amendments made by this Ordinance shall come into operation with the year of assessment commencing on the 1st day of January, 1955.

2. Subsection (1) of section 14 of the principal Ordinance is hereby amended as follows :— Amendment of section 14 of the principal Ordinance.

(a) by the deletion of the words "one-tenth" and the substitution therefor of the words "one fifth";

(b) by the deletion of the figure "£100" and the substitution therefor of the figure "£400".

3. Subsection (1) of section 16 of the principal Ordinance is hereby amended by the deletion of the figures and words "£40 in respect of the first child and £25 in respect of each subsequent child" and the substitution therefor of the figure and words "£70 in respect of each such child". Amendment of section 16 of the principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,  
*Acting Clerk of the Legislative Council.*

Ref. 0747/II.

Assented to in Her Majesty's name this 1st day of  
November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 15



1954.

**Colony of the Falkland Islands.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

**Further to amend the Interpretation and General Law Ordinance.** Title.

[1st November, 1954]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Interpretation and General Law (Amendment) Ordinance, 1954, and shall be read as one with the Interpretation and General Law Ordinance hereinafter referred to as the principal Ordinance. Short title.  
Cap. 33.

2. Section 2 of the principal Ordinance is amended by the addition of the following new subsection :— Amendment of section 2 of the principal Ordinance.

“(7) Whenever an offence against any Ordinance or Act is under the provisions thereof made punishable by imprisonment not exceeding one year (with or without a fine) a person charged with such offence shall be tried by a court of summary jurisdiction :

Provided that if the court consists of one justice sitting alone no greater sentence may be imposed than is permitted by the Administration of Justice Ordinance in such circumstances.”

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,  
*Acting Clerk of the Legislative Council.*

Ref. 31/44.

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 16

1954.

**Colony of the Falkland Islands.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

**To amend the Savings Bank Ordinance.**

Title.

[1st November, 1954]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Savings Bank (Amendment) Ordinance, 1954, and shall be read as one with the Savings Bank Ordinance hereinafter referred to as the principal Ordinance.

Short title.

Cap. 61.

2. Section 9 of the principal Ordinance is amended by repealing and replacing subsection (3) thereof as follows :—

Amendment of  
section 9 of the  
principal Ordinance.

“(3) Interest on deposits shall, subject to the provision of subsection (2) of this section, be calculated to the thirty-first day of March, 1955, and thereafter to the thirtieth day of June in every year commencing with the year 1956, and shall then be added to and become part of any principal money remaining on deposit.”

3. Section 12 of the principal Ordinance is hereby repealed and replaced as follows :—

Replacement of  
section 12 of the  
principal Ordinance.

“12. Annual accounts of the Revenue and Expenditure of the Savings Bank and of deposits received and repaid and interest credited during the fifteen months ended on the thirty-first day of March 1955, the fifteen months ended on the thirtieth day of June, 1956, and thereafter during the year ended on the thirtieth day of June together with a statement of the assets and liabilities of the Savings Bank, shall after being audited and certified by the Local Auditor, be laid by the Treasurer before the Legislative Council not later than the thirty-first day of March ensuing in every year and shall as soon as practicable thereafter be published in the Gazette and submitted to the Secretary of State.”

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,  
*Acting Clerk of the Legislative Council.*

Ref. 0385.

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 17



1954.

Colony of the Falkland Islands.

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

### An Ordinance

To amend the Administration of Justice  
Ordinance. Title.

[1st November, 1954]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Administration of Justice (Amendment) Ordinance, 1954, and shall be read as one with the Administration of Justice Ordinance hereinafter referred to as the principal Ordinance.

Short title.

Cap. 3.

2. Section 5 of the principal Ordinance is hereby repealed and replaced as follows :—

Repeal and replacement of section 5 of the principal Ordinance.

"Jurisdiction of Court when no magistrate present.

5. (1) The jurisdiction of the Court when one justice is sitting alone shall be :—

(a) One justice.

(a) to hear and determine civil cases where the amount claimed does not exceed £25, or, in the case of a claim for the recovery of possession of land, the annual rent or value thereof does not exceed £25; and

(b) to hear, try and determine criminal cases which may be dealt with summarily except cases which may only be dealt with summarily with the consent of the accused :

Provided that the Court may not impose a fine greater than £5 or imprisonment exceeding one month.

FALKLAND ISLANDS :

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(b) Two or more justices.

(2) The jurisdiction of a Court consisting of two or more justices (each of whom must be present during the whole hearing and determination) shall be the same as that conferred upon a magistrate by section 4 of this Ordinance, but subject to the same limitation with respect to punishment as is contained therein."

Amendment of section 48 of the principal Ordinance.

3. Section 48 of the principal Ordinance is hereby amended as follows :—

- (a) by the insertion of the word and figure "and 5" immediately after the figures "4 (3)" in subsection (1);
- (b) by the insertion of the words "or a justice" immediately after the word "magistrate" where the word occurs in subsections (1) and (2).

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,  
*Acting Clerk of the Legislative Council.*

Ref. 0831.

Assented to in Her Majesty's name this 1st day of November, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 18

1954.

Colony of the Falkland Islands.

IN THE THIRD YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

### An Ordinance

To amend the Currency Notes Ordinance. Title.

[1st April, 1955]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :—

Enacting clause.

1. (1) This Ordinance may be cited as the Currency Notes (Amendment) Ordinance, 1954, and shall be read as one with the Currency Notes Ordinance hereinafter referred to as the principal Ordinance.

Short title and commencement.  
Cap. 15.

(2) This Ordinance shall come into operation on the 1st day of April, 1955.

2. Section 2 of the principal Ordinance is hereby amended by the substitution of a semi-colon for the full-stop at the end of the definition "Crown Agents" and by the addition thereto of the following new definition :—

Amendment of section 2 of the principal Ordinance.

" "year" means the financial year of the Colony."

3. Section 7 of the principal Ordinance is hereby repealed and replaced as follows :—

Replacement of section 7 of the principal Ordinance.

"Note Security Fund and Income Account.

7. (1) There shall be established a fund to be called "The Note Security Fund" (hereinafter referred to as the Fund) and there shall be paid into the Fund the equivalent value in sterling of all currency notes issued otherwise than in exchange for currency notes already issued.

(2) There shall be charged upon the Fund the sterling payments made by the Commissioner in respect of notes lodged with him under the provisions of section 6 of this Ordinance.

(3) The Fund shall be held by the Crown Agents and may be invested in securities of, or guaranteed by, the Government of any part of the Commonwealth (except the Government of the Colony) or such other securities as the said Crown Agents, subject to the direction of a Secretary of State, may in their discretion select :

Provided that the Governor may issue directions to the Crown Agents, as to the amount of the Fund to be held in liquid form.

(4) All dividends, interest or other revenue derived from such investments or from the employment in any other manner of the moneys of the Fund and all commissions paid to the Commissioner as provided in section 6 of this Ordinance shall be paid into an account to be called "The Currency Note Income Account".

(5) There shall be charged upon the said Currency Note Income Account, —

(a) all the expenses incurred by the Commissioner and by the Crown Agents in the preparation, transport and issue of the currency notes and the transactions of business relating thereto; and

(b) a sum equal to 1 per centum of the Fund, that is to say, the amount made up of the liquid moneys of the Fund together with the estimated market value of the investments in the Fund on the last day of each year, which shall be paid annually into the Fund :

Provided that the Governor, may, with the approval of a Secretary of State, direct that any expenditure of an exceptional nature may be charged upon the Fund and not upon the Currency Note Income Account.

(6) If on the last day in any year there is a surplus in the Currency Note Income Account it shall be transferred to the general revenues of the Colony and any deficiency in the said account on that day shall be met from moneys to be appropriated out of the said revenues :

Provided that —

(a) if on the last day in any year the face value of the currency notes in circulation, other than notes which have been demonetised, exceeds the amount of the Fund calculated in the manner provided in paragraph (b) of subsection (5) of this section, there shall be charged against the Currency Note Income Account such sum as shall be required for the purpose of making up the moneys of the Fund as aforesaid to an amount equal to the face value of the currency notes in circu-

lation, other than notes which have been demonetised, which sum shall be paid into the Fund ;

(b) if on the last day in any year the Fund so calculated exceeds 110 per centum of the face value of the currency notes in circulation, other than notes which have been demonetised, the Governor may, with the sanction of a Secretary of State, direct that the whole or part of the excess over 110 per centum shall be transferred from the Fund to the general revenues of the Colony.

(7) The liquid portion of the Fund may be held in cash or on deposit at the Bank of England or in Treasury Bills or may be lent out at call, or for short terms in such ways or invested in such readily realisable securities as may be approved by a Secretary of State."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. HIRTLE,

*Acting Clerk of the Legislative Council.*

Ref. 0496.

Assented to in Her Majesty's name this 2nd day of  
April, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 1



1954.

**Falkland Islands Dependencies.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

**To apply certain Laws of the Colony to the Dependencies.** Title.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows — Enacting clause.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance, 1954. Short title.

2. The Ordinances of the Colony specified in the first and second column of the Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to have been in force in the Dependencies with effect from the respective dates set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

**SCHEDULE**

1 of 1953	Licensing (Amendment) Ordinance, 1953	1st April, 1953.
2 of 1953	Land (Amendment) Ordinance, 1953	1st April, 1953.
3 of 1953	Merchandise Marks (Repeal) Ordinance, 1953	1st April, 1953.
4 of 1953	Seal Fishery (Amendment) Ordinance, 1953	1st April, 1953.
5 of 1953	British Nationality (Amendment) Ordinance, 1953	1st April, 1953.
1 of 1954	Interpretation & General Law (Amendment) Ordinance, 1954	1st February, 1954.
2 of 1954	Public Health (Amendment) Ordinance, 1954	1st February, 1954.
3 of 1954	Exchange Control (Amendment) Ordinance, 1954	1st February, 1954.
4 of 1954	Defence Force Ordinance, 1954	1st February, 1954.

Promulgated by the Governor on the 2nd day of April, 1954.

C. CAMPBELL,  
*Colonial Secretary.*

Ref. 0188.

Assented to in Her Majesty's name this 15th day of June, 1954.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 2



1954.

**Falkland Islands Dependencies.**

IN THE THIRD YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

To provide for the service between the first day of July, 1954, and the thirtieth day of June, 1955. Title.

[1st July, 1954.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1954/1955) Ordinance, 1954.

Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1955, a sum not exceeding Two hundred and Seventy One thousand Five hundred pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1954, to the thirtieth day of June, 1955.

Appropriation of  
£271,500 for service of the  
year ending 30th June.  
1955.

## SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	33,946
2.	F.I.D.S. Rear Base ... ..	3,593
3.	F.I.D.S. Headquarters (Administration)	18,410
4.	F.I.D.S. Headquarters (Meteorological Service) ...	11,279
5.	F.I.D.S. Bases ... ..	84,180
6.	F.I.D.S. "John Biscoe" ... ..	113,678
7.	F.I.D.S. Scientific Bureau ...	6,414
	Total Expenditure ... £	271,500

Promulgated by the Governor on the 18th day of June, 1954.

C. CAMPBELL,  
*Colonial Secretary.*

## PART II.

## RULES, REGULATIONS, Etc.

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## FALKLAND ISLANDS.

### NOTIFICATION.

COLIN CAMPBELL,  
*Officer Administering the Government.*

In virtue of the powers in him vested by Section 2 (1) (a) of the Pensions Ordinance, and otherwise, the Officer Administering the Government, with the advice and consent of the Executive Council, is pleased hereby to declare to be pensionable the undermentioned office in the Public Service of the Colony and Dependencies :—

#### DEPENDENCIES.

SOUTH GEORGIA      ...      Meteorological Forecaster.

Government House,  
Stanley, Falkland Islands.  
11th March, 1954.

FALKLAND ISLANDS.

NOTIFICATION.

COLIN CAMPBELL,  
*Governor's Deputy.*

In virtue of the powers in him vested by Section 2 (1) (a) of the Pensions Ordinance, and otherwise, His Excellency, with the advice and consent of the Executive Council, is pleased hereby to publish a revised list of pensionable offices in the Public Service of the Colony and Dependencies :—

COLONY					
<i>Department</i>					<i>Office</i>
THE GOVERNOR ...	...	...	...	...	Orderly and Caretaker.
AGRICULTURAL ...	...	...	...	...	Agricultural Officer.
AUDIT ...	...	...	...	...	Local Auditor.
CUSTOMS ...	...	...	...	...	Collector of Customs.
EDUCATION ...	...	...	...	...	Superintendent of Education. Assistant Masters. Assistant Teachers, (male).
HARBOUR AND AVIATION ...	...	...	...	...	Harbour Master & Director of Civil Aviation.
(i) HARBOUR					Coxswain "Alert". Master m.v. "Philomel". Mate m.v. "Philomel". Engineer m.v. "Philomel".
(ii) AVIATION	...	...	...	...	Pilot. Engineer. 2nd Engineer.
MEDICAL ...	...	...	...	...	Senior Medical Officer. Medical Officers. Dental Surgeons. Dental Mechanic.
MILITARY ...	...	...	...	...	Armourer.
POLICE AND PRISONS ...	...	...	...	...	Chief Constable. Police Sergeant. Police Constables.
POSTS AND TELEGRAPHS ...	...	...	...	...	Superintendent.
(i) POSTS ...	...	...	...	...	Postmaster.
(ii) TELEGRAPHS ...	...	...	...	...	Wireless Operators Grades I – II. Electricians Grade II. R/T Operator (male).
PUBLIC WORKS ...	...	...	...	...	Superintendent of Works.
(i) PUBLIC WORKS ...	...	...	...	...	Storekeeper. Mechanic. Foreman Carpenter. Carpenters. Masons. Plumber. Blacksmith. Yard Foreman and Water Bailiff. Peat Officer. Motor Drivers.
(ii) ELECTRICAL ...	...	...	...	...	Superintendent, Power Station. Assistant Superintendent. Electricians Grades I – II. Enginemmen Grades II – III.
SECRETARIAT AND TREASURY ...	...	...	...	...	Colonial Secretary. Treasurer. Assistant Colonial Secretary. Assistant Treasurer. Head Printer. Assistant Printers.

Department	Office
SUPREME COURT ... ..	Registrar.
ALL DEPARTMENTS ... ..	Clerks Grades I – IV (male).
DEPENDENCIES.	
GENERAL ... ..	Administrative Officer. Meteorological Forecaster.
F.I.D.S. H.Q. ADMINISTRATION ... ..	Secretary. Assistant Secretary. Storekeeper (male).
F.I.D.S. H.Q. METEOROLOGICAL SERVICE ... ..	W/T Operators / Meteorological Assistants.
"JOHN BISCOE" ... ..	1st Officer, R.R.S. "John Biscoe".

Government House,  
Stanley, Falkland Islands,  
17th November, 1954.

## FALKLAND ISLANDS.

Order by His Excellency the Governor made under Sections 5, 24 and 32 of the Exchange Control Ordinance, 1951.

No 1 of 1954. MILES CLIFFORD,  
Governor.

His Excellency the Governor in exercise of the powers vested in him by the Exchange Control Ordinance, 1951, is pleased to order and it is hereby ordered as follows:—

1. This Order may be cited as the Exchange Control (Payments) Order, 1954. Title.
2. In this Order: Definition.
  - (a) the expression "account" means a sterling account with a banker in the Colony;
  - (b) the expression "transferable account" means any account which is for the time being recognised by the Bank of England for the purposes of the United Kingdom Order as a transferable account relating to any territory specified in the Third Schedule to this Order;
  - (c) the expression "Argentine Guaranteed Account" means an account which is for the time being recognised by the Bank of England as an Argentine Guaranteed Account for the purposes of the United Kingdom Order;
  - (d) the expression "Israel No. 2 Account" means an account of a person resident in Israel which is for the time being recognised by the Bank of England as an Israel No. 2 Account for the purposes of the United Kingdom Order;
  - (e) the expression "Turkish Account" means an account of a person resident in Turkey which is for the time being recognised by the Bank of England as a Turkish Account for the purposes of the United Kingdom Order;
  - (f) the expression "scheduled territories" has the meaning ascribed to it by section 2 of the Exchange Control Ordinance, 1951.
  - (g) the expression "United Kingdom Order" means the Exchange Control (Payments) Order, 1952, of the United Kingdom, made under the Exchange Control Act, 1947, of the United Kingdom, and includes any Order amending or replacing the same;
  - (h) where among the territories specified in any of the Schedules to this Order two or more territories are grouped together, the expression "territory" shall include all the territories in that group.

3. There shall be exempt from the provisions of section 6 of the Exchange Control Ordinance, 1951, anything done for the purpose of the transfer of the whole or any part of an amount standing to the credit of—

- (i) an account of a person resident outside the scheduled territories, being a transfer to or to the account of a person resident in the scheduled territories;
- (ii) an account of a person resident in any territory specified in the First Schedule to this Order, being a transfer to another account of a person resident in the same territory;

Exemption of certain transfers of money to and from non-resident accounts.

- (iii) an account of a person resident in any territory specified in the Second Schedule to this Order, being a transfer to another account of a person resident in that territory, a transfer to the account of a person resident in or to a transferable account relating to any territory specified in the Third Schedule to this Order, or a transfer to the account of a person resident both outside the scheduled territories and outside any of the territories specified in the First, Second or Third Schedules to this Order;
- (iv) a transferable account relating to any territory specified in the Third Schedule to this Order, being a transfer to the account of a person resident in or to a transferable account relating to any of the said territories, or a transfer to the account of a person resident both outside the scheduled territories and outside any of the territories specified in the First, Second or Third Schedules to this Order;
- (v) an account (not being a transferable account) of a person resident in any territory specified in the Third Schedule to this Order, being a transfer to the account of a person resident in or to a transferable account relating to the same territory;
- (vi) an account of a person resident both outside the scheduled territories and outside any of the territories specified in the First, Second or Third Schedules to this Order being a transfer to another such account.

Exemptions of certain payments to non-residents.

4. There shall be exempt from the provisions of section 6 of the Exchange Control Ordinance, 1951, any payment made in the Colony to a person resident outside the scheduled territories :-

- (i) by a person resident outside the scheduled territories if that payment is made out of -
  - (a) any notes of a class which are or have at any time been legal tender in the Colony and which have been legally imported into the Colony, or
  - (b) any money withdrawn from an account in favour of that person with a banker in the Colony, or
  - (c) any moneys arising from the sale of foreign currency by that person to an authorised dealer, or
  - (d) any foreign currency which has been legally imported into the Colony provided that the payment is not made as consideration for or in association with the receipt by any person of sterling;
- (ii) by a person resident in the scheduled territories if that payment -
  - (a) does not exceed £10 sterling in value, and
  - (b) does not form part of a transaction or series of transactions wherein the aggregate value of the payments exceed £10 sterling in value.
- (iii) by a banker in the Colony acting in the course of his business if that payment -
  - (a) is made from moneys standing to the credit of an account in favour of that person with that banker, or
  - (b) is in respect of the encashment by that person of a travellers' cheque or letter of credit in favour of that person.

Applications of section 24 of Exchange Control Ordinance.

5. (1) Section 24 of the Exchange Control Ordinance, 1951, shall apply to territories outside the scheduled territories.

(2) The prescribed manners of payment for the purposes

of the said section 24 in relation to goods exported to a destination in any of the said territories are the manners specified in relation to those territories respectively in the second column of the Fourth Schedule hereto.

6. (1) The provisions of this Order shall have effect subject to any restrictions imposed by any direction given by the Governor under section 33A of the Exchange Control Ordinance, 1951.

Certain non-resident accounts not exempted.

(2) The exemptions from the provisions of section 6 of the Exchange Control Ordinance, 1951, granted by this Order, shall not apply in relation to the transfer of the whole or any part of an amount standing to the credit of -

- (a) an account of a person resident in the Argentine Republic, being a transfer to an Argentine Guaranteed Account;
- (b) an account of a person resident in China;
- (c) an account of a person resident in Formosa;
- (d) an Israel No. 2 Account, except in so far as the transfer may be from one such account to another such account;
- (e) an account of a person resident in Iran.

(3) The exemptions from the provisions of section 6 of the Exchange Control Ordinance, 1951, granted by this Order, shall not apply in relation to the transfer of an amount from any account, being a transfer to the account of a person resident in China to the account of a person resident in Formosa or to the account of a person resident in Iran.

Dated this 25th day of January, 1954.

By Command,  
C. CAMPBELL,  
Colonial Secretary.

## FIRST SCHEDULE

- Group 1. The Argentine Republic.
- Group 2. The Belgian Monetary Area, that is to say, Belgium, Luxembourg, Belgian Congo and the Trust Territory of Ruanda-urundi.
- Group 3. Brazil.
- Group 4. Bulgaria.
- Group 5. The French Franc Area, that is to say, Metropolitan France (including Corsica), the Principality of Monaco, The Saar Territory, The French Overseas Departments (Algeria, Guadeloupe, Martinique, French Guiana, Reunion), the Protectorates of Morocco and Tunisia, French West Africa, French Equatorial Africa, The French Trust Territories of Cameroon and Togo, Madagascar and its dependencies, Comoro Islands, St. Pierre and Miquelon, French Establishments in India, The Associated States of Cambodia, Laos and Vietnam, New Caledonia and its dependencies, French Establishments in Oceania, Condominium of the New Hebrides.
- Group 6. The French Somali Coast.
- Group 7. Hungary.
- Group 8. Israel.
- Group 9. Japan, that is to say, the four main islands of Japan (Hokkaido, Honshu, Kyushu and Shikoku) and the adjacent islands excluding those islands under United States administration.
- Group 10. The Lebanon.
- Group 11. Paraguay.
- Group 12. Peru.
- Group 13. The Portuguese Monetary Area, that is to say, Portugal and the Portuguese Empire.
- Group 14. Roumania.
- Group 15. Switzerland and Liechtenstein.

- Group 16. Syria.
- Group 17. The Tangier Zone of Morocco.
- Group 18. Turkey.
- Group 19. Uruguay.
- Group 20. The Vatican City.
- Group 21. Yugoslavia.

## SECOND SCHEDULE.

- Group 1. Canada.
- Group 2. The United States of America, and any territory under the Sovereignty of the United States of America; Pacific Islands formerly under Japanese administration but now under United States administration; the Philippine Islands; Bolivia, Columbia, Costa Rica, Cuba, the Dominican Republic, Ecuador, Guatemala, Haiti, Republic of Honduras, Liberia, Mexico, Nicaragua, Panama, El Salvador and Venezuela.

## THIRD SCHEDULE.

- Group 1. Austria.
- Group 2. Chile.
- Group 3. Czechoslovakia.
- Group 4. Denmark, the Faroe Islands and Greenland.
- Group 5. Egypt, and that area of the former territory of Palestine at present administered by Egypt.
- Group 6. Ethiopia.
- Group 7. Finland.
- Group 8. Greece.
- Group 9. The Italian Monetary Area, that is to say, the Italian Republic, the Republic of San Marino, the territory of Somaliland under Italian Administration and Zone "A" of the Free Territory of Trieste.
- Group 10. The Netherlands Monetary Area, that is to say, the Netherlands, the Republic of the United States of Indonesia, the Netherlands New Guinea, Surinam and the Netherlands Antilles.
- Group 11. Norway.
- Group 12. Poland.
- Group 13. The Spanish Monetary Area, that is to say, the Peninsula Territories of the Spanish State, the Canary Isles and the Balearic Isles, Ceuta and Melilla, the Spanish Zone of Morocco and the Spanish Colonies.
- Group 14. The Anglo-Egyptian Sudan.
- Group 15. Sweden.
- Group 16. Thailand.
- Group 17. The Union of Soviet Socialist Republics.
- Group 18. The Western Zones of Germany, that is to say, the territory of the Federal Republic of Germany and the French, British and United States Sectors of Berlin.

## FOURTH SCHEDULE.

<i>Description of Territories.</i>	<i>Prescribed manners of payment.</i>
1. Austria ... ..	(a) Payment in sterling from an account of a person resident in Austria, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
2. Belgian Monetary Area ...	(a) Payment in sterling from an account of a person resident in any of the territories comprised in the Belgian Monetary Area, and (b) Payment in Belgian, Luxembourg or Congolese francs.
3. Canada ... ..	(a) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order, (b) Payment in Canadian dollars, and (c) Payment in United States dollars.

<i>Description of Territories.</i>	<i>Prescribed manners of payment.</i>
4. Chile ... ..	(a) Payment in sterling from an account of a person resident in Chile, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
5. China ... ..	Payment in sterling from an account of a person resident in China.
6. Czechoslovakia ... ..	(a) Payment in sterling from an account of a person resident in Czechoslovakia, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
7. Denmark, the Faroe Islands and Greenland.	(a) Payment in sterling from an account of a person resident in Denmark, the Faroe Islands or Greenland, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order, and (d) Payment in Danish kroner or Faroese kroner.
8. Egypt, and that area of the former territory of Palestine at present administered by Egypt.	(a) Payment in sterling from an account of a person resident in Egypt or that area of the former territory of Palestine at present administered by Egypt, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
9. Ethiopia ... ..	(a) Payment in sterling from an account of a person resident in Ethiopia, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
10. Finland ... ..	(a) Payment in sterling from an account of a person resident in Finland, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
11. Formosa ... ..	Payment in sterling from an account of a person resident in Formosa.
12. French Franc Area ...	(a) Payment in sterling from an account of a person resident in any of the territories comprised in the French Franc Area, and (b) Payment in the currency of any of the territories comprised in the French Franc Area.
13. French Somali Coast ...	(a) Payment in sterling from an account of a person resident in the French Somali Coast, and (b) Payment in Djibouti francs.

<i>Description of Territories.</i>	<i>Prescribed manners of payment.</i>
14. Greece ... ..	(a) Payment in sterling from an account of a person resident in Greece, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
15. Iran ... ..	Payment in sterling from an account of a person resident in Iran.
16. Israel ... ..	Payment in sterling from an account of a person resident in Israel other than an Israel No. 2 Account.
17. The Italian Monetary Area	(a) Payment in sterling from an account of a person resident in any of the territories comprised in the Italian Monetary Area. (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
18. Netherlands Monetary Area	(a) Payment in sterling from an account of a person resident in any of the territories comprised in the Netherlands Monetary Area, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order, and (d) Payment in the currency of the Netherlands, Surinam or the Netherlands Antilles.
19. Norway ... ..	(a) Payment in sterling from an account of a person resident in Norway, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order, and (d) Payment in Norwegian kroner.
20. Poland ... ..	(a) Payment in sterling from an account of a person resident in Poland, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
21. Portuguese Monetary Area	(a) Payment in sterling from an account of a person resident in any of the territories comprised in the Portuguese Monetary Area, and (b) Payment in Portuguese escudos.
22. Spanish Monetary Area	(a) Payment in sterling from an account of a person resident in any of the territories comprised in the Spanish Monetary Area, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
23. Anglo-Egyptian Sudan ...	(a) Payment in sterling from an account of a person resident in the Anglo-Egyptian Sudan, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and

<i>Description of Territories.</i>	<i>Prescribed manners of payment.</i>
24. Sweden ... ..	(c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order. (a) Payment in sterling from an account of a person resident in Sweden, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order, and (d) Payment in Swedish kroner.
25. Switzerland and Liechtenstein	(a) Payment in sterling from an account of a person resident in Switzerland or Liechtenstein, and (b) Payment in Swiss francs.
26. Thailand ... ..	(a) Payment in sterling from an account of a person resident in Thailand, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
27. Turkey ... ..	Payment in sterling from a Turkish account.
28. The Union of Soviet Socialist Republics.	(a) Payment in sterling from an account of a person resident in the Union of Soviet Socialist Republics, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
29. The United States of America and other territories specified in Group 2 of the Second Schedule to this Order.	(a) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order, (b) Payment in United States dollars, and (c) Payment in Canadian dollars.
30. The Western Zones of Germany	(a) Payment in sterling from an account of a person resident in the Western Zones of Germany, (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.
31. Any other territory mentioned in the First Schedule to this Order.	Payment in sterling from an account of a person resident in the territory concerned.
32. All other territories outside the scheduled territories not being territories mentioned in the First, Second, Third or Fourth Schedules to this Order.	(a) Payment in sterling from an account of a person resident in any of the territories concerned. (b) Payment in sterling from a transferable account relating to any territory specified in the Third Schedule to this Order, and (c) Payment in sterling from an account of a person resident in any territory specified in the Second Schedule to this Order.

FALKLAND ISLANDS.

The Consular Conventions Ordinance (Cap. 14).

---

Order by His Excellency the Governor in Council.  
(under section 6 of the Ordinance).

No 2 of 1954.

O. R. ARTHUR,  
*Governor.*

His Excellency the Governor in exercise of the powers vested in him by section 6 of the Consular Conventions Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Consular Conventions (Kingdom of Greece) Order, 1954, and shall be deemed to have come into force on the 14th day of February, 1954.

2. Sections 2, 3, 4 and 5 of the Consular Conventions Ordinance, shall apply to the Kingdom of Greece.

Made by the Governor in Council at Stanley, this 20th day of April, 1954.

W. HIRTLE,  
*Acting Clerk of the Executive Council.*

Ref. 1475.

FALKLAND ISLANDS.

The Consular Conventions Ordinance (Cap. 14).

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Order by His Excellency the Governor in Council.  
(under section 6 of the Ordinance).

O. R. ARTHUR.

*Governor*

No. 3 of 1954.

His Excellency the Governor in exercise of the powers vested in him by section 6 of the Consular Conventions Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Consular Conventions (French Republic) Order, 1954, and shall be deemed to have come into force on the 14th day of January, 1954.

2. Sections 2, 3, 4 and 5 of the Consular Conventions Ordinance, shall apply to the Republic of France.

Made by the Governor in Council, at Stanley, this 20th day of April, 1954.

W. HIRTLE,

*Acting Clerk of the Executive Council.*

Ref. 1475.

# FALKLAND ISLANDS.

## The Income Tax Ordinance (Cap. 32).

### Order by His Excellency the Governor in Council.

(under section 49 of the Ordinance).

O. R. ARTHUR,

*Governor.*

No. 4 of 1954.

Whereas it is provided by section 49 of the Income Tax Ordinance that if the Governor in Council by Order declares that arrangements specified in the Order have been made with the Government of any territory outside the Colony with a view to affording relief from Double Taxation in relation to Income Tax and any tax of a similar character imposed by the laws of that territory and that it is expedient that those arrangements should have effect, the arrangements shall have effect in relation to Income Tax notwithstanding anything in any enactment : Preamble.

And whereas by a Convention dated the 30th day of March, 1949, between His Majesty in respect of the United Kingdom and His Majesty the King of Sweden, arrangements were made among other things for the avoidance of Double Taxation.

And whereas provision is made in the said Convention for the extension by means of an exchange of notes between the High Contracting Parties of the said Convention, subject to such modifications and conditions (including conditions as to termination) as may be specified in the exchange of notes, to any territory, for whose foreign relations the United Kingdom is responsible, which imposes taxes substantially similar in character to those which are the subject of the said Convention :

And whereas by a notification dated the 18th day of December, 1953, the said Convention with certain modifications was applied to the Colony : now, therefore, it is hereby declared by His Excellency the Governor in Council —

- (a) that the arrangements specified in the First Schedule to this Order, as modified by the provisions of the Second Schedule to this Order have been made with the Government of Sweden;
- (b) that it is expedient that those arrangements should have effect.

This Order may be cited as the Double Taxation Relief (Taxes on Income) (Sweden) Order, 1954. Title.

Made by the Governor in Executive Council at a meeting held on the 13th day of December, 1954.

J. BOUND,

*Clerk of the Executive Council.*

## FIRST SCHEDULE.

### CONVENTION BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND HIS MAJESTY THE KING OF SWEDEN FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME.

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas and His Majesty the King of Sweden,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have appointed for that purpose as their Plenipotentiaries:

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas:

For the United Kingdom of Great Britain and Northern Ireland:

Sir William Strang, K.C.B., K.C.M.G., M.B.E., Permanent Under-Secretary of State for Foreign Affairs;

His Majesty The King of Sweden:

His Excellency Monsieur Bo Gunnar Richardsson Hägglöf, His Majesty's Ambassador Extraordinary and Plenipotentiary in London;

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:—

#### ARTICLE I

1. The taxes which are the subject of the present Convention are —

(a) In Sweden:

The State income tax (including coupon tax) and the tax on the undistributed profits of companies (Ersättningsskatt), and, for the purposes of Articles XXII, paragraph (3), and XXIII to XXV inclusive, the State capital tax (hereinafter referred to as "Swedish tax").

(b) In the United Kingdom of Great Britain and Northern Ireland:

The income tax (including sur-tax) and the profits tax (hereinafter referred to as "United Kingdom tax").

2. The present Convention shall also apply to any other taxes of a substantial similar character imposed in the United Kingdom or Sweden subsequently to the date of signature of the present Convention.

#### ARTICLE II

1. In the present Convention, unless the context otherwise requires —

(a) The term "United Kingdom" means Great Britain and Northern Ireland, excluding the Channel Islands and the Isle of Man;

(b) The terms "one of the territories" and "the other territory" means the United Kingdom or Sweden, as the context requires;

(c) The term "tax" means United Kingdom tax or Swedish tax, as the context requires;

(d) The term "person" includes any body of persons, corporate or not corporate;

(e) The term "company" means any body corporate;

(f) The terms "resident of the United Kingdom" and "resident of Sweden" mean respectively any person who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in Sweden for the purposes of Swedish tax, and not resident in the United Kingdom for the purposes of United Kingdom tax; a company shall be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom and as resident in Sweden if it is incorporated under the laws of Sweden and its business is not managed and controlled in the United Kingdom, or if it is not so incorporated but its business is managed and controlled in Sweden;

(g) The terms "resident of one of the territories" and "resident of the other territory" means a person who is a resident of the United Kingdom or a person who is a resident of Sweden as the context requires;

(h) The terms "United Kingdom enterprise" and "Swedish enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom and an industrial or commercial enterprise or undertaking carried on by a resident of Sweden, and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Swedish enterprise, as the context requires;

(i) The term "industrial or commercial profits" includes rents or royalties in respect of cinematograph films;

(j) The term "permanent establishment," when used with respect to an enterprise of one of the territories, means a branch, management, factory, or other fixed place of business,

a mine, quarry or any other place of natural resources subject to exploitation. It also includes a place where building construction is carried on by contract for a period of at least one year, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of the enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. In this connexion —

(i) An enterprise of one of the territories shall not be deemed to have a permanent establishment in the other territory merely because it carries on business dealings in that other territory through a *bona fide* broker or general commission agent acting in the ordinary course of his business as such;

(ii) The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise.

(iii) The fact that a company which is a resident of one of the territories has a subsidiary company which is a resident of the other territory of which carries on a trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

2. Where under this Convention any income is exempt from tax in one of the territories if (with or without other conditions) it is subject to tax in the other territory, and that income is subject to tax in that other territory by reference to the amount thereof which is remitted to or received in that other territory, the exemption to be allowed under this Convention in the first-mentioned territory shall apply only to the amount so remitted or received.

3. In the application of the provisions of the present Convention by one of the High Contracting Parties any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws in force in the territory of that Party relating to the taxes which are the subject of the present Convention.

#### ARTICLE III

1. The industrial or commercial profits of a United Kingdom enterprise shall not be subject to Swedish tax unless the enterprise carries on a trade or business in Sweden through a permanent establishment situated therein. If it carries on a trade or business as aforesaid, tax may be imposed on those profits by Sweden, but only on so much of them as is attributable to that permanent establishment.

2. The industrial or commercial profits of a Swedish enterprise shall not be subject to United Kingdom tax unless the enterprise carries on a trade or business in the United Kingdom through a permanent establishment situated therein. If it carries on a trade or business as aforesaid, tax may be imposed on those profits by the United Kingdom, but only on so much of them as is attributable to that permanent establishment.

3. Where an enterprise of one of the territories carries on a trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to that permanent establishment the industrial or commercial profits which it might be expected to derive in that other territory if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

4. Where an enterprise of one of the territories derives profits, under contracts concluded in that territory, from sales of goods or merchandise stocked in a warehouse in the other territory for convenience of delivery and not for purposes of display, those profits shall not be attributed to a permanent establishment of the enterprise in that other territory.

5. No portion of any profits arising to an enterprise of one of the territories shall be attributed to a permanent establishment situated in the other territory by reason of the mere purchase of goods or merchandise within that other territory by the enterprise.

#### ARTICLE IV

Where —

(a) an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory; or

(b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory;

and in either case, conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises, then any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued may be included in the profits of that enterprise and taxed accordingly.

#### ARTICLE V

1. The industrial and commercial profits of a Swedish enterprise shall, so long as undistributed profits of United Kingdom enterprises are effectively charged to United Kingdom profits tax at a lower rate than distributed profits of such enterprises, be charged to United Kingdom profits tax only at that lower rate.

2. Where a company which is a resident of Sweden controls, directly or indirectly, not less than 50 per cent. of the entire voting power of a company which is a resident of the United Kingdom,

distributions by the latter company to the former company shall be left out of account in computing United Kingdom profits tax effectively chargeable on the latter company at the rate appropriate to distributed profits.

#### ARTICLE VI

Notwithstanding the provisions of Articles III, IV and V, profits which a resident of one of the territories derives from operating ships or aircraft shall be exempt from tax in the other territory.

#### ARTICLE VII

1. (a) Dividends paid by a company which is a resident of the United Kingdom to a resident of Sweden, who is subject to tax in Sweden in respect thereof and does not carry on a trade or business in the United Kingdom through a permanent establishment situated therein, shall be exempt from United Kingdom sur-tax.

(b) The Swedish coupon tax on dividends paid by a company which is a resident of Sweden to a resident of the United Kingdom, who is subject to tax in the United Kingdom in respect thereof and does not carry on a trade or business in Sweden through a permanent establishment situated therein, shall not exceed 5 per cent :

Provided that where the resident of the United Kingdom is a company which controls, directly or indirectly, not less than 50 per cent. of the entire voting power of the company paying the dividends, the dividends shall be exempt from coupon tax.

2. Where a company which is a resident of one of the territories derives profits or income from sources within the other territory, there shall not be imposed in that other territory any form of taxation on dividends paid by the company to persons not resident in that other territory, or any tax in the nature of undistributed profits tax on undistributed profits of the company, whether or not those dividends or undistributed profits represent, in whole or in part, profits or income so derived.

#### ARTICLE VIII

1. Any interest derived from sources within one of the territories by a resident of the other territory who is subject to tax in that other territory in respect thereof and does not carry on a trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from tax in that first-mentioned territory.

2. In this Article, the term "interest" includes interest on bonds, securities, notes, debentures or any other form of indebtedness.

3. Where any interest exceeds a fair and reasonable consideration in respect of the indebtedness for which it is paid, the exemption provided by the present Article shall apply only to so much of the interest as represents such fair and reasonable consideration.

#### ARTICLE IX

1. Any royalty derived from sources within one of the territories by a resident of the other territory, who is subject to tax in that other territory in respect thereof and does not carry on a trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from tax in that first-mentioned territory.

2. In this Article, the term "royalty" means any royalty or other amount paid as consideration for the use of, or for the privilege of using, any copyright, patent, design, secret process or formula, trademark, or other like property, but does not include any royalty or other amount paid in respect of the operation of a mine or quarry or of any other extraction of natural resources.

3. Where any royalty exceeds a fair and reasonable consideration in respect of the rights for which it is paid, the exemption provided by the present Article shall apply only to so much of the royalty as represents such fair and reasonable consideration.

4. Any capital sum derived from sources within one of the territories from the sale of patent rights by a resident of the other territory who does not carry on a trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from tax in that first-mentioned territory.

#### ARTICLE X

1. Income of whatever nature derived from real property within the territory of the United Kingdom (other than income from mortgages or bonds secured by real property) by a resident of Sweden who is subject to tax in the United Kingdom in respect thereof shall be exempt from tax in Sweden.

2. Any royalty or other amount paid in respect of the operation of a mine or quarry or of any other extraction of natural resources within the territory of the United Kingdom to a resident of Sweden who is subject to tax in the United Kingdom in respect thereof, shall be exempt from tax in Sweden.

3. Swedish tax payable in respect of income of the kind referred to in the preceding paragraphs, derived from sources within Sweden by a resident of the United Kingdom who is liable to tax in the United Kingdom in respect thereof, shall in accordance with Article XIX be allowed as a credit against the United Kingdom tax payable in respect of that income.

#### ARTICLE XI

1. Where under the provisions of this Convention a resident of the United Kingdom is exempt or entitled to relief from Swedish tax, similar exemption or relief shall be applied to the undivided estates of deceased persons in so far as one or more of the beneficiaries is a resident of the United Kingdom.

2. Swedish tax on the undivided estate of a deceased person shall, in so far as the income accrues to a beneficiary who is resident in the United Kingdom, be allowed as a credit under Article XIX.

#### ARTICLE XII

A resident of one of the territories who does not carry on a trade or business in the other territory through a permanent establishment situated therein shall be exempt in that other territory from any tax on gains from the sale, transfer, or exchange of capital assets.

#### ARTICLE XIII

1. Remuneration or pensions paid by, or out of funds created by, one of the High Contracting Parties to any individual in respect of services rendered to that Party in the discharge of governmental functions shall be exempt from tax in the territory of the other High Contracting Party, unless the individual is a national of that other Party without being also a national of the first-mentioned Party.

2. The provisions of this Article shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the High Contracting Parties for purposes of profit.

#### ARTICLE XIV

1. An individual who is a resident of the United Kingdom shall be exempt from Swedish tax on profits or remuneration in respect of personal (including professional) services performed within Sweden in any year of assessment if -

- (a) he is present within Sweden for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) the services are performed for or on behalf of a resident of the United Kingdom, and
- (c) the profits or remuneration are subject to United Kingdom tax.

2. An individual who is a resident of Sweden shall be exempt from United Kingdom tax on profits or remuneration in respect of personal (including professional) services performed within the United Kingdom in any year of assessment, if -

- (a) he is present within the United Kingdom for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) the services are performed for or on behalf of a resident of Sweden, and
- (c) the profits or remuneration are subject to Swedish tax.

3. The provisions of this Article shall not apply to the profits or remuneration of public entertainers such as theatre, motion picture or radio artists, musicians and athletes.

#### ARTICLE XV

1. Any pension (other than a pension of the kind referred to in paragraph 1 of Article XIII) and any annuity, derived from sources within Sweden by an individual who is a resident of the United Kingdom and subject to United Kingdom tax in respect thereof, shall be exempt from Swedish tax.

2. Any pension (other than a pension of the kind referred to in paragraph 1 of Article XIII) and any annuity, derived from sources within the United Kingdom by an individual who is a resident of Sweden and subject to Swedish tax in respect thereof, shall be exempt from United Kingdom tax.

3. The term "annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

#### ARTICLE XVI

A professor or teacher from one of the territories, who receives remuneration for teaching, during a period of temporary residence not exceeding two years, at a university, college or other establishment for further education in the other territory, shall be exempt from tax in that other territory in respect of that remuneration.

#### ARTICLE XVII

A student or business apprentice from one of the territories, who is receiving full-time education or training in the other territory, shall be exempt from tax in that other territory on payments made to him by persons in the first-mentioned territory for the purposes of his maintenance, education or training.

#### ARTICLE XVIII

1. Individuals who are residents of Sweden shall be entitled to the same personal allowances, reliefs and reductions for the purposes of United Kingdom tax as British subjects not resident in the United Kingdom.

2. Individuals who are residents of the United Kingdom shall be entitled to the same personal allowances, reliefs and reductions for the purposes of Swedish tax as those to which Swedish nationals not resident in Sweden may be entitled.

#### ARTICLE XIX

1. Subject to the provisions of the law of the United Kingdom regarding the allowance as a credit against United Kingdom tax of tax payable in a territory outside the United Kingdom, Swedish tax

as respects income tax for any year of assessment beginning on or after 6th April in the calendar year next following that in which the notice is given;

as respects sur-tax for any year of assessment beginning on or after 6th April in the calendar year in which the notice is given; and

as respects profits tax in respect of the following profits :-

- (i) profits arising in any chargeable accounting period beginning on or after 1st April in the calendar year next following that in which the notice is given;
- (ii) profits attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;
- (iii) profits not so arising or attributable by reference to which income tax is chargeable for any year of assessment beginning on or after 6th April in the next following calendar year.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at London, in duplicate, in the English and Swedish languages, both texts being equally authentic, on the thirtieth day of March, one thousand nine hundred and forty-nine.

(L.S.) William Strang.  
(L.S.) Gunnar Hägglöf.

## SECOND SCHEDULE

### APPLICATION

1. (a) The provisions of the Convention incorporated in the First Schedule to this Order shall apply as modified below -

- (i) as if the contracting parties were the Colony and the Government of Sweden; and as if the tax concerned in the case of the Colony was income tax;
- (ii) as if references to the date of signature were references to the 18th day of December, 1953;
- (b) The extension shall have effect in the Colony as respects tax for the year of assessment beginning in the calendar year next following the date of this Order and for subsequent years of assessment, and will have effect in Sweden -

as respects Swedish tax on income for which preliminary tax is payable after the last day of February in the calendar year next following the date of this Order;

as respects Swedish coupon tax payable on or after 1st January in the calendar year next following the date of this Order;

as respects Swedish capital tax assessed in or after the second calendar year next following that date.

- (c) The extension shall continue in effect indefinitely but may be terminated as respects the Colony by written notice of termination given on or before the 30th June in any calendar year by either of the High Contracting Parties to the Convention to the other High Contracting Party through the diplomatic channel and in such event the extension shall cease to have effect in the Colony as respects tax for the year of assessment beginning in the calendar year next following the date of such notice and for subsequent years of assessment and will cease to have effect in Sweden as respects Swedish tax on income for which preliminary tax is payable after the last day of February in the calendar year next following that in which the notice is given, as respects Swedish coupon tax payable on or after 1st January in the calendar year next following that in which the notice is given, and as respects Swedish capital tax assessed in or after the second calendar year next following that in which the notice is given.

### MODIFICATIONS

2. (a) In article VII (1) of the Convention the words "exempt from United Kingdom Surtax" shall be understood for the purposes of this extension as though they read "shall not be liable to tax in the territory at a rate in excess of the rate applicable to a company".
- (b) Article VIII shall be deemed to be deleted.

## FALKLAND ISLANDS.

No. 1.

## Proclamation

1954.

IN THE NAME of Her Majesty ELIZABETH II, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

COLIN CAMPBELL — *By The Honourable COLIN CAMPBELL, ESQUIRE,  
Officer Administering the Government of the Colony  
of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS His Excellency SIR MILES CLIFFORD, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, upon whom has been conferred the Efficiency Decoration, has this day left the Colony on leave of absence.

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor;

NOW, THEREFORE, I, COLIN CAMPBELL, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

GOD SAVE THE QUEEN.

Given at Government House, Stanley, this 9th day of March, in the Year of Our Lord, One thousand Nine hundred and Fifty-four.

*By Command of the  
Officer Administering the Government.  
J. E. BRISCOE,  
Acting Colonial Secretary.*

Ref. P/559.

## FALKLAND ISLANDS.

No. 2.

### Proclamation

1954

Assumption of the Administration of the Colony by His Excellency

OSWALD RAYNOR ARTHUR, Esquire, C.M.G., C.V.O.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

O. R. ARTHUR — *By His Excellency* OSWALD RAYNOR ARTHUR,  
Esquire, *Companion of the Most Distinguished Order*  
[L.S.] *of Saint Michael and Saint George, Commander of the*  
*Royal Victorian Order, Governor and Commander-in-*  
*Chief in and over the Colony of the Falkland Islands*  
*and its Dependencies.*

His Excellency OSWALD RAYNOR ARTHUR, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies hereby gives notice that he has in pursuance of Her Most Gracious Majesty's Commission this day taken the Oaths prescribed by law as Governor of the Colony of the Falkland Islands and its Dependencies and assumed the Administration of the Government.

**GOD SAVE THE QUEEN.**

Given at Government House, Stanley, this first day of April, in the Year of Our Lord One Thousand Nine Hundred and Fifty-four.

*By His Excellency's Command,*  
C. CAMPBELL,  
*Colonial Secretary.*

Ref. 1562.

# FALKLAND ISLANDS.

No. 3

## Proclamation

1954

Made under section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, (Cap. 42).

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

O. R. ARTHUR — *By His Excellency* OSWALD RAYNOR ARTHUR,  
ESQUIRE, *Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, it is provided that where the Governor is satisfied that reciprocal provisions have been made by the Legislature of any British possession or any territory under Her Majesty's protection for the enforcement within such possession or territory of maintenance orders made by courts in the Falkland Islands, the Governor may by Proclamation extend the Ordinance to such possession or territory, and the Ordinance shall thereupon apply in respect of such possession or territory as though the references to England or Northern Ireland were references to such possession or territory;

AND WHEREAS the Governor is satisfied that the Legislature of New Zealand has made reciprocal provisions for the enforcement within New Zealand of maintenance orders made by courts in the Falkland Islands;

NOW THEREFORE, I, OSWALD RAYNOR ARTHUR, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do hereby order that the Maintenance Orders (Facilities for Enforcement) Ordinance, shall extend to maintenance orders made by courts in New Zealand in like manner as it applies to maintenance orders made in England or Northern Ireland.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 7th day of April, in the Year of Our Lord One thousand Nine hundred and Fifty-four.

*By His Excellency's Command,*

C. CAMPBELL,

*Colonial Secretary.*

# FALKLAND ISLANDS.

No. 4.

## Proclamation

1954.

IN THE NAME of Her Majesty ELIZABETH II, by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

C. CAMPBELL — *By His Excellency* OSWALD RAYNOR ARTHUR.  
*Governor's Deputy.*  
[L.S.] *Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

WHEREAS by section 44 of the Live Stock Ordinance, 1901, it is provided that the Governor in Council may from time to time by proclamation, prohibit the importation of sheep, cattle or other animals from any places that may be named in such proclamation, for such period as he may deem necessary for the purpose of preventing the introduction of any infectious disease.

AND WHEREAS information has been received that Newcastle Disease (*Pneumoencephalitis*) among poultry is now present in Chile.

NOW THEREFORE, by virtue of these powers vested in the Governor in Council be it ordered and proclaimed as follows, to wit:

The importation into the Falkland Islands from Chile of poultry and eggs is prohibited until further notice.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 29th day of April, in the Year of Our Lord, One thousand Nine hundred and Fifty-four.

*By His Excellency's Command,*

J. BOUND,

*for Colonial Secretary.*

# FALKLAND ISLANDS.

No. 5

## Proclamation

1954

Made under section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, (Cap. 42).

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

O. R. ARTHUR — *By His Excellency OSWALD RAYNOR ARTHUR, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, it is provided that where the Governor is satisfied that reciprocal provisions have been made by the Legislature of any British possession or any territory under Her Majesty's protection for the enforcement within such possession or territory of maintenance orders made by courts in the Falkland Islands, the Governor may by Proclamation extend the Ordinance to such possession or territory, and the Ordinance shall thereupon apply in respect of such possession or territory as though the references to England or Northern Ireland were references to such possession or territory;

AND WHEREAS the Governor is satisfied that the Legislature of the States of Jersey has made reciprocal provisions for the enforcement within the States of Jersey of maintenance orders made by courts in the Falkland Islands:

NOW THEREFORE, I, OSWALD RAYNOR ARTHUR, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do hereby order that the Maintenance Orders (Facilities for Enforcement) Ordinance, shall extend to maintenance orders made by courts in the States of Jersey in like manner as it applies to maintenance orders made in England or Northern Ireland.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 16th day of December, in the Year of Our Lord One thousand Nine hundred and Fifty-four.

*By His Excellency's Command,*

C. CAMPBELL,

*Colonial Secretary.*

## FALKLAND ISLANDS.

Regulations made by the Governor in Council (with the approval of the Legislative Council) under the power conferred by Section 3 of the Pensions Ordinance.

MILES CLIFFORD,

*Governor.*

No. 1 of 1954.

1. These Regulations may be cited as the Pensions Regulations, 1954, and shall be read as one with the Pensions Regulations, hereinafter referred to as "the principal Regulations". Short title.

2. Notwithstanding anything contained in Regulation 4 of the principal Regulations the pensions of officers who have been granted pensions under the Ordinance shall be increased as follows:— Increase of rates of pension.

- (a) in respect of the period from the 31st of December, 1943, to the 30th of November, 1946, by the amount by which corresponding pensions may be increased under the provisions of the United Kingdom Pensions (Increase) Act, 1944, subject to the limitations and conditions therein contained, other than the condition contained in sub-section (2) (a) of section 1 thereof;
- (b) in respect of the period from the 1st of December, 1946, to the 31st of March, 1953, by the amount by which corresponding pensions may be increased under the provisions of the United Kingdom Pensions (Increase) Act, 1947, subject to the limitations and conditions therein contained; and
- (c) in respect of the period which commenced on the 1st of April, 1953, by the amount by which corresponding pensions may be increased under the provisions of the United Kingdom Pensions (Increase) Act, 1952, subject to the limitations and conditions therein contained.

Made by the Governor in Executive Council on the 23rd of February, 1954.

J. BOUND,

*Clerk of the Executive Council.*

Approved at a Meeting of the Legislative Council held on the 8th of January, 1954.

J. BOUND,

*Clerk of the Legislative Council.*

Ref. 66/42.

## FALKLAND ISLANDS.

### The Pensions Ordinance (Cap. 49).

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#### Regulations made under section 3 of the Ordinance.

No. 2 of 1954.

O. R. ARTHUR,  
*Governor.*

In exercise of the powers conferred upon the Governor in Council by section 3 of the Pensions Ordinance, and with the sanction of the Secretary of State, the following Regulations are hereby made :—

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1954, and shall be read as one with the Pensions Regulations, hereinafter referred to as the principal Regulations.

Short title.

2. Sub-regulation (1) of regulation 22 of the principal Regulations is hereby amended by the deletion of the word "ten" and the substitution therefor of the words "twelve and one-half".

Amendment of regulation 22 (1) of the principal Regulations.

Made by the Governor in Council on the 26th day of May, 1954.

W. HIRTLE,  
*Acting Clerk of the Executive Council.*

Ref. 0829.

FALKLAND ISLANDS.

Whale Fishery Ordinance (Cap. 76).

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Regulations made by the Governor in Council.

O. R. ARTHUR.  
*Governor*

No. 3 of 1954.

His Excellency the Governor in exercise of the powers vested in him by section 11 of the Whale Fishery Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

- |  |   |
|--|---|
| 1. These Regulations may be cited as the Whaling (Amendment) Regulations, 1954, and shall be read as one with the Whaling Regulations, hereinafter referred to as the principal Regulations.                                     | Title.<br>Vol. II Revised Edition.<br>p. 323.           |
| 2. Regulation 3 of the principal Regulations is hereby amended by the deletion of the figures and words "16th October to the 16th April" and the substitution therefor of the figures and words "1st October to the 31st March". | Amendment of regulation 3 of the principal Regulations. |

Made by the Governor in Council on the 19th day of July, 1954.

W. HIRTLE,  
*Acting Clerk of the Executive Council.*

Ref. D/16/46.

FALKLAND ISLANDS.

Customs Ordinance (Cap. 16).

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Regulations made by the Governor in Council.

O. R. ARTHUR,  
*Governor.*

No 4 of 1954.

His Excellency the Governor in exercise of the powers vested in him by section 230 of the Customs Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

1. These Regulations may be cited as the Export (Amendment) Regulations, 1954, and shall be read as one with the Export Regulations, hereinafter referred to as the principal Regulations.

Title.  
Vol. II Revised Edition  
p. 147.

2. For Form E in the Schedule to the principal Regulations there shall be substituted the Form E set out in the Schedule to these Regulations.

Amendment of Schedule  
to the principal Regulations

Made by the Governor in Council on the 19th day of July, 1954.

W. HIRTLE,  
*Acting Clerk of the Executive Council.*

Ref. 0542/A.

11. On being discharged, a member shall deliver up in good order, fair wear and tear excepted, all arms and ammunition issued to him, and also, save in the case provided for by Section 15 (4) of the Ordinance, his uniform and appointments. A member who without

Arms, appointments, etc. to be delivered upon discharge.

sufficient reason fails to comply with this regulation shall, in addition to any penalty, be liable to pay for the property which he has failed to deliver up.

Discharge certificate.

12. On discharge, a member shall be furnished with a Discharge Certificate by the Commandant, in the form set out in the Schedule hereto.

Annual training.

13. Every officer and member shall undergo compulsory training each year as follows —

(a) annual weapon training course;

(b) 12 instructional parades (20 in the case of first year recruits) each of two hours duration and such ceremonial parades as may be ordered by the Commandant:

Provided that the Commandant may in his discretion exempt any officer or member from carrying out the whole or any portion of the annual training.

Qualifications for efficiency.

14. (1) To become efficient a member of the Force must comply with the following conditions —

(a) attend 12 instructional parades (20 in the case of first year recruits) each of two hours duration;

(b) fire a course of musketry of at least 45 rounds:

Provided that a member shall be deemed to be efficient if he is granted a certificate of efficiency by the Commandant.

Fine for inefficiency.

(2) Any member who fails to become efficient through his own neglect or omission may be ordered by the Commandant to pay a fine not exceeding £3.

Courts of Inquiry.

15. The composition and proceedings of Courts of Enquiry shall be governed, *mutatis mutandis*, by the Queen's Regulations, and the Rules of Procedure made in pursuance of the Army Act, so far as they can be made applicable to the establishment and constitution of the Force, and are not inconsistent with the provisions of the Ordinance which relate to Courts of Inquiry, Offences and Punishments.

Capitation Grant.

16. Money due from the Government on account of the Capitation Grant shall be drawn by the Commandant, and may be expended only for the purposes and benefit of the Force.

Penalties.

17. Any member who fails to comply with or contravenes any provision of regulation 6 or regulation 11 of these Regulations shall be guilty of an offence and may be ordered by the Commandant to pay a fine not exceeding £3.

Revocations.  
Cap. 19.

18. All Regulations made under the Volunteer Ordinance, 1893, and the Defence Force Ordinance, and at present in force under Section 47 of the Defence Force Ordinance, 1954, are hereby revoked.

Made by the Governor in Executive Council at a meeting held on the 25th day of October, 1954.

W. HIRTLE,  
Acting Clerk of the Executive Council.

Ref. 0838/D/II.

## SCHEDULE.

### The Falkland Islands Defence Force Discharge Certificate.

Reg. 12

No :                      Rank :                      Name :  
Cause of discharge :  
Character :  
Qualifications as a soldier and war service :  
Medals :  
Service :                      years                      days.  
Date :

.....  
Commandant,  
Falkland Islands Defence Force.

## FALKLAND ISLANDS.

### The Efficiency Medal.

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Regulations made by the Governor under Royal Warrant dated the 1st September, 1953.

O. R. ARTHUR,  
*Governor.*

In pursuance of the Royal Warrant dated the 1st September, 1953, and with the gracious approval of Her Majesty the Queen signified through the Right Honourable the Secretary of State for the Colonies, His Excellency the Governor is pleased to amend the Efficiency Medal Regulations as follows :—

1. These Regulations may be cited as the Efficiency Medal Regulations, 1954, and shall be read as one with the Efficiency Medal Regulations, hereinafter referred to as the principal Regulations.
2. Regulation 4 (1) of the principal Regulations is amended by deleting the figures "1920" and substituting therefor the figures "1954".
3. Regulation 4 (2) of the principal Regulations is amended as follows :—
  - (a) by the repeal of paragraph (h) ;
  - (b) by re-lettering paragraphs (i) and (j) as (h) and (i) respectively.

Stanley,

6th May, 1954.

Ref. 181/31.

## FALKLAND ISLANDS.

### RESOLUTION

#### To amend the Customs Order.

**Whereas** it is provided in Section 5 of the Customs Ordinance that it shall be lawful for the Legislative Council from time to time by resolution to impose import or export duties of customs upon any goods whatsoever which may be imported into or exported from the Colony, and to revoke, reduce, increase or alter any such duties, and to provide for the importation or exportation of any goods without payment of customs duty thereon :

**And Whereas** import and export duties of Customs have been imposed by the Customs Order as amended :

**And Whereas** it is expedient that certain export duties of customs upon wool should be altered as hereinafter provided :

**It was Resolved** by the Legislature of the Falkland Islands that Section 3 of the Customs Order be further amended as follows :—

(a) by deleting the following words and figures :

“When the average gross selling price per lb. of the whole Falkland Islands clip does not exceed 10d., 25d. per lb.”

and substituting therefor the following words and figure :

“When the average gross selling price per lb. of the whole Falkland Islands clip does not exceed 15d., nil”.

(b) by deleting the following words and figures :

“When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 10d. but does not exceed 20d., 5d. per lb.”

and substituting therefor the following words and figures :

“When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 15d. but does not exceed 20d., 5d. per lb.”.

Made at a meeting of the Legislative Council on the 8th day of January, 1954.

J. BOUND,  
*Clerk of the Legislative Council.*

FALKLAND ISLANDS.

The Savings Bank Ordinance (Cap. 61).

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Rules.

(under Section 14 of the Ordinance).

O. R. ARTHUR,

*Governor.*

No. 1 of 1954.

His Excellency the Governor in exercise of the powers vested in him by section 14 of the Savings Bank Ordinance, is pleased by and with the advice of the Executive Council to make the following Rules :—

1. (1) These Rules may be cited as the Savings Bank (Amendment) Rules, 1954, and shall be read as one with the Savings Bank Rules hereinafter referred to as the principal Rules.

Short title.

Revised Edition Vol. II. p. 281.

(2) These Rules shall come into operation on the first day of January, 1955.

Commencement.

2. Rule 8 of the principal Rules is hereby amended by the deletion of the figure "£5,000" and the substitution therefor of the figure "£10,000".

Amendment of Rule 8 of the principal Rules.

Made by the Governor in Executive Council at a meeting held on the 13th day of December, 1954.

J. BOUND,

*Clerk of the Executive Council.*

Ref. 241/35.

## FALKLAND ISLANDS.

### Rules for the grant of Travelling and Subsistence Allowances to Officers attending conferences while on leave in the United Kingdom.

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His Excellency the Governor has been pleased to make the following Rules for the grant of Travelling and Subsistence Allowances to officers in the public service attending conferences or engaged in other official business in the United Kingdom while on leave :—

1. Officers attending Conferences or engaged in other official business in the United Kingdom while on leave will be granted allowances, at the following rates, for each night or day necessarily spent away from their usual places of residence :

(a) £1. 17s. 6d. for each night spent away from his usual place of residence.

In addition railway fares will be refunded on the following scale :

(i) First class in the case of members of Executive Council.

(ii) Third class in the case of other officers.

(b) 10s. 0d. a day, plus necessary travelling expenses, when the officer resides within easy reach of the centre where the Conference is held and spends eight hours or more away from his usual place of residence.

2. The Rules for the Grant of Travelling and Subsistence Allowances to Officers attending Conferences while on leave in the United Kingdom, made on the 28th January, 1953, are hereby repealed.

Colonial Secretary's Office,  
Stanley, Falkland Islands.  
1st July, 1954.

Ref. 0751/B.

**ORDINANCES**  
**of the**  
**COLONY**  
**of the**  
**FALKLAND ISLANDS**  
**enacted during the year**  
**1955**  
**together with the**  
**Rules, Regulations, etc., etc.,**  
**made during that year.**

PART I

ORDINANCES.

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Assented to in Her Majesty's name this 24th day of February, 1955.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]

No. 1



1955.

Colony of the Falkland Islands.

IN THE FOURTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

## An Ordinance

To amend the Interpretation and General Law Ordinance.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :—

1. This Ordinance may be cited as the Interpretation and General Law (Amendment) Ordinance, 1955, and shall be read and construed as one with the Interpretation and General Law Ordinance hereinafter referred to as the principal Ordinance.

2. Subsection (1) of Section 11 of the principal Ordinance shall be amended by being re-numbered as subsection (1) (a) and by the addition of the following paragraphs as paragraphs (b) and (c) :—

“Concurrent appointments.

(b) When any person, who has been substantively appointed under the power in that behalf contained in any Ordinance to carry out the duties imposed by such Ordinance, is on leave of absence pending relinquishment of his office, it shall be lawful for another person to be appointed substantively to the same office.

(c) When more than one person is holding the same office by reason of an appointment made pursuant to any Letters Patent or Order in Council, or to paragraph (b) of this subsection, then for the purpose of any function conferred or duty imposed upon the holder of that office the person last appointed to the office shall be

deemed to be the holder of that office, and, where the office is a pensionable office, the service of such person in that office shall be qualifying service as from the date upon which he was so appointed."

Repeal of Ordinance  
No. 1 of 1954.

3. The Interpretation and General Law (Amendment) Ordinance, 1954, is hereby repealed.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 24th day of February, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 2



1955.

Colony of the Falkland Islands.

IN THE FOURTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

An Ordinance  
To amend the Application of Enactments Title.  
Ordinance, 1954.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Application of Enactments (Amendment) Ordinance, 1955, and shall be read as one with the Application of Enactments Ordinance, 1954, hereinafter referred to as the principal Ordinance. Short title.

2. The Schedule to the principal Ordinance is hereby amended by the addition thereto of the enactment specified in the Schedule to this Ordinance. Amendment of Schedule to principal Ordinance.

SCHEDULE.

<i>Enactment.</i>	<i>Extent of Application.</i>
64. Merchandise Marks Act, 1953. 1 & 2 Eliz. 2, c. 48.	Section 1 (1) - (5), 4 and 5. In Section 1 (5) the word "Colony" shall be substituted for the words "United Kingdom and Isle of Man".

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 24th day of February, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 3



1955.

**Colony of the Falkland Islands.**

IN THE FOURTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

To legalise certain payments made in the year 1953-54 in excess of the Expenditure sanctioned by Ordinance No. 9 of 1953. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1953-54. Preamble.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1953-54) Ordinance, 1955. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the year 1953-54, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the year 1953/54.

SCHEDULE.

Number.	Head of Service.				Amount.		
					£	s.	d.
	FALKLAND ISLANDS.						
I.	Governor	...	...	...	166	9	5
VII.	Medical	...	...	...	1044	19	11
X.	Miscellaneous	...	...	...	7198	0	6
XI.	Pensions	...	...	...	1137	2	1
XV.	Public Works Recurrent	...	...	...	2147	7	1
XVI.	Secretariat & Treasury	...	...	...	353	6	2
	Total Expenditure	£			12047	5	2

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 24th day of February, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 4



1955.

Colony of the Falkland Islands.

IN THE FOURTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

An Ordinance

To provide for the service of the period 1955-56. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :— Enacting clause.

1. This Ordinance may be cited for all purposes as the Appropriation (1955-56) Ordinance, 1955. Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period of 15 months ending 30th June, 1956, a sum not exceeding Four hundred and two thousand nine hundred and forty pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period 1955-56. Appropriation of £402,940 for service of the period 1955/56.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	5808	0	0
II.	Agriculture ... ..	5018	0	0
III.	Audit ... ..	1345	0	0
IV.	Customs ... ..	2165	0	0
V.	Education ... ..	15681	0	0
VI.	Harbour & Aviation ... ..	23508	0	0
VII.	Medical ... ..	28108	0	0
VIII.	Meteorological ... ..	1710	0	0
IX.	Military ... ..	1261	0	0
X.	Miscellaneous ... ..	23557	0	0
XI.	Pensions ... ..	7500	0	0
XII.	Police and Prisons ... ..	4365	0	0
XIII.	Posts & Telegraphs ... ..	28978	0	0
XIV.	Public Works Department ... ..	29645	0	0
XV.	Public Works Recurrent ... ..	36821	0	0
XVI.	Secretariat & Treasury ... ..	15865	0	0
XVII.	Supreme Court ... ..	1317	0	0
XVIII.	Extraordinary Expenditure ... ..	126650	0	0
	Total	£359302	0	0
XIX.	Colonial Development & Welfare ... ..	43638	0	0
	Total Expenditure	£402940	0	0

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND.  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 22nd day of December, 1955.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]



No. 5

1955.

Colony of the Falkland Islands.

IN THE FOURTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

An Ordinance

To impose penalties upon persons causing  
grass fires by negligence.

[22nd December, 1955] Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :— Enacting clause.

1. This Ordinance shall be cited as the Grass Fires Ordinance, 1955. Short title.

2. In this Ordinance, unless the context otherwise requires — Interpretation.  
“Owner” or “Occupier” in relation to any land includes any person who is for the time being managing a farm on such land;

“Vegetation” means growing or standing vegetation and includes brushwood, bushes, crops, grass, stubble, trees and undergrowth.

3. (1) If any person wilfully and without lawful authority or negligently shall set on fire any vegetation on land of which he is not the owner or occupier he shall be guilty of an offence. Negligent burning of vegetation offences.

(2) If any person shall wilfully or negligently kindle any fire which by spreading damages or destroys the property or the vegetation upon the land of any other person he shall be guilty of an offence.

Notice to be given before  
burning grass.

4. (1) Every person before proceeding to burn vegetation on his own land or upon land on which he is authorised or permitted to burn vegetation shall give at least two days' notice of his intention to do so to all owners or occupiers of adjoining land which is within half a mile of the land on which the burning is to take place.

(2) If a fire lawfully kindled after notice given according to the preceding sub-section spreads to adjoining land, the fact that such notice was given shall be a sufficient defence to any charge under the provisions of section 3 of this Ordinance brought against the person who kindled or was responsible for kindling such fire, unless it is proved that by the negligence of himself, his servants or agents he permitted such fire to spread to such adjoining land, but shall not affect the right of any person aggrieved to obtain damages for any loss sustained by him as the result of such fire.

(3) Such notice shall be delivered by hand and shall be deemed to commence from the time when it is received by the person to whom it is addressed or any servant or agent of his, and shall state as nearly as possible the time and place at which the burning will take place.

Penalties.

5. Every person who commits an offence against this Ordinance shall be liable, on summary conviction, to a fine not exceeding £50 or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1674.

Assented to in Her Majesty's name this 22nd day of December, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 6

1955.

Colony of the Falkland Islands.

IN THE FOURTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

### An Ordinance

Further to amend the Savings Bank Title.  
Ordinance.

[22nd December, 1955]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Savings Bank (Amendment) Ordinance, 1955, and shall be read as one with the Savings Bank Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 61.

2. Section 12 of the principal Ordinance is amended by deleting the words "March ensuing" and substituting therefor the words "December ensuing".

Amendment of section 12 of the principal Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 241/35.

Assented to in Her Majesty's name this 22nd day of  
December, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 7



1955.

**Colony of the Falkland Islands.**

IN THE FOURTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**  
**Further to amend the Pensions Ordinance.** Title.

[22nd December, 1955.] Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland  
Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Pensions (Amend-  
ment) Ordinance, 1955, and shall be read as one with the Pensions  
Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 49.

2. Subsection (1) of section 3 of the principal Ordinance is  
amended by the addition thereto of the following paragraph :— Amendment of  
section 3 of the  
principal Ordinance.

“Any pension or gratuity granted under this Ordinance  
shall be computed in accordance with the provisions in force at  
the actual date of an officer's retirement”.

3. Section 6 of the principal Ordinance is amended as  
follows :— Amendment of  
section 6 of the  
principal Ordinance.

(a) by deleting paragraph (vi) and substituting the following  
paragraph :—

“(vi) in the case of termination of employment in the  
public interest as provided by this Ordinance;”

(b) by deleting subsection (2).

Replacement of  
section 7 of the  
principal Ordinance.

4. Section 7 of the principal Ordinance is repealed and replaced as follows :—

“Retirement  
in the public  
interest.

7. Where an officer's service is terminated on the ground that, having regard to the conditions of the public service, the usefulness of the officer thereto and all the other circumstances of the case, such termination is desirable in the public interest, and a pension, gratuity or other allowance cannot otherwise be granted to him under the provisions of this Ordinance, the Governor in Council may, if he thinks fit, grant such pension, gratuity or other allowance as he thinks just and proper, not exceeding in amount that for which the officer would be eligible if he retired from the public service in the circumstances described in paragraph (v) of the preceding section”.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0829/II.

Assented to in Her Majesty's name this 22nd day of December, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 8



1955.

Colony of the Falkland Islands.

IN THE FOURTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

An Ordinance  
To amend the Diplomatic Privileges  
(Extension) Ordinance. Title.

[22nd December, 1955]

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Diplomatic Privileges (Extension) (Amendment) Ordinance, 1955, and shall be read as one with the Diplomatic Privileges (Extension) Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 20.

2. For subsection (2) of section 2 of the principal Ordinance there shall be substituted the following subsection :—

Amendment of section 2 of the principal Ordinance.

“(2) The Governor may by Order in Council :—

- (a) provide that any organisation to which this section applies (hereinafter referred to as “the organisation”) shall, to such extent as may be specified in the Order, have the immunities and privileges set out in Part I of the Schedule to this Ordinance, and shall also have the legal capacities of a body corporate ;
- (b) confer upon :—
  - (i) any persons who are representatives (whether of Governments or not) on any organ of the organisation or are members of any Committee of the organisation or of an organ thereof ;
  - (ii) such number of officers of the organisation as may be specified in the Order, being the holders of such high offices in the organisation as may be so specified ; and

(iii) such persons employed on missions on behalf of the organisation as may be so specified ;

to such extent as may be specified in the Order, the immunities and privileges set out in Part II of the Schedule to this Ordinance ;

- (c) confer upon such other classes of officers and servants of the organisation as may be specified in the Order, to such extent as may be so specified, the immunities and privileges set out in Part III of the Schedule to this Ordinance ;

and Part IV of the Schedule to this Ordinance shall have effect for the purpose of extending to the staffs of such representatives and members as are mentioned in sub-paragraph (i) of paragraph (b) of this subsection and to the families of officers of the organisation any immunities and privileges conferred on the representatives, members or officers under that paragraph, except in so far as the operation of the said Part IV is excluded by the Order conferring the immunities and privileges :

Provided that the Order shall be so framed as to secure that there are not conferred on any person any immunities or privileges greater in extent than those which, at the time of making of the Order, are required to be conferred on that person in order to give effect to any international agreement in that behalf."

3. The Schedule to the principal Ordinance shall be amended in the following respects :-

- (a) by the deletion of the heading of Part II and the substitution therefor of the following heading :-

"Immunities and privileges of Representatives, Members of Committees, High Officers and Persons on Missions."

- (b) by the deletion of the heading of Part IV and the substitution therefor of the following heading :-

"Immunities and Privileges of Official Staffs and of High Officers' Families."

- (c) by the deletion of paragraph 1 of Part IV and the substitution therefor of the following paragraph :-

"1. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as a representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof, his official staff accompanying him as such representative or member shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign Power accredited to Her Majesty is entitled to the immunities and privileges accorded to the envoy."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

J. BOUND,  
*Clerk of the Legislative Council.*

Ref. 85/46.

Assented to in Her Majesty's name this 1st day of February, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 1

1955.

## Falkland Islands Dependencies.

IN THE THIRD YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

### An Ordinance

To apply certain Laws of the Colony Title.  
to the Dependencies.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :— Enacting clause.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance, 1955. Short title.

2. The Ordinances of the Colony specified in the first and second column of the Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to be in force in the Dependencies with effect from the respective dates set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

### SCHEDULE.

8 of 1954	Customs (Amendment) Ordinance, 1954	1st April, 1954.
11 of 1954	Land (Amendment) Ordinance, 1954	1st November, 1954.
12 of 1954	Pensions (Amendment) Ordinance, 1954	1st November, 1954.
13 of 1954	Application of Enactments Ordinance, 1954	1st November, 1954.
14 of 1954	Income Tax (Amendment) Ordinance, 1954	1st January, 1955.
15 of 1954	Interpretation and General Law (Amend.) Ord., 1954	1st November, 1954.
17 of 1954	Administration of Justice (Amend.) Ord., 1954	1st November, 1954.
18 of 1954	Currency Notes (Amendment) Ordinance, 1954	1st April, 1955.

Promulgated by the Governor on the 1st day of February, 1955.

C. CAMPBELL,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 14th day of June, 1955.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 2



1955.

**Falkland Islands Dependencies.**

IN THE FOURTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

AUBREY GORDON DENTON-THOMPSON, M.C.,  
*Officer Administering the Government.*

**An Ordinance**

To alter the rate of export duty payable  
in respect of whale solubles exported from  
the Dependencies.

Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands by the Officer Administering the Government of the Colony of the Falkland Islands and the Dependencies thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Customs (Dependencies) Ordinance, 1955.

Short title.

2. The expression "whale solubles" means residual products derived from whales, the said products being soluble and insoluble proteins in an acid solution.

Definition.

3. Notwithstanding anything contained in the Customs Order the rate of duty to be levied upon all whale solubles exported from the Dependencies shall be twopence per one hundred lb. weight or part thereof.

Alteration of the export duty upon whale solubles.

Promulgated by the Officer Administering the Government on the 14th day of June, 1955.

S. G. TREES,  
*Acting Colonial Secretary.*

Assented to in Her Majesty's name this 12th day of June, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 3



1955.

**Falkland Islands Dependencies.**

IN THE FOURTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

To provide for the service between the first day of July, 1955, and the thirtieth day of June, 1956.

Title.

[1st July, 1955.]

Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows —

Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1955/1956) Ordinance, 1955.

Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1956, a sum not exceeding One million One hundred and Sixty-seven thousand, Seven hundred and Seventy-seven pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1955, to the thirtieth day of June, 1956.

Appropriation of  
£1,167,777 for service  
of the year ending 30th  
June, 1956.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	61,021
2.	F.I.D.S. Rear Base ... ..	13,793
3.	F.I.D.S. Headquarters (Administration)	15,397
4.	F.I.D.S. Headquarters (Meteorological Service) ...	13,716
5.	F.I.D.S. Bases ... ..	413,535
6.	F.I.D.S. Ships ... ..	641,943
7.	F.I.D.S. Scientific Bureau ... ..	8,372
Total Expenditure		£1,167,777

Promulgated by the Governor on the 12th day of June, 1955.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 4th day of  
October, 1955.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 4

1955.

Falkland Islands Dependencies.

IN THE FOURTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
AUBREY GORDON DENTON-THOMPSON, M.C.,  
*Officer Administering the Government.*

An Ordinance

To provide for the service between the  
first day of July, 1955, and the thirtieth day  
of June, 1956.

[1st July, 1955.]

ENACTED by the Governor of the Colony of the Falkland  
Islands, and the Dependencies thereof, as follows —

1. This Ordinance may be cited for all purposes as the  
Appropriation (Dependencies) (1955/1956) (Amendment) Ordinance,  
1955.

2. The Governor may cause to be issued out of the Public  
Revenue and other funds of the Dependencies and applied to the  
service of the period ending the 30th of June, 1956, a sum not  
exceeding One million Two hundred and Seventy-seven thousand,  
Five hundred and Seventy-two pounds, which sum is granted and  
shall be appropriated for the purposes and to defray the charges  
of the several services expressed and particularly mentioned in the  
Schedule hereto which will come in course of payment during the  
period from the first day of July, 1955, to the thirtieth day of  
June, 1956.

3. The Appropriation (Dependencies) (1955/1956) Ordin-  
ance, 1955, is hereby repealed.

Title.  
  
Date of commencement.  
  
Enacting Clause.  
  
Short title.  
  
Appropriation of  
£1,277,572 for service  
of the year ending 30th  
June, 1956.  
  
Repeal of Ordinance  
No. 3 of 1955.

## SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	61,061
2.	F.I.D.S. Rear Base ... ..	13,893
3.	F.I.D.S. Headquarters (Administration)	21,406
4.	F.I.D.S. Headquarters (Meteorological Service) ...	14,136
5.	F.I.D.S. Bases ... ..	415,495
6.	F.I.D.S. Ships ... ..	743,134
7.	F.I.D.S. Scientific Bureau ... ..	8,447
Total Expenditure		£1,277,572

Promulgated by the Officer Administering the Government  
on the 4th day of October, 1955.

S. G. TREES,  
*Acting Colonial Secretary.*

Assented to in Her Majesty's name this 1st day of  
November, 1955.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 5



1955.

**Falkland Islands Dependencies.**

IN THE FOURTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

**To amend the Customs (Dependencies)** Title.  
**Ordinance, 1955.**

ENACTED for the Dependencies of the Colony of the Enacting clause.  
Falkland Islands by the Governor of the Colony of the Falkland  
Islands and the Dependencies thereof, as follows:—

1. This Ordinance may be cited as the Customs (Dependen- Short title.  
cies) (Amendment) Ordinance, 1955, and shall be read as one with  
the Customs (Dependencies) Ordinance, 1955, hereinafter referred to  
as the principal Ordinance.

2. Section 2 of the principal Ordinance is repealed and Replacement of  
replaced as follows:— section 2 of the principal  
Ordinance.

"2. The expression "whale solubles" means products  
obtained by concentration of the aqueous effluents from whale  
fat extraction plants."

Promulgated by the Governor on the 1st day of November,  
1955.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Ref. D/6/47/III.

The American Bar Association

1907-1908

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FALKLAND ISLANDS.

**The Income Tax Ordinance (Cap. 32).**

**Order**

(under section 49 of the Ordinance)

O. R. ARTHUR,  
*Governor.*

No. 1 of 1955.

Whereas it is provided by section 49 of the Income Tax Ordinance that if the Governor in Council by Order declares that arrangements specified in the Order have been made with the Government of any territory outside the Colony with a view to affording relief from Double Taxation in relation to Income Tax and any tax of a similar character imposed by the laws of that territory and that it is expedient that those arrangements should have effect, the arrangements shall have effect in relation to Income Tax notwithstanding anything in any enactment : Preamble.

And Whereas by a Convention dated the 27th day of March, 1950, between the Government of the United Kingdom and the Government of Denmark arrangements were made among other things for the avoidance of Double Taxation :

And Whereas provision is made in the said Convention for the extension by means of an exchange of notes between the High Contracting Parties of the said Convention, subject to such modifications and conditions (including conditions as to termination) as may be specified in the exchange of notes, to any territory, for whose inter-national relations the United Kingdom is responsible, which imposes taxes substantially similar in character to those which are the subject of the said Convention :

And Whereas by an exchange of notes dated respectively the 18th November and the 22nd December, 1954, the said Convention with certain modifications was applied to the Colony of the Falkland Islands : now, therefore, it is hereby declared by His Excellency the Governor in Council -

(a) that the arrangements specified in the First Schedule to this Order, as modified by the provisions of the Second Schedule to this Order, have been made with the Government of Denmark;

(b) that it is expedient that those arrangements should have effect.

This Order may be cited as the Double Taxation Relief Title. (Taxes on Income) (Denmark) Order, 1955.

Made by the Governor in Executive Council at a meeting held on the 15th day of November, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

## FIRST SCHEDULE.

CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF DENMARK FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have appointed for that purpose as their Plenipotentiaries:

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Right Honourable Ernest Bevin, M.P., Principal Secretary of State for Foreign Affairs;

The Government of the Kingdom of Denmark:

His Excellency Count Eduard Reventlow, Ambassador Extraordinary and Plenipotentiary of Denmark in London:

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:—

### ARTICLE I

1. The taxes which are the subject of the present Convention are:

(a) In Denmark:

The national income tax (including the extraordinary company tax) (hereinafter referred to as "Danish tax").

(b) In the United Kingdom of Great Britain and Northern Ireland:

The income tax (including sur-tax) and the profits tax (hereinafter referred to as "United Kingdom tax").

2. The present Convention shall also apply to any other taxes of a substantially similar character imposed in Denmark or the United Kingdom subsequently to the date of signature of the present Convention.

### ARTICLE II

1. In the present Convention, unless the context otherwise requires:

(a) The term "United Kingdom" means Great Britain and Northern Ireland, excluding the Channel Islands and the Isle of Man;

(b) The term "Denmark" means the Kingdom of Denmark, excluding the Faroe Islands and Greenland;

(c) The terms "one of the territories" and "the other territory" mean the United Kingdom or Denmark, as the context requires;

(d) The term "tax" means United Kingdom tax or Danish tax, as the context requires;

(e) The term "person" includes any body of persons, corporate or not corporate;

(f) The term "company" means any body corporate;

(g) The terms "resident of the United Kingdom" and "resident of Denmark" mean respectively any person who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in Denmark for the purposes of Danish tax, and any person who is resident in Denmark for the purposes of Danish tax and not resident in the United Kingdom for the purposes of the United Kingdom tax; a company shall be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom and as resident in Denmark if its business is managed and controlled in Denmark;

(h) The terms "resident of one of the territories" and "resident of the other territory" mean a person who is a resident of the United Kingdom or a person who is a resident of Denmark, as the context requires;

(i) The terms "United Kingdom enterprise" and "Danish enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom and an industrial or commercial enterprise or undertaking carried on by a resident of Denmark, and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Danish enterprise, as the context requires;

(j) The term "industrial or commercial profits" includes rents or royalties in respect of cinematograph films;

(k) The term "permanent establishment" when used with respect to an enterprise of one of the territories, means a branch, management, factory, or other fixed place of business,

but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of such enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. In this connexion—

(i) An enterprise of one of the territories shall not be deemed to have a permanent establishment in the other territory merely because it carries on business dealings in that other territory through a *bona fide* broker or general commission agent acting in the ordinary course of his business as such;

(ii) The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise;

(iii) The fact that a company which is a resident of one of the territories has a subsidiary company which is a resident of the other territory or which carries on a trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

2. Where under this Convention any income is exempt from tax in one of the territories if (with or without other conditions) it is subject to tax in the other territory, and that income is subject to tax in that other territory by reference only to the amount thereof which is remitted to or received in that other territory, the exemption to be allowed under this Convention in the first-mentioned territory shall apply only to the amount so remitted or received.

3. In the application of the provisions of the present Convention by one of the High Contracting Parties any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws in force in the territory of that Party relating to the taxes which are the subject of the present Convention.

### ARTICLE III

1. The industrial or commercial profits of a United Kingdom enterprise shall not be subject to Danish tax unless the enterprise carries on a trade or business in Denmark through a permanent establishment situated therein. If it carries on a trade or business as aforesaid, tax may be imposed on those profits by Denmark, but only on so much of them as is attributable to that permanent establishment.

2. The industrial or commercial profits of a Danish enterprise shall not be subject to United Kingdom tax unless the enterprise carries on a trade or business in the United Kingdom through a permanent establishment situated therein. If it carries on a trade or business as aforesaid, tax may be imposed on those profits by the United Kingdom, but only on so much of them as is attributable to that permanent establishment.

3. Where an enterprise of one of the territories carries on a trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to that permanent establishment the industrial or commercial profits which it might be expected to derive in that other territory if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

4. Where an enterprise of one of the territories derives profits, under contracts concluded in that territory, from sales of goods or merchandise stocked in a warehouse in the other territory for convenience of delivery and not for purposes of display, those profits shall not be attributed to a permanent establishment of the enterprise in that other territory, notwithstanding that the offers of purchase have been obtained by an agent in that other territory and transmitted by him to the enterprise for acceptance.

5. No portion of any profits arising to an enterprise of one of the territories shall be attributed to a permanent establishment situated in the other territory by reason of the mere purchase of goods or merchandise within that other territory by the enterprise.

### ARTICLE IV

Where—

(a) an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory, or

(b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory,

and in either case, conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises, then any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued may be included in the profits of that enterprise and taxed accordingly.

### ARTICLE V

1. The industrial and commercial profits of a company which is a resident of Denmark shall, so long as undistributed profits of United Kingdom enterprises are effectively charged to United Kingdom Profits Tax at a lower rate than distributed profits of such enterprises, be charged to United Kingdom Profits Tax only at that lower rate.

2. Where a company which is a resident of Denmark controls, directly or indirectly, not less than 50 per cent. of the entire voting power of a company which is a resident of the United Kingdom, distributions by the latter company to the former company shall be left out of account in computing United Kingdom Profits Tax effectively chargeable on the latter company at the rate appropriate to distributed profits.

3. If the industrial and commercial profits of a company which is a resident of the United Kingdom become chargeable to a form of Danish tax under which, in the case of companies which are residents of Denmark, the undistributed or undistributable income is charged to tax at a lower rate than the distributed or distributable income of such companies, these industrial and commercial profits shall be charged to Danish tax only at the lower rate.

4. Where a company which is a resident of the United Kingdom beneficially owns not less than 50 per cent. of the entire ordinary share capital of a company which is a resident of Denmark, distributed or distributable income payable by the latter company to the former company shall be left out of account in computing the liability of the latter company to Danish tax at any higher rate appropriate to distributed or distributable income, and this shall apply, in particular, in computing the liability of the latter company to that part of the Danish extraordinary tax on companies known as Udbytterate.

#### ARTICLE VI

1. Notwithstanding the provisions of Articles III, IV and V, profits which a resident of one of the territories derives from operating ships or aircraft shall be exempt from tax in the other territory.

2. The Agreement dated 18th December, 1924, between the United Kingdom and Denmark for the reciprocal exemption from Income Tax in certain cases of profits accruing from the business of shipping shall not have effect for any year or period for which the present Convention has effect.

#### ARTICLE VII

1. (a) Dividends paid by a company which is a resident of the United Kingdom to a resident of Denmark, who is subject to tax in Denmark in respect thereof and does not carry on a trade or business in the United Kingdom through a permanent establishment situated therein, shall be exempt from United Kingdom sur-tax.

(b) Dividends paid by a company which is a resident of Denmark to a resident of the United Kingdom, who is subject to tax in the United Kingdom in respect thereof and does not carry on a trade or business in Denmark through a permanent establishment situated therein, shall not be chargeable to tax in addition to the tax on the profits out of which the dividends are paid at a rate exceeding 5 per cent. : Provided that where the resident of the United Kingdom is a company which beneficially owns not less than 50 per cent. of the entire ordinary share capital of the company paying the dividends, the dividends shall be exempt from any such tax on dividends.

2. Where a company which is a resident of one of the territories derives profits or income from sources within the other territory, there shall not be imposed in that other territory any form of taxation on dividends paid by the company to persons not resident in that other territory, or any tax in the nature of undistributed profits tax on undistributed profits of the company, whether or not those dividends or undistributed profits represent, in whole or in part, profits or income so derived.

#### ARTICLE VIII

1. Any interest or royalty derived from sources within one of the territories by a resident of the other territory, who is subject to tax in that other territory in respect thereof and does not carry on a trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from tax in that first-mentioned territory ; but no exemption shall be allowed in respect of interest paid by a company which is a resident of one of the territories to a company which is a resident of the other territory where the latter company controls, either directly or indirectly, more than 50 per cent. of the entire voting power of the former company.

2. In this Article—

(a) The term "interest" includes interest on bonds, securities, notes, debentures or on any other form of indebtedness ;

(b) The term "royalty" means any royalty or other amount paid as consideration for the use of, or for the privilege of using, any copyright, patent, design, secret process or formula, trade mark or other like property, but does not include any royalty or other amount paid in respect of the operation of a mine or quarry or of any other extraction of natural resources.

3. Where any interest or royalty exceeds a fair and reasonable consideration in respect of the indebtedness or rights for which it is paid, the exemption provided by the present Article shall apply only to so much of the interest or royalty as represents such fair and reasonable consideration.

4. Any capital sum derived from one of the territories from the sale of patent rights by a resident of the other territory, who does not carry on a trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from tax in that first-mentioned territory.

#### ARTICLE IX

Income of whatever nature derived from real property within one of the territories (except interest on mortgages secured on real property) shall be chargeable to tax in accordance with the laws of that territory. Where the said income is also chargeable to tax in the other territory, credit for the tax

payable in the first-mentioned territory shall be given against the tax payable on that income in the other territory in accordance with Article XVII.

#### ARTICLE X

A resident of one of the territories who does not carry on a trade or business in the other territory through a permanent establishment situated therein shall be exempt in that other territory from any tax on gains from the sale, transfer, or exchange of capital assets.

#### ARTICLE XI

1. Remuneration, including pensions, paid by, or out of funds created by, one of the High Contracting Parties, to any individual in respect of services rendered to that Party in the discharge of governmental functions shall be exempt from tax in the territory of the other High Contracting Party, unless the individual is a national of that other Party without being also a national of the first-mentioned Party.

2. The provisions of this Article shall not apply to payments in respect of services rendered in connexion with any trade or business carried on by either of the High Contracting Parties for purposes of profit.

#### ARTICLE XII

1. An individual who is a resident of the United Kingdom shall be exempt from Danish tax on profits or remuneration in respect of personal (including professional) services performed within Denmark in any year of assessment if—

(a) he is present within Denmark for a period or periods not exceeding in the aggregate 183 days during that year, and

(b) the services are performed for or on behalf of a resident of the United Kingdom, and

(c) the profits or remuneration are subject to United Kingdom tax.

2. An individual who is a resident of Denmark shall be exempt from United Kingdom tax on profits or remuneration in respect of personal (including professional) services performed within the United Kingdom in any year of assessment, if—

(a) he is present within the United Kingdom for a period or periods not exceeding in the aggregate 183 days during that year, and

(b) the services are performed for or on behalf of a resident of Denmark, and

(c) the profits or remuneration are subject to Danish tax.

3. The provisions of this Article shall not apply to the profits or remuneration of public entertainers such as theatre, motion picture or radio artists, musicians and athletes.

#### ARTICLE XIII

1. Any pension (other than a pension of the kind referred to in paragraph 1 of Article XI) and any annuity, derived from sources within Denmark by an individual who is a resident of the United Kingdom and subject to United Kingdom tax in respect thereof, shall be exempt from Danish tax.

2. Any pension (other than a pension of the kind referred to in paragraph 1 of Article XI) and any annuity, derived from sources within the United Kingdom by an individual who is a resident of Denmark and subject to Danish tax in respect thereof, shall be exempt from United Kingdom tax.

3. The term "annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

#### ARTICLE XIV

A professor or teacher from one of the territories, who receives remuneration for teaching, during a period of temporary residence not exceeding two years, at a university, college, school or other educational institution in the other territory, shall be exempt from tax in that other territory in respect of that remuneration.

#### ARTICLE XV

A student or business apprentice from one of the territories, who is receiving full-time education or training in the other territory, shall be exempt from tax in that other territory on payments made to him by persons in the first mentioned territory for the purposes of his maintenance, education or training.

#### ARTICLE XVI

1. Individuals who are residents of Denmark shall be entitled to the same personal allowances, reliefs and reductions for the purposes of United Kingdom income tax as British subjects not resident in the United Kingdom.

2. Individuals who are residents of the United Kingdom shall be entitled to the same personal allowances and reliefs for the purposes of Danish tax as Danish nationals not resident in Denmark.

## ARTICLE XVII

1. The laws of the High Contracting Parties shall continue to govern the taxation of income arising in either of the territories, except where express provision to the contrary is made in this Convention. Where income is subject to tax in both territories, relief from double taxation shall be given in accordance with the following paragraphs:—

2. Subject to the provisions of the law of the United Kingdom regarding the allowance as a credit against United Kingdom tax of tax payable in a territory outside the United Kingdom, Danish tax payable, whether directly or by deduction, in respect of income from sources within Denmark shall be allowed as a credit against the United Kingdom tax payable in respect of that income. Where such income is an ordinary dividend paid by a company resident in Denmark, the credit shall take into account (in addition to any Danish tax appropriate to the dividend) the Danish tax payable by the company in respect of its profits: and, where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, the Danish tax so payable by the company shall likewise be taken into account in so far as the dividend exceeds that fixed rate.

3. United Kingdom tax payable, whether directly or by deduction, in respect of income from sources within the United Kingdom shall be allowed as a deduction from the Danish tax payable in respect of that income. Provided that the amount of the deduction shall not exceed the proportion of the Danish tax which such income chargeable to Danish tax bears to the total income chargeable to Danish tax. For the purposes of this paragraph only, the expression "Danish tax" shall include the Danish inter-municipal income tax.

4. In the case of a person who is resident in the United Kingdom for the purposes of United Kingdom tax and is also resident in Denmark for the purposes of Danish tax, the provisions of paragraph 2 of this article shall apply in relation to income which that person derives from sources within Denmark, and the provisions of paragraph 3 of this Article shall apply in relation to income which he derives from sources within the United Kingdom. If such person derives income from sources outside both the United Kingdom and Denmark, tax may be imposed on that income in both the territories (subject to the laws in force in the territories and to any Convention which may exist between either of the High Contracting Parties and the territory from which the income is derived). A credit shall be allowed in accordance with paragraph 2 of this Article against any United Kingdom tax payable in respect of that income, equal to that proportion of the United Kingdom tax or the Danish tax on that income, whichever is the less, which such person's income from sources within the United Kingdom bears to the sum of his income from sources within the United Kingdom and his income from sources within Denmark; and a deduction shall be allowed in accordance with paragraph 3 of this Article against any Danish tax payable in respect of that income equal to that proportion of the United Kingdom tax or the Danish tax on that income, whichever is the less, which such person's income from sources within Denmark bears to the sum of his income from sources within the United Kingdom and his income from sources within Denmark.

5. For the purposes of this Article, profits or remuneration for personal (including professional) services performed in one of the territories shall be deemed to be income from sources within that territory, and the services of an individual whose services are wholly or mainly performed in ships or aircraft operated by a resident of one of the territories shall be deemed to be performed in that territory.

## ARTICLE XVIII

1. The taxation authorities of the High Contracting Parties shall exchange such information (being information which is at their disposal under their respective taxation laws in the normal course of administration) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or for the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information as aforesaid shall be exchanged which would disclose any trade, business, industrial or professional secret or trade process.

2. As used in this Article, the term "taxation authorities" means, in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorised representatives; in the case of Denmark, the Director-General of Taxation or his authorised representative; and, in the case of any territory to which the present Convention is extended under Article XX, the competent authority for the administration in such territory of the taxes to which the present Convention applies.

## ARTICLE XIX

1. The nationals of one of the High Contracting Parties shall not be subjected in the territory of the other High Contracting Party to any taxation or any requirement connected therewith which is other, higher, or more burdensome than the taxation and connected requirements to which the nationals of the latter Party are or may be subjected.

2. The enterprises of one of the territories, whether carried on by a company, a body of persons or by individuals alone or in partnership, shall not be subjected in the other territory, in respect of profits or capital attributable to their permanent establishments in that other territory, to any taxation which is other, higher or more burdensome than the taxation to which the enterprises of that other territory similarly carried on are or may be subjected in respect of the like profits or capital.

3. The income, profits and capital of an enterprise of one of the territories, the capital of which is wholly or partly owned or controlled, directly or indirectly, by a resident or residents of the other territory shall not be subjected in the first-mentioned territory to any taxation which is other, higher or

more burdensome than the taxation to which other enterprises of that first-mentioned territory are or may be subjected in respect of the like income, profits and capital.

4. Nothing in paragraph 1 or paragraph 2 of this Article shall be construed as obliging one of the High Contracting Parties to grant to nationals of the other High Contracting Party who are not resident in the territory of the former Party the same personal allowances, reliefs and reductions for tax purposes as are granted to His own nationals.

5. In this Article the term "nationals" means —

- (a) in relation to Denmark, all Danish citizens and all legal persons, partnerships, associations and other entities deriving their status as such from the law in force in Denmark or in any Danish territory to which the present Convention applies by reason of extension made under Article XX;
- (b) in relation to the United Kingdom, all British subjects and British-protected persons residing in the United Kingdom or any British territory to which the present Convention applies by reason of extension made under Article XX, and all legal persons, partnerships, associations and other entities deriving their status as such from the law in force in any British territory to which the present Convention applies.

6. In this Article the term "taxation" means taxes of every kind and description levied on behalf of any authority whatsoever.

## ARTICLE XX

1. The present Convention may be extended, either in its entirety or with modifications, to any territory of one of the High Contracting Parties to which this Article applies and which imposes taxes substantially similar in character to those which are the subject of the present Convention, and any such extension shall take effect from such date and subject to such modifications and conditions (including conditions as to termination) as may be specified and agreed between the High Contracting Parties in notes to be exchanged for this purpose.

2. The termination in respect of Denmark or the United Kingdom of the present Convention under Article XXII shall, unless otherwise expressly agreed by both High Contracting Parties, terminate the application of the present Convention to any territory to which the Convention has been extended under this Article.

3. The territories to which this Article applies are:

- (a) in relation to the United Kingdom: any territory other than the United Kingdom for whose international relations the United Kingdom is responsible;
- (b) in relation to Denmark: any territory other than Denmark for whose international relations Denmark is responsible.

## ARTICLE XXI

1. The present Convention shall be ratified and the instruments of ratification shall be exchanged at London as soon as possible.

2. Upon exchange of ratifications the present Convention shall have effect—

- (a) In the United Kingdom:
  - as respects income tax for any year of assessment beginning on or after the 6th April, 1949;
  - as respects sur-tax for any year of assessment beginning on or after the 6th April, 1948; and
  - as respects profits tax in respect of the following profits:—
    - (i) profits arising in any chargeable accounting period beginning on or after the 1st April, 1949;
    - (ii) profits attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;
    - (iii) profits not so arising or attributable by reference to which income tax is, or but for the present Convention would be, chargeable for any year of assessment beginning on or after the 6th April, 1949.
- (b) In Denmark:
  - as respects Danish tax for any taxation year beginning on or after the 1st April, 1949.

## ARTICLE XXII

The present Convention shall continue in effect indefinitely but either of the High Contracting Parties may, on or before the 30th June in any calendar year not earlier than the year 1953, give to the other High Contracting Party, through diplomatic channels, written notice of termination and, in such event, the present Convention shall cease to be effective—

- (a) In the United Kingdom:
  - as respects income tax for any year of assessment beginning on or after the 6th April in the calendar year next following that in which the notice is given;
  - as respects sur-tax for any year of assessment beginning on or after the 6th April in the calendar year in which the notice is given; and

as respects profits tax in respect of the following profits :—

- (i) profits arising in any chargeable accounting period beginning on or after the 1st April in the calendar year next following that in which the notice is given;
- (ii) profits attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;
- (iii) profits not so arising or attributable by reference to which income tax is chargeable for any year of assessment beginning on or after the 6th April in the next following calendar year.

(b) In Denmark :

as respects Danish tax for any taxation year beginning on or after the 1st April in the calendar year next following that in which the notice is given.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at London in duplicate, in the English and Danish languages, both texts being equally authentic, on the twenty-seventh day of March, one thousand nine hundred and fifty.

(L.S.)

ERNEST BEVIN.

(L.S.)

E. REVENTLOW.

## SECOND SCHEDULE

### APPLICATION

1. (a) The provisions of the Convention incorporated in the First Schedule to this Order shall apply as modified below —
  - (i) as if the contracting parties were the Colony of the Falkland Islands and the Government of Denmark;
  - (ii) as if the tax concerned in the case of the Colony were the income tax;
  - (iii) as if the taxes concerned in the case of Denmark included the Defence Tax;
  - (iv) as if references to the date of signature were references to the 22nd day of December, 1954;
  - (v) as if references to the 6th day of April were references to the 1st day of January.
- (b) The extension shall have effect in the Colony as respects tax for the year of assessment 1954 and for subsequent years of assessment, (and will have effect in Denmark — as respects Danish Tax for any taxation year beginning on or after the 1st day of April, 1954).
- (c) The extension shall continue in effect indefinitely but may be terminated as respects the Colony by written notice of termination given on or before the 30th day of June in any calendar year not earlier than the year 1957 by either of the High Contracting Parties to the Convention to the other High Contracting Party through the diplomatic channel and in such event the extension shall cease to have effect in the Colony as respects tax for the year next following the date of such notice and for subsequent years of assessment, (and will cease to have effect in Denmark as respects Danish tax for any taxation year beginning on or after the 1st day of April in the calendar year next following that in which the notice is given).

### MODIFICATIONS

2. (a) In article VII (1) of the Convention the words "exempt from United Kingdom sur-tax" shall be understood for the purposes of this extension as though they read "shall not be liable to tax in the territory at a rate in excess of the rate applicable to a company".
- (b) In Articles VIII and IX all preference to interest shall be deemed to be deleted.

## FALKLAND ISLANDS.

## The Consular Conventions Ordinance. (Cap. 14.)

### Order

(under section 6 of the Ordinance).

O. R. ARTHUR,  
*Governor.*

No. 2 of 1955.

Whereas by section 6 (1) of the Consular Conventions Ordinance, (hereinafter referred to as the Ordinance) it is enacted that the Governor may by Order in Council direct that all or any of the sections of the Ordinance shall apply to any foreign State specified in the Order, being a State with which a Consular Convention providing for matters of which provision is made by those sections has been made by Her Majesty ;

And Whereas a Consular Convention (hereinafter referred to as the Convention) between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and the President of the United States of Mexico was signed at Mexico City on the 20th day of March, 1954, which provides for matters for which provision is made in sections 2, 3, 4 and 5 of the Ordinance ;

And Whereas the Convention came into force on the 1st day of April, 1955 ;

Now, therefore, His Excellency the Governor, in exercise of the powers conferred upon him by section 6 (1) of the Ordinance and of all other powers enabling him in that behalf, is pleased, by and with the advice of the Executive Council, to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Consular Conventions (United States of Mexico) Order, 1955.

2. Sections 2, 3, 4 and 5 of the Ordinance shall apply to the United States of Mexico.

Made by the Governor in Executive Council at a meeting held on the 15th day of November, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 1475.

# FALKLAND ISLANDS.

## Wild Animals and Birds Protection Ordinance (Cap. 77)

### Order

O. R. ARTHUR,  
*Governor.*

No. 3 of 1955.

His Excellency the Governor, in exercise of the powers vested in him by section 7 of the Wild Animals and Birds Protection Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Wild Animals and Birds Protection Order, 1955. Short title.

2. The names of the wild animals and birds listed in Schedule I to the Wild Animals and Birds Protection Ordinance shall be deleted and the following list substituted therefor :— Amendment of Schedule I to the Ordinance.

Otter	
Reindeer (South Georgia)	
Duck	— Canvas Back
	Cinnamon (Red) Teal
	Logger
	Mallard
Flamingo	
Goose	— Ashy-headed (White-breasted-Brent)
	Kelp
	Upland (South Georgia)
Grebe	— (all species)
Gull	— Pink-breasted
Hawk	— Cassin's Falcon (Sparrow Hawk or Black Hawk)
	Cinnamon Kestrel (Small Red Hawk)
	Red-backed Buzzard (Blue Hawk)
Heron	— Night (Qwark)
	Cocoi
	White
Ibis	— (Bandouria)
Owl	— (all species)
Partridge	
Penguin	— (all species)
Plover	— Falkland Islands or Ring-Spur-Wing (Teru-teru)
Swan	— Black-necked
	Coscoroba
Tussac Bird.	

3. The names of the wild birds listed in Schedule II to the Wild Animals and Birds Protection Ordinance shall be deleted and the following list substituted therefor :— Amendment of Schedule II to the Ordinance.

Dotterel	
Duck	— Grey
	Pampa
	Pintail (Grey Teal)
	South Georgia Teal
	Widgeon
	Yellow-billed (Common) Teal
Military Starling	
Snipe.	

Made by the Governor in Executive Council at a meeting held on the 15th day of November, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

1955 No. 1650

**FALKLAND ISLANDS**

**The Falkland Islands (Legislative Council)  
(Amendment) Order in Council, 1955**

*Made* - - - - - 28th October, 1955

*Laid before Parliament* 2nd November, 1955

*Coming into Operation* - - - - - On a day to be  
appointed under  
section 1 (3).

At the Court at Buckingham Palace, the 28th day of October, 1955

Present

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by the British Settlements Acts, 1887 and 1945 (a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :

1.—(1) This Order may be cited as the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1955, and shall be construed as one with the Falkland Islands (Legislative Council) Order in Council, 1948 (b) (hereinafter referred to as "the principal Order").

Citation, construction  
and commencement.

(2) The principal Order, the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1950 (c), the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1951 (d), and this Order may be cited together as the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955.

(3) This Order shall come into operation on a day to be appointed by the Governor by Proclamation published in the Gazette, which day shall not be earlier than the day after the day on which this Order shall have been laid before both Houses of Parliament.

2. Subsection (3) of section 1 of the principal Order is hereby amended by the insertion after the word "Order" of the words "unless the context otherwise requires".

Amendment of section 1  
of the principal Order.

3. Section 5 of the principal Order is hereby revoked and the following section is substituted therefor—

Amendment of section 5  
of the principal Order.

"The Ex officio Members shall be the Colonial Secretary, or other the person for the time being lawfully discharging the functions of Colonial Secretary, and the persons holding the substantive appointments of Senior Medical Officer and Colonial Treasurer."

4. Paragraph (f) of subsection (1) of section 11 of the principal Order is hereby amended by the insertion of the words "in the case of a Nominated Unofficial Member" before the words "holds any office of emolument."

Amendment of section 11  
of the principal Order.

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(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (b) S.I.1948/2573 (Rev. VII, p. 591 : 1948 I, p. 1018). (c) S.I. 1950/1184 (1950 I, p. 683). (d) S.I. 1951/1946 (1951 I, p. 682).

5. Subsection (1) of section 13 of the principal Order is hereby amended by the revocation of subparagraphs (b) (c), and (d) and the substitution of the following subparagraphs therefor—

- “(b) the person holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer or a Nominated Member is lawfully discharging the functions of Colonial Secretary ; or
- (c) the person holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer is incapable by reason of illness of discharging the functions of his office ; or
- (d) no person is holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer ; or”.

W. G. AGNEW.

## FALKLAND ISLANDS.

No. 1

## Proclamation

1955

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

A. G. DENTON-THOMPSON — *By The Honourable AUBREY GORDON DENTON-THOMPSON, ESQUIRE, M.C., Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[ L.S. ]

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that “whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony”.

AND WHEREAS HIS EXCELLENCY OSWALD RAYNOR ARTHUR, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, has this day left the Colony for the purpose of visiting the United Kingdom.

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor;

NOW, THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

GOD SAVE THE QUEEN.

Given at Government House, Stanley, this 13th day of June, in the Year of Our Lord, One thousand Nine hundred and Fifty-five.

*By Command of the  
Officer Administering the Government.*

S. G. TREES,  
*Acting Colonial Secretary.*

Ref. P/659.

# FALKLAND ISLANDS.

No. 2

## Proclamation

1955

Made under section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, (Cap. 42).

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

O. R. ARTHUR — *By His Excellency* OSWALD RAYNOR ARTHUR,  
ESQUIRE, *Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, it is provided that where the Governor is satisfied that reciprocal provisions have been made by the Legislature of any British possession or any territory under Her Majesty's protection for the enforcement within such possession or territory of maintenance orders made by courts in the Falkland Islands, the Governor may by Proclamation extend the Ordinance to such possession or territory, and the Ordinance shall thereupon apply in respect of such possession or territory as though the references to England or Northern Ireland were references to such possession or territory;

AND WHEREAS the Governor is satisfied that the Legislature of the Islands of Guernsey, Alderney and Sark has made reciprocal provisions for the enforcement within the Islands of Guernsey, Alderney and Sark of maintenance orders made by courts in the Falkland Islands:

NOW, THEREFORE, I, OSWALD RAYNOR ARTHUR, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do hereby order that the Maintenance Orders (Facilities for Enforcement) Ordinance, shall extend to maintenance orders made by courts in the Islands of Guernsey, Alderney and Sark in like manner as it applies to maintenance orders made in England or Northern Ireland.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 8th day of November, in the Year of Our Lord One thousand Nine hundred and Fifty-five.

*By His Excellency's Command,*  
A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

### Falkland Islands (Legislative Council) (Amendment) Order in Council, 1955.

No. 3.

### Proclamation

1955.

IN THE NAME of Her Majesty ELIZABETH II, by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

O. R. ARTHUR — *By His Excellency OSWALD RAYNOR ARTHUR, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS it is provided by subsection (3) of section 1 of the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1955, that the Order shall come into operation on a day to be appointed by the Governor by Proclamation in the Gazette;

NOW, THEREFORE, I, OSWALD RAYNOR ARTHUR, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, by virtue of the powers vested in me by the said Falkland Islands (Legislative Council) (Amendment) Order in Council, 1955, do hereby proclaim that the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1955, shall come into operation on the 1st day of December, 1955.

**GOD SAVE THE QUEEN.**

Given at Government House, Stanley, this Seventeenth day of November, in the Year of Our Lord, One thousand Nine hundred and Fifty-five.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,

*Colonial Secretary.*

# FALKLAND ISLANDS

No. 4.

## Proclamation

1955.

To appoint a date on which the Additional Instructions passed under the Royal Sign Manual and Signet issued to the Governor on the 15th day of November, 1955, shall come into effect.

IN THE NAME of Her Majesty ELIZABETH II, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth. Defender of the Faith.

O. R. A R T H U R — *By His Excellency OSWALD RAYNOR ARTHUR, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

Under and by virtue of the powers vested in me by the Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of the Falkland Islands and Dependencies thereof dated the 15th day of November, 1955, I hereby proclaim that the 15th day of December, 1955, shall be the appointed day upon which the said Instructions shall come into effect.

**GOD SAVE THE QUEEN.**

Given at Government House, Stanley, this 13th day of December, 1955.

*By His Excellency's Command,*  
A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Ref. 0068/IV.

# FALKLAND ISLANDS

No. 5.

## Proclamation

1955

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

O. R. ARTHUR — *By His Excellency OSWALD RAYNOR ARTHUR, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS it is provided by subsection (3) of Section 26 of the Falkland Islands (Legislative Council) Order in Council, 1948-1950, that the Governor shall dissolve the Council at the expiration of four years from the date of the report to him of the return of the first successful candidate at the last preceding General Election.

NOW THEREFORE, I, OSWALD RAYNOR ARTHUR, in pursuance of the powers vested in me by the said Falkland Islands (Legislative Council) Order in Council, 1948-1950, do hereby order and proclaim the dissolution of the Legislative Council, with effect from the 30th day of December, 1955.

**GOD SAVE THE QUEEN.**

Given at Government House, Stanley, this 29th day of December, 1955.

*By His Excellency's Command,*  
J. BOUND,  
*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

### The Education Ordinance (Cap. 22).

#### Regulations

(under section 10 of the Ordinance).

A. G. DENTON-THOMPSON,

No. 1 of 1955.

*Officer Administering the Government.*

His Honour the Officer Administering the Government in exercise of the powers vested in him by section 10 of the Education Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

1. These Regulations may be cited as the Schools (Amendment) Regulations, 1955, and shall be read as one with the Schools Regulations, hereinafter referred to as the principal Regulations.

Cap. 22.

Short Title.  
Vol. II Revised Edition  
p. 181.

2. Regulation 9 of the principal Regulations is hereby amended as follows :—

Amendment of  
regulation 9 of the  
principal Regulations.

- (a) by deleting the words and figure "to his paying in advance 2/6 on Monday of each week he attends, and subject also" in sub-regulation (1) ;
- (b) by revoking sub-regulation (2) ;
- (c) by renumbering sub-regulation (3) as sub-regulation (2).

Made by the Officer Administering the Government in Council on the 12th day of July, 1955.

J. BOUND,

*Clerk of the Executive Council.*

FALKLAND ISLANDS.

Registration Ordinance (Cap. 57)

Regulations

(under section 12 of the Ordinance).

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

No. 2 of 1955.

His Honour the Officer Administering the Government in exercise of the powers vested in him by section 12 of the Registration Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

1. These Regulations may be cited as the Registration (Amendment) Regulations, 1955, and shall be read as one with the Registration Regulations, hereinafter referred to as the principal Regulations.

Vol. II Revised Edition  
p. 263.

2. The Second Schedule to the principal Regulations is amended by the addition to the first part thereof of the following fees :—

Amendment of the  
Second Schedule to the  
principal Regulations.

- “3. For registering an instrument  
not more than five folios ... .. 10. 0.
4. For each additional folio ... .. 1. 0.”

Made by the Officer Administering the Government in Council on the 12th day of July, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0783.

# FALKLAND ISLANDS.

## Pensions Ordinance (Cap. 49).

### Regulations

(under section 3 of the Ordinance).

O. R. ARTHUR,  
*Governor.*

No. 3 of 1955.

In exercise of the powers conferred upon the Governor in Council by section 3 of the Pensions Ordinance, and with the sanction of the Secretary of State, the following Regulations are hereby made :—

Cap. 49.

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1955, and shall be read as one with the Pensions Regulations, hereinafter referred to as the principal Regulations.

Short title.

Revised Edition Vol. II.  
p. 212.

2. Sub-regulation (3) of regulation 21 of the principal Regulations is hereby amended by inserting the comma and word “, aircraft” between the word “vessel” and the words “or vehicle” wherever they appear.

Amendment of regulation 21 of the principal Regulations.

3. For the Schedule to the principal Regulations, there shall be substituted the following new Schedule :—

Amendment of the Schedule to the principal Regulations.

### SCHEDULE

Regulation 8.

Aden  
Bahamas  
Barbados  
Basutoland  
Bechuanaland Protectorate  
Bermuda  
British Guiana  
British Honduras  
British Solomon Islands Protectorate  
Cayman Islands  
Ceylon  
Colonial Audit Department  
(Home Establishment)  
Crown Agents for Oversea Governments &  
Administrations  
Cyprus  
Dominica  
East Africa High Commission  
East African Railways and Harbours  
Administration  
Eastern Region of Nigeria  
Federated Malay States  
Federation of Malaya  
Federation of Nigeria  
Federation of Rhodesia and Nyasaland  
Fiji  
Gambia  
Gibraltar  
Gilbert & Ellice Islands Colony  
Gold Coast  
Grenada  
Hong Kong

Jamaica  
Kenya  
Kenya & Uganda Railways and Harbour  
Administration  
Leeward Islands  
Malayan Establishment  
Malayan Union  
Malta  
Mauritius  
Nigeria  
North Borneo  
Northern Region of Nigeria  
Northern Rhodesia  
Nyasaland  
Palestine  
St. Helena  
St. Lucia  
St. Vincent  
Sarawak  
Seychelles  
Sierra Leone  
Singapore  
Somaliland  
Straits Settlements  
Tanganyika Territory  
Trinidad  
Turks and Caicos Islands  
Uganda  
United Kingdom of Great Britain and  
Northern Ireland  
Western Region of Nigeria  
Zanzibar

Made by the Governor in Executive Council on the 15th day of November, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### The Harbour Ordinance (Cap 30).

#### Regulations

(under section 3 of the Ordinance)

O. R. ARTHUR,  
*Governor.*

No. 4 of 1955.

His Excellency the Governor in exercise of the powers vested in him by section 3 of the Harbour Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

Cap. 30.

1. These Regulations may be cited as the Harbour (Amendment) Regulations, 1955, and shall be read as one with the Harbour Regulations, hereinafter referred to as the principal Regulations.

Short title.  
Vol. II Revised Edition  
p. 183.

2. Regulation 10 of the principal Regulations is hereby revoked and replaced as follows :—

Replacement of  
regulation 10 of the  
principal Regulations.

“Rubbish etc. 10. Masters of vessels who require to dispose of rubbish, etc., shall cause the same to be placed in the bins provided for this purpose on the jetties.”

Made by the Governor in Executive Council on the 15th day of November, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0285.

FALKLAND ISLANDS.

Customs Ordinance (Cap 16)

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**RESOLUTION**

(under Section 5 of the Ordinance)

No. 1 of 1955.

Whereas by Section 5 of the Customs Ordinance, it is enacted, that it shall be lawful for the Legislative Council from time to time by resolution to impose import or export duties of customs upon any goods whatsoever which may be imported into or exported from the Colony, and to revoke, reduce, increase or alter any such duties, and to provide for the importation or exportation of any goods without payment of customs duty thereon ;

And whereas under the provisions of Section 3 of the Customs Order an export duty has been imposed on the exportation of live sheep at the rate of two shillings per sheep ;

And whereas it is considered expedient to revoke the export of customs payable on all live sheep exported from the Colony ;

Now be it resolved that the said export duty payable on all live sheep exported from the Colony and imposed under the provisions of Section 3 of the Customs Order be revoked.

Made at a meeting of the Legislative Council on the 16th day of December, 1955.

J. BOUND,  
*Clerk of the Legislative Council.*

## FALKLAND ISLANDS.

### Administration of Estates Ordinance (Cap. 1)

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#### Rules made by the Governor in Council.

O. R. ARTHUR,  
*Governor.*

No. 1 of 1955.

His Excellency the Governor in exercise of the powers vested in him by section 22 of the Administration of Estates Ordinance, is pleased, by and with the advice of the Executive Council to make the following Rules :—

1. These Rules may be cited as the Administration of Estates (Amendment) Rules, 1955, and shall be read as one with the Administration of Estates Rules, hereinafter referred to as the principal Rules.

Vol. II Revised Edition  
p. 109.

2. The Second Schedule to the principal Rules is amended by the addition at the end of part I thereof of the following fees :—

“For inspecting an original Will	...	...	1.	0.
For a Copy of a Will or other document				
filed, per folio	...	...	1.	0.
For a Copy of Probate or Letters of Administration			2.	6.”

Made by the Governor in Council at a meeting held on the 7th day of April, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### Administration of Justice Ordinance (Cap. 3).

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#### Rules made by the Governor in Council.

O. R. ARTHUR,  
*Governor.*

No. 2 of 1955.

His Excellency the Governor in exercise of the powers vested in him by section 69 of the Administration of Justice Ordinance, is pleased, by and with the advice of the Executive Council to make the following Rules :—

1. These Rules may be cited as the Court Fees (Amendment) Rules, 1955, and shall be read as one with the Court Fees Rules, hereinafter referred to as the principal Rules.

Vol. II Revised Edition  
p. 128.

2. Rule 4 of the principal Rules is hereby revoked and replaced as follows :—

“4. The fees prescribed in the Third Schedule are payable to a notary public on the specified notarial acts performed by him.”

Made by the Governor in Council at a meeting held on the 7th day of April, 1955.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0831.